

**DEPARTMENT OF COMMERCE****International Trade Administration****University of California at Santa Barbara; Notice of Decision on Application for Duty-Free Entry of Electron Microscope**

This decision is made pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW., Washington, DC.

*Docket Number:* 04-005. *Applicant:* University of California, Santa Barbara, CA 93106-5050. *Instrument:* Electron Microscope, Model Tecna G<sup>2</sup> Sphera. *Manufacturer:* FEI Company, The Netherlands. *Intended Use:* See notice at 69 FR 9301, February 27, 2004. *Order Date:* December 3, 2002. *Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as the instrument is intended to be used, was being manufactured in the United States at the time the instrument was ordered.

*Reasons:* The foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States either at the time of order of the instrument OR at the time of receipt of the application by U.S. Customs and Border Protection.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 04-10665 Filed 5-10-04; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****International Trade Administration****University of Colorado, Boulder., et al; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments**

This is a decision consolidated pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 a.m. and 5 p.m. in Suite 4100W, Franklin Court Building, U.S.

Department of Commerce, 1099 14th Street, NW., Washington, DC.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instruments described below, for such purposes as each is intended to be used, is being manufactured in the United States.

*Docket Number 04-002. Applicant:* University of Colorado, Boulder, CO 80309-0425. *Instrument:* Fiber Laser System, Model E5. *Manufacturer:* Koheras A/S, Denmark. *Intended Use:* See notice at 69 FR 9301, February 27, 1904. *Order Date:* December 1, 2003. *Reasons:* The foreign instrument provides (1) linewidth of 1 kHz, (2) thermal tunability of 38 Ghz and Piezo tunability of 38 Ghz. *Advice received from:* A domestic manufacturer of similar equipment.

*Docket Number:* 04-003. *Applicant:* Research Foundation of the City of New York, 555 West 57th Street, New York, NY 10019. *Instrument:* Femtosecond Fiber Laser, Model Femtolite C-20-SP. *Manufacturer:* IMRA America, Inc., Japan. *Intended Use:* See notice at 69 FR 9301, February 27, 2004.

*Reasons:* The foreign instrument provides a source of THz radiation on a 100 fs scale for investigation of THz time-domain spectroscopy and THz time-resolved spectroscopy.

*Advice received from:* A domestic manufacturer of similar equipment.

Domestic manufacturers of similar equipment advise that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent scientific value to any of the foreign instruments.

**Gerald A. Zerdy,**

*Program Manager, Statutory Import Programs Staff.*

[FR Doc. 04-10663 Filed 5-10-04; 8:45 am]

**BILLING CODE 3510-DS-P**

**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-423-809]

**Stainless Steel Plate in Coils From Belgium: Notice of Decision of the Court of International Trade**

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of decision of the court of international trade: stainless steel plate in coils from Belgium.

**SUMMARY:** On April 22, 2004, the Court of International Trade ("CIT") sustained the Department of Commerce's ("the Department") final redetermination results in all respects. See *ALZ N.V. v. United States*, Slip Op. 04-38, Court No. 01-00834 (CIT April 22, 2004) (*ALZ v. United States*). Consistent with the decision of the United States Court of Appeals for the Federal Circuit ("Federal Circuit") in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department is notifying the public that the *ALZ v. United States* decision, discussed below, was "not in harmony" with the Department's original results.

The Department will continue to order the suspension of liquidation of the subject merchandise until there is a "conclusive" decision in this case. If the case is not appealed, or if it is affirmed on appeal, the Department will instruct the U.S. Customs Service to terminate the suspension of liquidation and revise the cash deposit rate for ALZ N.V. ("ALZ") accordingly.

**EFFECTIVE DATE:** May 11, 2004.

**FOR FURTHER INFORMATION CONTACT:** Anthony Grasso, AD/CVD Enforcement, Group I, Office 1, Import Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone (202) 482-3853.

**SUPPLEMENTARY INFORMATION:****Background**

On July 11, 2003, the CIT remanded to the Department its determination in the first administrative review of stainless steel plate in coils from Belgium. See *Stainless Steel Plate in Coils from Belgium: Final Results of Countervailing Duty Administrative Review*, 66 FR 45007 (August 27, 2001) ("*SS Plate from Belgium*"). The countervailing duty ("CVD") order subject to this review was issued on May 11, 1999. See *Notice of Amended Final Determinations: Stainless Steel Plate in Coils from Belgium and South*

*Africa; and Notice of Countervailing Duty Orders: Stainless Steel Plate in Coils from Belgium, Italy and South Africa*, 64 FR 25288 (May 11, 1999).

In *SS Plate from Belgium*, applying the Department's regulations as codified at 19 CFR part 351 (2000), including the new substantive countervailing duty regulations published in the **Federal Register** on November 25, 1998 (66 FR 65348), the Department found the following three equity programs to be countervailable: (1) The government of Belgium's ("GOB") purchases of Sidmar's common and preference shares in 1984; (2) the GOB's purchases of ALZ's common and preference shares in 1985; and (3) the GOB's 1985 debt-to-equity conversion for Sidmar.

In its remand order, the CIT directed the Department to: (1) Apply the equityworthiness methodology in existence at the time of the original petition to the 1984 and 1985 equity investments into Sidmar, and the 1985 equity investment into ALZ; and (2) (a) more closely scrutinize the terms of the Memorandum of Understanding regarding the purchase of Sidmar's common and preference shares to determine whether such document indicates a binding decision to invest; (b) reexamine the record for any additional evidence regarding the date upon which the government of Belgium ("GOB") decided to invest in Sidmar's common shares; and (c) explain its reasoning for choosing the date it finds to be the date the GOB decided to invest.

To assist it in complying with the Court's instructions, on August 21, 2003, the Department issued a supplemental questionnaire to ALZ and the GOB. On September 22, 2003, ALZ and the GOB timely submitted their responses to this questionnaire.

The Department released for comment its draft final results of redetermination pursuant to the CIT's remand order ("*Draft Results*") to ALZ and the GOB on November 21, 2003. The Department received no comments on the *Draft Results*.

The Department complied with the CIT's instructions and issued its redetermination pursuant to remand on December 10, 2003. See *Final Results of Redetermination Pursuant to Court Remand: ALZ N.V. v. United States*, Slip Op. 03-81, Court No. 01-00834 (CIT July 11, 2003) ("*Final Results of Redetermination*"). Pursuant to the CIT's remand instructions, we analyzed the information on the record as well as the information provided by ALZ and the GOB. As explained in the *Final Results of Redetermination*, we made changes to the Department's findings in

*SS Plate from Belgium* in regard to the GOB's 1984 and 1985 equity infusions in Sidmar and ALZ.

On April 22, 2004, the CIT issued an order without an opinion affirming the Department's *Final Results of Redetermination*. See *ALZ N.V. v. United States*, Slip Op. 04-38, Court No. 01-00834 (CIT April 22, 2004).

#### Suspension of Liquidation

The U.S. Court of Appeals for the Federal Circuit, in *Timken*, held that the Department must publish notice of a decision of the CIT or the Federal Circuit which is not "in harmony" with the Department's *Final Determination*. Publication of this notice fulfills that obligation. The Federal Circuit also held that the Department must suspend liquidation of the subject merchandise until there is a "conclusive" decision in the case. Therefore, pursuant to *Timken*, the Department must continue to suspend liquidation pending the expiration of the period to appeal the CIT's April 22, 2004, decision or, if that decision is appealed, pending a final decision by the Federal Circuit. The Department will instruct the United States Customs and Border Protection to revise cash deposit rates and liquidate relevant entries covering the subject merchandise effective the date of publication of this notice in the **Federal Register**, in the event that the CIT's ruling is not appealed, or if appealed and upheld by the Court of Appeals for the Federal Circuit.

Dated: May 4, 2004.

**James J. Jochum**,

*Assistant Secretary for Import Administration.*

[FR Doc. E4-1075 Filed 5-10-04; 8:45 am]

**BILLING CODE 3510-DR-P**

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 050504A]

#### Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Southeastern Data, Assessment, and Review (SEDAR) Steering Committee Meeting

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of a SEDAR Steering Committee meeting.

**SUMMARY:** The SEDAR Steering Committee will meet via conference call on May 21, 2004, to discuss the SEDAR

process and the king mackerel review workshop. Listening posts will be established at three locations to accommodate interested members of the public.

**DATES:** The SEDAR Steering Committee conference call will be held from 9 a.m. to 11 a.m. on Friday, May 21, 2004.

**ADDRESSES:** Listening posts to accommodate interested members of the public will be established at the following locations:

1. South Atlantic Fishery Management Council, One Southpark Circle, Suite 306, Charleston, SC 29407;
2. NMFS, Southeast Regional Office, 9721 Executive Center Drive N., St. Petersburg, FL 33702; and
3. NMFS, Southeast Fisheries Science Center, 75 Virginia Beach Drive, Miami, FL 33149.

**FOR FURTHER INFORMATION CONTACT:** John Carmichael, SEDAR Coordinator, SEDAR/SAFMC, One Southpark Circle, Suite 306, Charleston, SC 29407; phone: 843-571-4366 or toll free 866-SAFMC-10; fax: 843-769-4520.

**SUPPLEMENTARY INFORMATION:** The South Atlantic, Gulf of Mexico, and Caribbean Fishery Management Councils, in conjunction with NMFS, the Atlantic States Marine Fisheries Commission, and the Gulf States Marine Fisheries Commission, implemented the SEDAR process - a multi-step method for determining the status of fish stocks. The SEDAR Steering Committee provides oversight of the SEDAR process and establishes assessment priorities.

The Steering Committee meeting will convene via conference call from 9 a.m. to 11 a.m. on May 21, 2004, to discuss and review the SEDAR process and the king mackerel review workshop. Listening posts will be established to accommodate interested members of the public (see **ADDRESSES**).

#### Special Accommodations

The listening post locations for this conference call are accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Joyce Mochrie at NMFS Southeast Regional Office (see **ADDRESSES**) by May 12, 2004.

Dated: May 5, 2004.

**Alan D. Risenhoover**,

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. E4-1081 Filed 5-10-04; 8:45 am]

**BILLING CODE 3510-22-S**