Indian Economy. We adjusted the value of electricity to reflect inflation through the period of review using WPI index data published by the IMF.

To value truck freight, we used the rate reported in an August 1993, cable from the U.S. Embassy in India submitted for the *Final Determination of Sales at Less Than Fair Value: Certain Helical Spring Lock Washers from the People's Republic of China* (58 FR 48833, September 20, 1993), and added to the record of this review. We adjusted the truck freight rates to reflect inflation through the period of review using WPI data published by the IMF.

To value rail freight, we used the price reported in a December 1989, cable from the U.S. Embassy in India submitted for the *Final Results of Antidumping Duty Administrative Review: Shop Towels of Cotton from the People's Republic of China* (56 FR 4040, February 1, 1991). We adjusted the rail freight rates to reflect inflation through the period of review using WPI data indices published by the IMF.

Preliminary Results of the Review

We preliminarily determine the dumping margin for Yude and Zhenxing for the period August 1, 1995–July 31, 1996 to be 0. The rate for all others firms which have not demonstrated that they are entitled to a separate rate is 85.20. This rate will be applied to all firms other than Yude and Zhenxing, including all firms which did not respond to our questionnaire requests: China National Chemical Import and Export Corporation, Hebei Branch (Sinochem Hebei); China National Chemical Construction Corporation, Beijing Branch; China National Chemical Construction Corporation, Qingdao Branch; Sinchem Qingdao; Sinochem Shandong; Baoding No. 3 Chemical Factory; Jinxing Chemical Factory; Mancheng Zinyu Chemical Factory, Shijiazhuang; Mancheng Xinyu Chemical Factory, Bejing; Hainan Garden Trading Company; and Shunping Lile.

Parties to the proceeding may request disclosure within 5 days of the date of publication of this notice. Any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the publication of this notice or the first workday thereafter. Interested parties may submit case briefs, which should not contain factual information not already on the record of this review, within 30 days of the date of publication of this notice. Rebuttal briefs, which must be limited to issues raised in the case briefs and which should not contain factual information not already on the record of this review, may be filed not later than 37 days after the date of this preliminary determination.

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

Furthermore, the following deposit rates will be effective with respect to all shipments of sulfanilic acid from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: (1) The cash deposit rate for reviewed companies listed below will be the rates for those firms established in the final results of this review; (2) for companies previously found to be entitled to a separate rate and for which no review was requested, the cash deposit rate will be the rate established in the most recent review of that company; (3) for all other PRC exporters, the cash deposit rate will be the China-wide rate of 85.20; and (4) the cash deposit rate for non-PRC exporters of subject merchandise from the PRC will be the rate applicable to the PRC supplier of that exporter. These deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

Manufacturer/ producer/ exporter	Margin percentage
Yude Chemical Industry, Co.	0
Zhenxing Chemical Industry, Co.	0
PRC Rate	85.2

Notification of Interested Parties

This notice serves as a preliminary reminder to importers of their responsibility under § 353.26 of the Department's regulation 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 § 751(a)(1) of the Act (19 U.S.C. 1674(a)(1)) and § 353.22 of the Department's regulations.

Dated: May 5, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–12387 Filed 5–9–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration A–821–803

Titanium Sponge from the Russian Federation: Preliminary Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Preliminary Results of Antidumping Duty Administrative Review

SUMMARY: In response to requests from AVISMA Titanium-Magnesium Works (AVISMA), Interlink Metals, Inc. and Interlink Metals & Chemicals, S.A. (collectively, Interlink), Cometals, Inc. (Cometals), TMC Trading International Ltd. (TMC), and Titanium Metals Corporation (TIMET, a petitioner), the Department of Commerce (the Department) is conducting an administrative review of the antidumping finding on titanium sponge from the Russian Federation (Russia). This notice of preliminary results covers the period August 1, 1995 through July 31, 1996. This review covers one manufacturer/exporter, AVISMA, and three trading companies, Interlink, Cometals, and TMC.

We have preliminarily determined that dumping margins apply during this review period. If these preliminary results are adopted in our final results of administrative review, we will instruct the U.S. Customs Service (Customs) to assess antidumping duties equal to the difference between the United States price (USP) and the normal value (NV). Interested parties are invited to comment on these preliminary results. Parties who submit arguments in this proceeding are requested to submit with the argument: (1) a statement of the issue; and (2) a brief summary of the argument.

EFFECTIVE DATE: May 12, 1997.

FOR FURTHER INFORMATION CONTACT: Amy S. Wei or James Terpstra, Office of AD/CVD Enforcement, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution

Avenue, NW., Washington, DC 20230; telephone (202) 482–4737.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended, (the Act) are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Rounds 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

The Department published an antidumping finding on titanium sponge from the Union of Soviet Socialist Republics (U.S.S.R.) on August 28, 1968 (33 FR 12138). In December 1991, the U.S.S.R. divided into fifteen independent states. To conform to these changes, the Department changed the original antidumping finding into fifteen findings applicable to the each of the former republics of the U.S.S.R. (57 FR 36070, August 12, 1992).

The Department published a notice of ''Opportunity To Request an Administrative Review'' of the antidumping finding from Russia for this review period on August 12, 1996 (61 FR 41768). On August 29, 1996, AVISMA and Interlink requested that the Department conduct an administrative review of the antidumping finding on titanium sponge from Russia for one manufacturer/exporter, AVISMA, and one trading company, Interlink, covering the period August 1, 1995 through July 31, 1996. On August 30, 1996, TIMET requested that the Department conduct an administrative review for AVISMA, Interlink, and another trading company, Cometals. On the same date, Cometals and TMC both requested that the Department conduct an administrative review for each respective company. We published a notice of initiation of the review on September 17, 1996 (61 FR 48882).

The Department is now conducting this administrative review in accordance with section 751 of the Act.

Scope of the Review

The product covered by this administrative review is titanium sponge from Russia. Titanium sponge is chiefly used for aerospace vehicles, specifically, in construction of compressor blades and wheels, stator blades, rotors, and other parts in aircraft gas turbine engines. Imports of titanium sponge are currently classifiable under the harmonized tariff schedule (HTS) subheading 8108.10.50.10. The HTS subheading is provided for convenience and U.S. Customs purposes. Our written description of the scope of this proceeding is dispositive.

The period of review (POR) is August 1, 1995 through July 31, 1996. The review covers one manufacturer/exporter, AVISMA, and three trading companies, TMC, Interlink, and Cometals.

Verification

As provided in section 782(i) of the Act, we verified the information provided by TMC by using standard verification procedures, including examination of relevant sales and financial records and selection of original documentation containing relevant information. Our verification results are outlined in the public versions of the verification reports, which are on file in the public file of the Central Records Unit (Room B–099 in the Department of Commerce).

Affiliation

TIMET, a petitioner, alleged that an affiliation existed between TMC and AVISMA, within the context of section 771(33) of the Act. TIMET based these allegations on newspaper and magazine articles and TMC's submissions, which indicated that TMC and AVISMA may have been connected through a common entity. TIMET requested that the Department further scrutinize this relationship and ensure that TMC has fully disclosed its corporate structure.

In response, the Department issued several supplemental questionnaires to TMC and AVISMA regarding any relationships that may exist between them within the context of section 771(33) of the Act. TMC and AVISMA both responded to questions regarding control and equity in each respective company.

After analyzing the totality of the responses, we have determined that it is not necessary to address this affiliation issue for the purposes of this review. We determined that regardless of whether any affiliation between TMC and AVISMA exists, we would perform our calculations and analysis in the same manner. The relevant transaction for U.S. price is that of TMC to the first unaffiliated customer in the United States. As with other third-country resellers in an NME context where, as in this case, the producer does not know the ultimate destination of the merchandise, we will base U.S. price on the sale between TMC and its unaffiliated U.S. customer and normal value on the producer's (*e.g.*, AVISMA's) factors of production. Insofar as AVISMA did not make any direct shipments to the United States (*see* below) and did not have knowledge of the ultimate destination of the merchandise sold through TMC, all relevant sales to the United States are captured in our analysis without making an affiliation determination.

United States Price (USP)

AVISMA and Cometals

We determined that AVISMA's and Cometals' exports during the POR entered the United States under temporary importation bonds (TIBs). This entry information was provided to the Department by respondents in their questionnaire responses and confirmed by Customs. At this time, because merchandise entered under a TIB is not entered for consumption, such merchandise is not subject to the antidumping finding. *See Titanium Metals Corp.* v. *The United States*, 901 F.Supp 362 (CIT 1995).

Therefore, we determined that AVISMA and Cometals did not export for consumption any subject merchandise to the United States during the review period. If these preliminary results are adopted in our final results of review, AVISMA will continue to be subject to the current Russia-wide cash deposit rate of 83.96 percent and Cometals will continue to be subject to its current cash deposit rate of 28.31 percent, which are the rates established in the final results of the most recent administrative review of titanium sponge from Russia (61 FR 58525, November 15, 1996).

Interlink and TMC

Interlink and TMC are located in market-economy countries. For purposes of this review, we are calculating a separate rate for these resellers. In calculating USP for Interlink and TMC, we used export price, as defined in section 772(a) of the Act. For date of sale, we used the sales invoice date because this is the date when the price and quantity are set. We excluded those sales made to the United States which the respondents identified as having entered the United States under TIBs. Respondents provided information regarding TIB entries, and we were able to confirm this information through Customs and National Census Bureau data.

We calculated export price based on the price to unaffiliated purchasers in the United States. We made deductions, where appropriate, for ocean freight,

warehouse expenses, insurance, brokerage and handling, inland freight, and U.S. duty charges.

No other adjustments to USP were claimed or allowed.

Surrogate Country Selection

Section 773(c)(1) of the Act provides that the Department shall determine the normal value on the basis of the value of the factors of production if (1) the subject merchandise is exported from a non-market economy (NME) country, and (2) the available information does not permit the calculation of normal value under section 773(a) of the Act. In previous proceedings, the Department has considered Russia an NME country. *See Final Determination of Sales at Less Than Fair Value: Pure Magnesium and Alloy Magnesium from the Russian Federation* (*Magnesium*), 60 FR 16440 (March 30, 1995); *Final Determination of Sales at Less Than Fair Value: Ferrovanadium and Nitrided Vanadium from the Russian Federation*, 60 FR 27957 (May 26, 1995). Section 771(18)(C) of the Act states that ''any determination that a foreign country is a nonmarket economy country shall remain in effect until revoked by the administering authority.'' Because this NME status has not been revoked for Russia, we are considering Russia an NME country for purposes of this review. Therefore, because AVISMA is located in Russia, we are not able to determine normal value on the basis of AVISMA's costs and prices. Therefore, we have applied surrogate values to the factors of production to determine normal value.

We calculated normal value based on factors of production provided by AVISMA, in accordance with section 773(c)(1) of the Act and 19 CFR 353.52 of the Department's regulations. We determined that Brazil is comparable to the Russian Federation in terms of per capita gross national product (GNP), the growth rate in per capita GNP, and the national distribution of labor. In addition, Brazil is a significant producer of comparable merchandise. Therefore, in accordance with section 773(c)(4) of the Act, we chose Brazil as a comparable surrogate on the basis of the above criteria and have used publicly available information relating to Brazil to value the various factors of production. *See* Memorandum to Holly A. Kuga from David Mueller, *Titanium Sponge from Russia: Nonmarket Economy Status and Surrogate Country Selection*, October 28, 1996.

Normal Value

To determine the normal value, in accordance with section 773(c)(3) of the Act, we valued the factors of production as follows (for further discussion, *see* the analysis memorandum for these preliminary results, on file in the Central Records Unit):

- To value raw materials, we used Brazilian import data from the United Nations *Trade Commodity Statistics* (*UN Trade Statistics*) for January through December 1995. We adjusted certain factor values to reflect the actual purity used in the production of the subject merchandise. For those raw materials for which we were unable to obtain public information from Brazil, we used data provided for use in the final determination of sales at less than fair value (LTFV) for pure magnesium and alloy magnesium from the Russian Federation (magnesium from Russia) and in AVISMA's March 12, 1997 submission.
- To value truck and railcar freight, we used the rates reported by the National Confederation of Transport in Brazil for 1996, as identified by the American Consular Agency in Belo Horizonte, Brazil. These rates were provided by the distance traveled and, for truck rates, by the quantity transported.
- For energy, because there was no public information available to value the natural gas factor during the POR, we valued the factor using information from the *UN Trade Statistics*, covering the period January through December 1994. Because the value was denominated in U.S. dollars, we did not adjust for the effects of inflation. For electricity, we used the ''large industry user'' rate from Brazil's electricity tariff schedule that AVISMA would have received had it been an electricity consumer in Brazil during the POR. This decision was based on finding that AVISMA's level of electricity usage during the POR was similar to the profile of ''large industrial user'' in the final determination of sales at LTFV for magnesium from Russia. *See Magnesium* at 16446. To confirm that AVISMA would have received this rate, we divided the total number of kilowatt hours used during the POR for titanium sponge production by the number of hours in the POR, which demonstrated that AVISMA's kilowatt use was higher than the minimum necessary to receive the ''large industrial user'' rate in effect in Brazil during the POR.
- For direct labor, we used the unskilled and skilled labor rates based on information gathered by the American Consulate in Sao Paulo, Brazil. *See* Memorandum to The File from Amy S. Wei regarding Surrogate Values for Brazilian labor rates, March 6, 1997.
- For factory overhead, we used expense ratios based on elements of constructed value data reported in the antidumping duty administrative review of silicon metal from Brazil, covering the period July 1, 1995 through June 30, 1996. In order to calculate expense ratios for selling, general, and administrative (SG&A) expenses and profit, we calculated simple averages of the SG&A and profit ratios taken from the 1995 financial statements in the above-named review.
- For packing materials, we used information provided in the *UN Trade Statistics* from Brazil, covering the period of January through December 1995. We included surrogate freight costs for the delivery of packing materials to the plant reported by the National Confederation of Transport in Brazil for 1996. We valued packing labor using the same labor rates as used in direct labor above.
- We included in normal value, where appropriate, movement expenses incurred in bringing the subject merchandise from the Russian plant to the resellers' warehouses. We valued these charges using surrogate data based on Brazilian freight costs, where appropriate. *See Notice of Preliminary Results of the Antidumping Duty Administrative Review of Chrome-Plated Lug Nuts from the People's Republic of China*, August 16, 1995, 60 FR 42504, 42506.

Currency Conversion

We made currency conversions in accordance with section 773A(a) of the Act, based on rates certified by the Federal Reserve Bank and Dow Jones Business Information Services.

Preliminary Results

As a result of this review, we preliminarily determine that the following weighted-average dumping margins exist:

Manufacturer/exporter	Period	Margin (percent)
Interlink Metals and Chemicals, Inc	8/1/95–7/31/96	0.00
TMC Trading International, Ltd	8/1/95–7/31/96	0.00
Cometals, Inc	8/1/95–7/31/96	28.31
Russia-wide rate	8/1/95–7/31/96	83.96

Parties to this proceeding may request disclosure within five days of publication of this notice and any interested party may request a hearing within 10 days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit case briefs and/or written comments no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in such briefs or comments, may be filed no later than 37 days after the date of publication. The Department issue the final results of the administrative review, which will include the results of its analysis of issues raised in any such written comments or at the hearing, within 120 days from the date of publication of these preliminary results.

The Department shall determine, and Customs shall assess, antidumping duties on all appropriate entries. Individual differences between USP and NV may vary from the percentages stated above. The Department will issue appraisement instructions directly to Customs. The final results of this review shall be the basis for the assessment of antidumping dumping duties on entries of merchandise covered by the determination and for future deposits of estimated duties.

Furthermore, the following deposit requirements will be effective upon completion of the final results of this administrative review for all shipments of titanium sponge from Russia entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative reviews, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for Interlink, TMC, Cometals, and AVISMA will be the rates established in the final results of this administrative review; (2) for merchandise exported by manufacturers or exporters not covered in this review but covered in the original LTFV investigation or a previous review and have a separate rate, the cash deposit rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (3) for Russian manufacturers or exporters not covered in the LTFV investigation or in this or prior administrative reviews, the cash deposit rate will continue to be the Russia-wide rate; and (4) the cash deposit rate for non-Russian exporters of subject merchandise from Russia who were not covered in the LTFV investigation or in this or prior administrative reviews will be the rate applicable to the Russian supplier of that exporter. These deposit rates, 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(b) 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 administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: May 5, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97–12202 Filed 5–9–97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Norfolk State University; Decision on Application for Duty-Free Entry of Scientific Instrument

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 Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC.

Docket Number: 97–013. Applicant: Norfolk State University, Norfolk, VA 23504. Instrument: Q-Band ESR Spectrometer with Accessories. Manufacturer: Bruker Instruments Inc., Germany. Intended Use: See notice at 62 FR 10543, March 7, 1997.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as it is intended to be used, is being manufactured in the United States. Reasons: The foreign instrument provides: (1) A 34 GHz Gunn source (Q-Band) with 80 mW power, 60 dB +/−0.2 attenuation, 100 MHz tuning range and (2) a low temperature Q-Band resonator. A domestic spectrometer manufacturer advises that (1) these capabilities are pertinent to the applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value to the foreign instrument for the applicant's intended use.

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

Frank W. Creel,

Director, Statutory Import Programs Staff.

[FR Doc. 97–12390 Filed 5–9–97; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Oregon Graduate Institute of Science and Technology, et al; 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 Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, 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: 96–141. Applicant: Oregon Graduate Institute of Science and Technology, Portland, OR 97291–1000. Instrument: Stopped-Flow Spectrometer, Model SX.18MV. Manufacturer: Applied Photophysics, Ltd., United Kingdom. Intended Use: See notice at 62 FR 5619, February 6, 1997. Reasons: The foreign instrument provides: (1) Multimixing capability, (2) a deadtime of 1.2 ms permitting analysis of reaction rates to 1500 s^{-1} and (3) a photo-diode array detector. Advice received from: National Institutes of Health, March 19, 1997.

Docket Number: 97–017. Applicant: University of California, San Diego, La Jolla, CA 92093–0931. Instrument: Sleep Recorder, Model Vitaport 2. Manufacturer: TEMEC Instruments BV, The Netherlands. Intended Use: See notice at 62 FR 13600, March 21, 1997. Reasons: The foreign instrument provides: (1) Electronic measurements of electrophysical (e.g. EEG and EOG) and cardiorespiratory (e.g. ECG and RIP–THOR) parameters and (2) minimized weight power consumption and physical dimensions appropriate for