Company	Period	Margin (percent)
Cheil	92–93	0
Cheil	93–94	0.01
Kolon	92–93	0.11
Kolon	92–93	0.12
SKC	92–93	5.89
SKC	93–94	0.52
STC	92–93	0.47
STC	93–94	0.93

Based upon the information submitted by Cheil during these reviews and the first administrative review, we further determine that Cheil has met the requirements for revocation set forth in § 353.25(a)(2) and § 353.25(b) of the Department's regulations. Cheil has demonstrated three consecutive years of sales at not less than fair value and has submitted the certifications required under 19 CFR 353.25(b)(1). The Department conducted a verification of Cheil as required under 19 CFR 353.25(c)(2)(ii).

On the basis of no sales at less than FMV for a period of three consecutive years, and the lack of any indication that such sales are likely, the Department concludes that Cheil is not likely to sell the merchandise at less than FMV in the future. Therefore, the Department is revoking the order with respect to Cheil.

The Customs Service shall assess antidumping duties on all appropriate entries. Individual differences between USP and FMV may vary from the percentages stated above. The Department will issue appraisement instructions concerning each respondent directly to the U.S. Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of administrative review, as provided for by section 751(a)(1) of the Tariff Act: (1) the cash deposit rate for the reviewed firms will be the rates outlined above for the third review period except for Cheil and Kolon; because Kolon's weighted-average margin is *de minimis,* its cash deposit rate will be zero percent; because we are revoking Cheil, no cash deposit will be required for Cheil; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or in the original LTFV investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 4.82 percent, the all-others rate established in the LTFV investigation.

These deposit requirements shall remain in effect until publication of the final results of the next administrative review.

This notice serves as the final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during these review periods. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of the APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: June 26, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–17159 Filed 7–3–96; 8:45 am]

BILLING CODE 3510–DS–M

[A–489–501]

Notice of Preliminary Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube From Turkey

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

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the antidumping duty order on certain welded carbon steel pipe and tube from Turkey in response to a request by the petitioners.[1] This review covers shipments of this merchandise to the United States during the period May 1, 1994, through April 30, 1995.

We have preliminarily determined that sales have been made below normal value (NV). If these preliminary results are adopted in our final results, we will instruct U.S. Customs to assess antidumping duties equal to the differences between the United States price and NV.

Interested parties are invited to comment on the preliminary results. Parties who submit arguments are requested to submit with each argument: (1) A statement of the issue; and (2) a brief summary of the argument.

EFFECTIVE DATE: July 5, 1996.

FOR FURTHER INFORMATION CONTACT: Jennifer Stagner or Magd Zalok, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482–1673 or (202) 482–4162, respectively.

SUPPLEMENTARY INFORMATION:

Applicable Statute and Regulations

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

Background

On May 10, 1995 (60 FR 24831), the Department published in the Federal Register a notice of ''Opportunity to Request an Administrative Review'' of the antidumping duty order on *Certain Welded Carbon Steel Pipe and Tube from Turkey* covering the period May 1, 1994, through April 30, 1995 (58 FR 53709). In accordance with 19 CFR 353.22(a)(1), in May 1995, the petitioners requested a review of the following producers and exporters of certain welded carbon steel pipe and tube: (1) The Borusan Group [2] (Borusan); (2) Mannesmann-Sumerbank Boru Industrisi T.A.S. (Mannesmann); (3) Yucelboru Ihracat, Ithalat ve Pazarlama A.S./Cayirova Boru Sanayi ve Ticaret A.S. (Yucelboru); and (4) Erbosan

[1] Allied Tube & Conduit and Wheatland Tube Company.

[2] Including Borusan Birlesik Boru Fabrikalar A.S., Kartal Boru Sanayi ve Ticaret A.S., and Borusan Ihracat Ithalat ve Dagitim A.S.

Erviyas Boru Sanayii ve Ticaret A.S. (Erbosan). On June 15, 1995, the Department published a notice of initiation of this antidumping duty administrative review (60 FR 31447). The Department is conducting this administrative review in accordance with section 751 of the Act.

On June 30 and November 13, 1995, respectively, Yucelboru and Mannesmann stated that they did not have any shipments during the period of review (POR). In November 1995, Borusan and Erbosan submitted responses to the Department's September 12, 1995, questionnaire. We issued supplemental questionnaires to Borusan and Erbosan in May 1996. Responses to these questionnaires were received in June 1996.

On January 16, 1996, the petitioners alleged that Borusan made sales at below its cost of production (COP). On May 3, 1996, we initiated an investigation of sales below cost. In June 1996, Borusan submitted a response to the Department's May 23, 1996, cost questionnaire.

Scope of the Review

The products covered by this review include circular welded non-alloy steel pipes and tubes, of circular cross-section, not more than 406.4 millimeters (16 inches) in outside diameter, regardless of wall thickness, surface finish (black, galvanized, or painted), or end finish (plain end, bevelled end, threaded and coupled). Those pipes and tubes are generally known as standard pipe, though they may also be called structural or mechanical tubing in certain applications. Standard pipes and tubes are intended for the low pressure conveyance of water, steam, natural gas, air, and other liquids and gases in plumbing and heating systems, air conditioner units, automatic sprinkler systems, and other related uses. Standard pipe may also be used for light load-bearing and mechanical applications, such as for fence tubing, and for protection of electrical wiring, such as conduit shells.

The scope is not limited to standard pipe and fence tubing, or those types of mechanical and structural pipe that are used in standard pipe application. All carbon steel pipes and tubes within the physical description outlined above are included in the scope of this review, except for line pipe, oil country tubular goods, boiler tubing, cold-drawn or cold-rolled mechanical tubing, pipe and tube hollows for redraws, finished scaffolding, and finished rigid conduit.

Imports of these products are currently classifiable under the following Harmonized Tariff Schedule of the United States (HTSUS) subheadings: 7306.30.10.00, 7306.30.50.25, 7306.30.50.32, 7306.30.50.40, 7306.30.50.55, 7306.30.50.85, and 7306.30.50.90.

Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive.

Facts Available

In November 1995, we received a questionnaire response from Erbosan. In addition, Erbosan responded to a supplemental questionnaire in June 1996. In its responses, Erbosan did not provide: (1) The data necessary for the Department to quantify the cost attributable to physical differences in its U.S. and home market merchandise; (2) U.S. and home market packing expenses; and (3) duty drawback amounts.

Section 776(a)(1) states that if necessary information is not available on the record, the Department ''shall, subject to section 782(d), use the facts otherwise available in reaching the applicable determination under this title.'' Section 782(e) provides that the Department shall not decline to consider information that is submitted by an interested party and is necessary to the determination but does not meet all the applicable requirements established by the Department if: (1) The information is submitted by the deadline established for its submission; (2) the information can be verified; (3) the information is not so incomplete that it cannot serve as a reliable basis for reaching the applicable determination; (4) the interested party has demonstrated that it acted to the best of its ability in providing the information and meeting the requirements established by the Department with respect to the information; and (5) the information can be used without undue difficulties. Accordingly, in using the facts available, the Department may disregard information submitted by a respondent if any of the five criteria has not been met.

Due to the above-referenced omissions, we have determined that Erbosan's response is so incomplete that it cannot serve as a reliable basis for calculating dumping margins for these preliminary results (section 782(e)(3) of the Act). Therefore, pursuant to section 776(a) of the Act, we are using facts available to calculate a margin for Erbosan.

The Department must then determine whether an adverse inference is warranted. Section 776(b) of the Act provides that, where the Department ''finds that an interested party has failed to cooperate by not acting to the best of its ability to comply with a request for information from (the Department) * * * (the Department) may use an inference that is adverse to the interests of that party in selecting from among the facts otherwise available.''

Despite there being insufficient information to calculate a preliminary margin, we believe that Erbosan has cooperated to the best of its ability in supplying the requested information in this review. Therefore, we are not using an adverse inference in selecting from among the facts otherwise available (*see* section 776(b) of the Act).

Erbosan is a new respondent that has not been investigated before. Therefore, its past entries have been subject to the ''All Others'' rate from the original investigation. We have determined that continued use of the rate is warranted as a cooperative facts available rate for purposes of these preliminary results. Accordingly, we have assigned to Erbosan a margin of 14.74 percent, the ''All Others'' rate from the original investigation.

Section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA), provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information to be used has probative value (*see* H. Doc. 316, Vol. 1, 103d Cong., 2d Sess. 870 (1996).

To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information to be used. However, unlike for other types of information, such as input costs or selling expenses, there are no independent sources for calculated dumping margins. Thus, in an administrative review, if the Department chooses as facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin for that time period. With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin not relevant. Where circumstances indicate that the selected margin is not appropriate as facts available, the Department will disregard the margin and determine an appropriate margin (see, e.g., Fresh Cut Flowers from Mexico: Final Results of Antidumping Duty Administrative Review (61 FR 6812, 6814, February 22, 1996)) (where the Department

disregarded the highest margin as adverse best information available because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin). In this case there are no circumstances present to indicate that the selected margin is not appropriate to use as facts available.

Although we are using facts available for the preliminary results, we intend to provide Erbosan an opportunity to submit the missing information referenced above as part of a response to another supplemental questionnaire. If Erbosan's reported information is accurate, complete and verified, we will use such information in the final results.

Product Comparisons

In accordance with section 777A(d)(2) of the Act, we calculated for Borusan transaction-specific Export Prices (EPs) for comparison to either weighted-average NVs or constructed values. The EPs and NVs were calculated and compared by product characteristics and levels of trade. For price to price comparisons, we compared identical merchandise, where possible. Where there were no sales of identical merchandise in the home market to compare to U.S. sales, we made similar comparisons based on the characteristics listed in the Department's antidumping questionnaire. We excluded certain products in the home market from our analysis because there were either missing values or because the merchandise was not part of the foreign like product.

Level of Trade

As set forth in section 773(a)(1)(B)(i) of the Act and in the SAA accompanying the URAA, at 829–831, to the extent practicable, the Department will calculate normal value based on sales at the same level of trade as the U.S. sales. When the Department is unable to find sales in the comparison market at the same level of trade as the U.S. sale(s), the Department may compare sales in the U.S. and foreign markets at different levels of trade (see also, Final Determination of Sales at Less Than Fair Value: Certain Pasta from Italy (61 FR 30326, June 14, 1996) (Pasta from Italy)).

In accordance with section 773(a)(7)(A) of the Act, if sales at different levels of trade are compared, the Department will adjust the normal value to account for the difference in level of trade if two conditions are met. First, there must be differences between the actual selling functions performed by the seller at the level of trade of the U.S. sale and the level of trade of the normal value sale. Second, the differences must affect price comparability as evidenced by a pattern of consistent price differences between sales at the different levels of trade in the market in which normal value is determined.

In implementing these principles in this case, the Department's first task was to obtain information about the selling activities of the producers/exporters. Information relevant to level of trade comparisons and adjustments was requested of Borusan in our May 1996 supplemental questionnaire. We asked Borusan to establish any claimed levels of trade based on the selling functions provided to each proposed customer group, and to document and explain any claims for a level of trade adjustment.

Our review of Borusan's submission shows that it has identified levels of trade based on its selling activities by customer categories and channels of distribution. In order to confirm whether separate levels of trade actually existed within or between the U.S. and home markets, we reviewed the selling functions attributable to the levels of trade claimed by Borusan. Pursuant to section 773(a)(1)(B)(i) of the Act, and the SAA at 827, in identifying levels of trade for directly observed export price and normal value sales, we considered the selling functions reflected in the starting price, before any adjustments. In reporting selling functions, whenever sales within a level of trade were made by or through an affiliated company or agent, Borusan ''collapsed'' the affiliated parties before considering the functions performed.

The selling functions and activities examined for each reported level of trade were: (1) Inventory maintenance; (2) technical services; (3) warranty services; (4) customer advice and product information; (5) agent coordination of production and delivery; (6) general vs. speciality sales staff; (7) delivery arrangements; (8) sales from warehouse vs. direct sales; and (9) direct advertising. We did not consider trade discounts as a selling function (see Pasta from Italy).

In reviewing the selling functions reported by Borusan for each claimed level of trade, we considered all types of selling functions, both claimed and unclaimed, that had been performed. Where possible, we further examined whether the selling function was performed on a substantial portion of sales within the relevant level of trade. In analyzing whether separate levels of trade exist in this review, we found that no single selling function in the pipe and tube industry was sufficient to warrant a separate level of trade (see, Notice of Proposed Rulemaking and Request for Public Comments (61 FR 7307, 7348, February 27, 1996)).

In determining whether separate levels of trade existed in or between the U.S. and home markets, the Department considered the level of trade claims of Borusan, but the ultimate decision was based on the Department's analysis of the selling functions associated with the levels of trade reported by Borusan.

For Borusan, we determined that there is one U.S. level of trade and three home market levels of trade, one of which we determined to be identical in aggregate selling functions to that found in the United States. We compared sales at the sole level of trade in the U.S. market to sales at the identical home market level of trade. If no match was available at the same level of trade, we compared sales at the sole level of trade in the U.S. market to sales at the next most similar home market level of trade. We then examined whether a level of trade adjustment was appropriate for Borusan when comparing sales at its U.S. level of trade to sales at the two non-identical home market levels of trade.

To determine whether a level of trade adjustment was necessary, we examined, on a monthly basis, the prices of comparable product categories, net of all adjustments, between sales at the one identical home market level of trade and sales at each of the two non-identical home market levels of trade. We found a consistent pattern of price differences between sales at these levels of trade. Therefore, for non-identical level of trade matches, we made a level of trade adjustment based on the weighted-average difference between the prices of the product at the identical home market level of trade and each of the products at the two non-identical home market levels of trade in the given month. If no match was found, we compared EP to constructed value.

Fair Value Comparisons

To determine whether sales of pipe and tube to the United States were made at less than fair value, we compared the EP to the NV, as described in the ''Export Price'' and ''Normal Value'' sections of this notice.

Turkey experienced an inflation rate of over 75 percent during the POR, as measured by the wholesale price index published in International Financial Statistics. Accordingly, to avoid the distortions caused by the effects of this level of inflation on prices, we limited our comparisons to sales in the same month and did not apply the Department's 90/60 day rule.

Export Price

For Borusan, we calculated EP in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and Constructed Export Price (CEP) methodology was not otherwise warranted based on the facts of this investigation.

We based EP on prices to unaffiliated purchasers in the United States. We made deductions from the starting price (gross unit price), where appropriate, for foreign inland freight, foreign inland insurance, international freight and charges. We recalculated credit expenses due to errors in Borusan's credit methodology. Additionally, we added countervailing duties and duty drawback. We disallowed Borusan's claimed value-added tax drawback because no statutory authority exists for such an adjustment.

Normal Value

In order to determine whether there was a sufficient volume of sales in the home market to serve as a viable basis for calculating NV, we compared Borusan's volume of home market sales of the foreign like product to the volume of its U.S. sales of the subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Since Borusan's aggregate volume of home market sales of the foreign like product was greater than five percent of its aggregate volume of U.S. sales for the subject merchandise, we determined that the home market was viable. We calculated NV as noted in the ''Price to Price Comparisons'' and ''Price to CV Comparisons'' sections of this notice.

Cost of Production Analysis

Based on the petitioner's allegation, the Department found reasonable grounds to believe or suspect that Borusan's sales in the home market were made at prices below the cost of producing the merchandise. As a result, the Department initiated an investigation to determine whether Borusan made home market sales during the POR at prices below its COP within the meaning of section 773(b) of the Act.

A. Calculation of COP

We calculated the COP based on the sum of Borusan's cost of materials and fabrication for the foreign like product, plus amounts for home market selling, general, and administrative expenses (SG&A) and packing costs in accordance with section 773(b)(3) of the Act. As noted above, we determined that the Turkish economy experienced significant inflation during the POR. Therefore, in order to avoid the distortive effect of inflation on our comparison of costs and prices, we requested that Borusan submit monthly production costs incurred during each month of the POR. For a small number of sales, Borusan did not report production costs. These sales were not matched to any U.S. sales. We therefore excluded these sales from our analysis. We calculated a simple-average cost for each product after indexing the reported monthly costs of manufacturing during the POR to an equivalent currency level using the wholesale price index for Turkey. The simple-average cost of manufacturing was then restated in the currency value of each respective month and used to calculate monthly COP and CV for each product. We relied on Borusan's submitted costs except in the following specific instances where the reported costs were improperly valued:

(1) Borusan reduced its reported coil costs by inventory holding gains. Our current cost methodology for economies with significant inflation requires valuing any materials used to produce the subject merchandise at the average purchase price of those materials during the month of shipment. We therefore adjusted coil costs by removing these holding gains.

(2) Borusan reported interest expenses which reflect a deduction for foreign exchange gains. We adjusted these interest expenses by excluding the foreign exchange gains since Borusan did not describe the nature of the transactions giving rise to the gains.

B. Test of Home Market Prices

We used Borusan's adjusted monthly COP amounts and the wholesale price index from the government of Turkey's State Institute of Statistics to compute an annual weighted average COP for the POR. We compared the weighted-average COP figures to home market sales of the foreign like product as required under section 773(b) of the Act, in order to determine whether these sales had been made at prices below the COP. On a product-specific basis, we compared the COP to the home market prices, less any applicable movement charges, rebates, and direct selling expenses.

C. Results of COP Test

Pursuant to section 773(b)(2)(C)(i) of the Act, where less than 20 percent of a respondent's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in ''substantial quantities.'' Where 20 percent or more of a respondent's sales of a given product were at prices less than the COP, we disregarded the below-cost sales where such sales were found to be made at prices which would not permit the recovery of all costs within a reasonable period of time (in accordance with section 773(b)(2)(D) of the Act). Where all sales of a specific product were at prices below the COP, we disregarded all sales of that product, and calculated NV based on CV, in accordance with section 773(a) of the Act.

We found that, for certain pipe and tube products, more than 20 percent of Borusan's home market sales were sold at below the COP. Further, we did not find that the prices for these sales provided for the recovery of costs within a reasonable period of time. We therefore excluded these sales from our analysis and used the remaining above-cost sales as the basis for determining NV, in accordance with section 773(b)(1). For those pipe and tube products for which there were no above-cost sales in the ordinary course of trade, we compared export prices to CV.

D. Calculation of CV

In accordance with section 773(e)(1) of the Act, we calculated CV based on the sum of Borusan's cost of materials, fabrication, SG&A and U.S. packing costs as reported in the U.S. sales databases. In accordance with section 773(e)(2)(A), we based SG&A and profit on the actual amounts incurred and realized by Borusan in connection with the production and sale of the foreign like product in the ordinary course of trade, for consumption in the foreign country. We calculated CV based on the methodology described in the calculation of COP above. For selling expenses, we used the weighted-average home market selling expenses.

Price to Price Comparisons

For those comparison products for which there were sales at prices above the COP, we based NV on home market prices. For Borusan, we calculated NV based on FOB mill/warehouse or delivered prices to unaffiliated customers, or prices to affiliated customers which were determined to be at arm's length (see discussion below regarding these sales). We made deductions, where appropriate, from the starting price for inland freight, pre-sale warehouse expense, discounts, and rebates. We recalculated credit expenses to correct for missing payment dates.

Additionally, we added late payment charges. In accordance with section 773(a)(6) of the Act, we deducted home market packing costs and added U.S. packing costs.

In addition, we adjusted for differences in the circumstances of sale, in accordance with section 773 (a)(6)(C)(iii) of the Act. These circumstances included differences in imputed credit expenses. We also made adjustments, where appropriate, for physical differences in the merchandise in accordance with section 773(a)(6)(C)(ii) of the Act. We calculated simple average variable and total costs of manufacturing by product after indexing the reported monthly costs using the wholesale price index for Turkey. We then indexed the average variable and total costs of manufacturing to restate them in the currency value of each respective month. The adjusted monthly variable costs of manufacturing for U.S. and home market products were then compared to arrive at the difference in merchandise adjustment. For a single U.S. product, where no costs were reported, we assigned the highest reported U.S. variable cost of manufacture as facts available. Where the difference in merchandise adjustment for any product comparison exceeded 20 percent, we based normal value on CV.

To determine whether Borusan's affiliated sales were made at arm's length, we compared the gross unit prices of sales to affiliated and unaffiliated customers net of all movement charges, direct and indirect selling expenses, and packing (see the Final Determination of Sales at Less Than Fair Value; Certain Cold-Rolled Carbon Steel Flat Products from Argentina (58 FR 37062, 37077, July 9, 1993)). We included those sales that passed the arm's length test in our analysis (see 19 CFR 353.45(a)).

Price to CV Comparisons

Where we compared CV to export prices, we deducted from CV the weighted-average home market direct selling expenses and added the weighted-average U.S. product-specific direct selling expenses.

Currency Conversion

The Department's preferred source for daily exchange rates is the Federal Reserve Bank. However, the Federal Reserve Bank does not track or publish exchange rates for the Turkish lira. Therefore, we made currency conversions based on the daily exchange rates from the Dow Jones Service, as published in the Wall Street Journal.

Section 773A(a) directs the Department to use a daily exchange rate in order to convert foreign currencies into U.S. dollars, unless the daily rate involves a ''fluctuation.'' It is the Department's practice to find that a fluctuation exists when the daily exchange rate differs from a benchmark rate by 2.25 percent. The benchmark rate is defined as the rolling average of the rates for the past 40 business days.

However, we believe that it is appropriate in this case to use actual daily exchange rates for currency conversion purposes, rather than the benchmark rate. As noted in Policy Bulletin 96–1: Currency Conversions (61 FR 9434, March 8, 1996), the Department is continuing to examine the appropriateness of the currency conversion policy in situations where the foreign currency depreciates substantially against the dollar over the POI. In those situations, it may be appropriate to rely on daily exchange rates. When the rate of domestic price inflation is significant, as it is in this case, it is important that we use as a basis for NV home market prices that are as contemporaneous as possible with the date of the U.S. sale. This is to minimize the extent to which calculated dumping margins are overstated or understated due solely to price inflation that occurred in the intervening time period between the U.S. and home market sales. For this reason, we have used the daily exchange rates for currency conversion purposes.

Further, section 773A(b) directs the Department to allow a 60 day adjustment period when a currency has undergone a sustained movement. Such an adjustment period is required only when the foreign currency is appreciating against the U.S. dollar. No adjustment period is warranted in this review, because the Turkish Lira generally remained constant or depreciated against the dollar during the POR.

Verification

On June 7, 1996, the petitioners requested that the Department conduct verification of all factual information submitted by the respondents upon which the Department relies in its final results. Although this request was untimely and therefore not in accordance with 19 CFR 351.307(v)(A), the petitioners stated that this request should not be rejected due to the fact that: (1) No verification has been conducted in a review of the order since the 1986–87 administrative review; (2) a sales below cost of production investigation had only recently been initiated; and (3) no response had been received on petitioners' request for a verification of the 1993–94 administrative review. The petitioners stated that the delay in the completion of the 1993–94 review had impeded their ability to timely assess the need for verification in this review.

Although the petitioners' request was untimely, we believe that in this case, good cause for verification exists pursuant to 19 CFR 353.36(a)(iii) since: (1) No verification has been conducted since the 1986–87 administrative review; (2) we expect that there will be significant post-preliminary results submissions of information; and (3) this review includes a company (Erbosan) that has never been subject to a verification. Therefore, pursuant to section 776(b) of the Act and 19 CFR 353.36, we plan to verify the sales and cost response of Borusan and the sales response of Erbosan (provided that Erbosan responds in full to the next supplemental questionnaire) in this administrative review.

Preliminary Results of Review

As a result of our review, we preliminarily determine that the following margins exist for the period May 1, 1994, through April 30, 1995:

Manufacturer/exporter	Review period	Margin (percent)
Borusan	5/1/94–4/30/95	2.97
Erbosan	5/1/94–4/30/95	14.74
Mannesmann	5/1/94–4/30/95	[3] 23.12
Yucelboru	5/1/94–4/30/95	[4] 28.28

[3] No shipments subject to the review. Rate is from the last relevant segment of the proceeding in which the firm had shipments.
[4] Ibid.

Parties to the proceeding may request disclosure within 5 days of publication of this notice. Any interested party may request a hearing within 10 days of the date of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first workday thereafter. Interested parties may submit case briefs within 30 days of the date of publication. Rebuttal briefs, limited to issues raised in the case briefs, may be filed not later than 37 days after the date of publication. The Department will publish a notice of the final results of this administrative review, which will include the results of its analysis of issues raised in any such written comments.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between EP and NV may vary from the percentages stated above. Upon completion of this review, the Department will issue appraisement instructions directly to the U.S. Customs Service.

Furthermore, the following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of pipe and tube from Turkey entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 752(a)(2)(c) of the Act: (1) The cash deposit rates for Borusan and Erbosan will be the rates established in the final results of this review, except if the rate is less than 0.5 percent and, therefore, *de minimis* within the meaning of section 733(b)(3) of the Act, the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be the ''All Others'' rate, as set forth below.

On March 25, 1993, the U.S. Court of International Trade (CIT), in *Floral Trade Council* v. *United States*, 822 F.Supp. 766 (CIT 1993), and *Federal-Mogul Corporation* v. *United States*, 822 F.Supp. 782 (CIT 1993), decided that once an ''All Others'' rate is established for a company, it can only be changed through an administrative review. The Department has determined that in order to implement this decision, it is appropriate to reinstate the original ''All Others'' rate from the LTFV investigation (or that rate as amended for correction of clerical errors or as a result of litigation) in proceedings governed by antidumping duty orders. In proceedings governed by antidumping findings, unless we are able to ascertain the ''All Others'' rate from the original investigation, the Department has determined that it is appropriate to adopt the ''New Shipper'' rate established in the first final results of administrative review published by the Department (or that rate as amended for correction of clerical errors or as a result of litigation) as the ''All Others'' rate for the purposes of establishing cash deposits in all current and future administrative reviews. Because this proceeding is governed by an antidumping duty order, the ''All Others'' rate for the purposes of this review will be 14.74 percent, the ''All Others'' rate established in the LTFV investigation.

These cash deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Date: June 27, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–17160 Filed 7–3–96; 8:45 am]

BILLING CODE 3510–DS-P

Duke University Medical Center; Notice of Decision on Applications for Duty-free Entry of Scientific Instruments

This is a decision 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 AM and 5:00 PM in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

DECISION: Denied. Applicants have failed to establish that domestic instruments of equivalent scientific value to the foreign instruments for the intended purposes are not available.

REASONS: Section 301.5(e)(4) of the regulations requires the denial of applications that have been denied without prejudice to resubmission if they are not resubmitted within the specified time period. This is the case for the following dockets.

Docket Number: 95–104. *Applicant:* Duke University Medical Center, Durham, NC 27110. *Instrument:* Stopped-Flow Spectrometer, Model SX.17MV. *Manufacturer:* Applied Photophysics Ltd., United Kingdom. Date of Denial without Prejudice to Resubmission: March 4, 1996.

Docket Number: 95–105. *Applicant:* University of Washington, Department of Physiology & Biophysics, Box 357290, Seattle, WA 98195–7290. *Instrument:* Stopped-Flow Spectrometer, Model SX.17MV. *Manufacturer:* Applied Photophysics Ltd., United Kingdom. *Date of Denial without Prejudice to Resubmission:* March 6, 1996.

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 96–17161 Filed 7–3–96; 8:45 am]

BILLING CODE 3510–DS-P

National Oceanic and Atmospheric Administration

Dean John A. Knauss Marine Policy Fellowship; Open for Applications

SUMMARY: In 1979, the National Sea Grant College Program Office (NSGCPO), in fulfilling its broad educational responsibilities, initiated a program to provide educational experience in the policies and processes of the Legislative and Executive Branches of the Federal Government to graduate students in marine related fields. The Fellowship program accepts applications once a year during the month of September. All applicants must submit an application to one of the state Sea Grant College Programs in their area.

FOR FURTHER INFORMATION CONTACT: Dr. Shirley J. Fiske, Director, National Sea Grant Federal Fellows Program, National Sea Grant College Program, 1315 East-West Highway, Silver Spring, Maryland 20910, telephone (301) 713–2431 extension 148 or call your nearest Sea Grant program:

University of Alaska—(907) 474–7086
University of California—(619) 534–4440
University of Connecticut—(860) 445–3457
University of Delaware—(302) 831–2841
University of Florida—(904) 392–5870
University of Georgia—(706) 542–6009
University of Hawaii—(808) 956–7031
University of Illinois—(317) 494–3593
Louisiana State University—(504) 388–6710
University of Maine—(207) 581–1436
University of Maryland—(301) 405–6371
Massachusetts Institute of Technology—(617) 253–7131
University of Michigan—(313) 763–1437
University of Minnesota—(218) 726–8106
Mississippi-Alabama Sea Grant Consortium—(601) 875–9341
University of New Hampshire—(603) 862–3505
New Jersey Marine Science Consortium—(908) 872–1300
State University of New York—(516) 632–6905