APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: January 8, 2001.

Troy H. Cribb,

Assistant Secretary for Import Administration.

Appendix—List of Issues

for CCC:
1. Clerical Errors
for Clayson:
1. Model Match
2. General and Administrative Expenses
3. Quantity Adjustments
4. Hourly Production Rates
5. Overhead Exclusions
6. Clerical Errors
for Dofasco:
No Issues
for MRM:
1. Revocation

[FR Doc. 01–1224 Filed 1–12–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–428–816]

Certain Cut-to-Length Carbon Steel Plate From Germany: Final Results of Antidumping Duty Administrative Reviews

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

ACTION: Notice of final results in the antidumping duty administrative reviews of certain cut-to-length carbon steel plate from Germany.

SUMMARY: On September 7, 2000, the Department of Commerce (''Department'') published the preliminary results of the administrative reviews of the antidumping duty order on certain cut-to-length carbon steel plate from Germany. These reviews cover one manufacturer/exporter. The periods of review (''PORs'') are August 1, 1997 through July 31, 1998, and August 1, 1998 through July 31, 1999.

Based on our analysis of the comments received, we have not made any changes in the margin calculations. Therefore, the final results do not differ from the preliminary results. The final adverse facts available margins for the reviewed firm are listed below in the section entitled ''Final Results of the Reviews.''

EFFECTIVE DATE: January 16, 2001.

FOR FURTHER INFORMATION CONTACT: Robert Bolling, or James Doyle, Enforcement Group III, Office 9, Import Administration, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW., Washington, DC 20230, telephone 202–482–3434 (Bolling), or 202–482–0159 (Doyle), fax 202–482–1388.

SUPPLEMENTARY INFORMATION:

Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930 (''the Act'') are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (''URAA''). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations at 19 CFR Part 351 (1999).

Background

The Department published an antidumping duty order on certain cut-to-length carbon steel plate from Germany on August 19, 1993. Antidumping Duty Orders and Amendments to Final Determinations of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products, Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate From Germany, 58 FR 44170 (August 19, 1993) (''Antidumping Duty Order''). On August 11, 1998, the Department published a notice of opportunity to request administrative review of this order for the period August 1, 1997 through July 31, 1998. See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review, 63 FR 42821 (August 11, 1998). Novosteel, a Swiss exporter of subject merchandise, timely requested that the Department conduct an administrative review of Novosteel's sales for this period (''97–98 Review''). On September 24, 1998, Novosteel requested that the Department defer the 97–98 Review for a one year period, in accordance with 19 CFR 351.213(c); the Department agreed to this request. See Initiation of Antidumping and Countervailing Duty Administrative Review, Requests for Revocation in Part and Deferral of Administrative Reviews, 63 FR 58009 (October 29, 1998). On August 11, 1999, the Department published a notice of opportunity to request administrative review of this order for the period August 1, 1998 through July 31, 1999. See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review, 64 FR 43649 (August 11, 1999). On August 13, 1999, Novosteel timely requested that the Department conduct an administrative review of Novosteel's U.S. entries for this period (''98–99 Review''). On August 31, 1999, Petitioners also timely requested that the Department conduct an administrative review of Novosteel's U.S. entries for the 98–99 period of review (''POR''). In accordance with section 751(a) of the Act, the Department published in the **Federal Register** notices of initiation of the 97–98 Review and the 98–99 Review. See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part, 64 FR 60161 (November 4, 1999) (97–98); Initiation of Antidumping and Countervailing Duty Administrative Reviews and Requests for Revocation in Part, 64 FR 53318 (October 1, 1999) (98–99).

On October 4, 1999, the Department issued Novosteel its questionnaire for the 97–98 Review and the 98–99 Review. On December 9, 1999, Novosteel responded to Section A of the Department's questionnaires. In the Section A response, sales documentation demonstrated that the producer of the subject merchandise, Reiner Brach, had knowledge that the subject merchandise was being exported to the United States. *See* Exhibits 3 and 4 of the December 9, 1999 response. Also, on January 7, 2000, Novosteel responded to Sections B and C of the Department's questionnaires. On January 18, 2000, Petitioners submitted a request that the Department terminate the administrative reviews with respect to Novosteel, arguing that a review of Novosteel, a non-producing exporter, would only be appropriate where the supplier did not have knowledge that the merchandise would be exported to the United States. Petitioners argued that Novosteel's supplier, producer Reiner Brach, had knowledge that the merchandise would be sold to the United States and that, thus, the appropriate sales to be reviewed were those made by Reiner Brach to Novosteel. On February 2, 2000, Reiner Brach submitted a letter opposing termination of the administrative review of Novosteel and agreed to become a respondent for these administrative reviews.

Based on the Novosteel's questionnaire responses, the Department determined that Reiner Brach not only was the producer of the subject merchandise, but also had knowledge that the products were

destined for the United States, and that, thus, the sale between Reiner Brach and Novosteel was the appropriate link in the sales chain upon which the Department should be conducting its antidumping analysis regarding these sales of the subject merchandise in the United States during the aforementioned PORs. While the result of this change in focus is that the margin calculated in these reviews will be that of Reiner Brach, rather than of Novosteel, per se, Novosteel affirmatively accepted the change of analytical focus to Reiner Brach, and Petitioners have not disagreed with this approach. Therefore, bearing these factors in mind, and in consideration of the small size and lack of experience of Reiner Brach, in addition to noting that two PORs are at issue, the Department determined that it was proper use of its discretion to conduct administrative reviews for the 97–98 and 98–99 PORs of Reiner Brach's sales.

On August 31, 2000, the Department issued the preliminary results of these administrative reviews. See Certain Cut-to-Length Carbon Steel Plate from Germany: Preliminary Results of Antidumping Duty Administrative Reviews, 65 FR 54205 (September 7, 2000) (''German Plate''). The Department has now completed these administrative reviews in accordance with section 751 of the Act.

Scope of the Reviews

The products covered by these administrative reviews constitute one ''class or kind'' of merchandise: certain cut-to-length carbon steel plate. These products include hot-rolled carbon steel universal mill plates (*i.e.,* flat-rolled products rolled on four faces or in a closed box pass, of a width exceeding 150 millimeters but not exceeding 1,250 millimeters and of a thickness of not less than 4 millimeters, not in coils and without patterns in relief), of rectangular shape, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances; and certain hot-rolled carbon steel flat-rolled products in straight lengths, of rectangular shape, hot rolled, neither clad, plated, nor coated with metal, whether or not painted, varnished, or coated with plastics or other nonmetallic substances, 4.75 millimeters or more in thickness and of a width which exceeds 150 millimeters and measures at least twice the thickness, as currently classifiable in the Harmonized Tariff Schedule (''HTS'') under item numbers 7208.40.3030, 7208.51.0030, 7208.51.0045, 7208.51.0060, 7208.52.0000, 7208.53.0000, 7208.90.0000, 7210.70.3000, 7210.90.9000, 7211.13.0000, 7211.14.0030, 7211.14.0045, 7211.90.0000, 7212.40.1000, 7212.40.5000, and 7212.50.0000. Included are flat-rolled products of nonrectangular cross-section where such cross-section is achieved subsequent to the rolling process (*i.e.,* products which have been ''worked after rolling'')—for example, products which have been beveled or rounded at the edges. Excluded is grade X–70 plate. These HTS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

Analysis of Comments Received

All issues raised in the case and rebuttal briefs by parties to these administrative reviews are addressed in the ''Issues and Decision Memorandum'' (''*Decision Memorandum*'') from Joseph A. Spetrini, Deputy Assistant Secretary, Import Administration, to Troy H. Crib, Assistant Secretary for Import Administration, dated January 5, 2001, which is hereby adopted by this notice. A list of the issues which parties have raised and to which we have responded, all of which are in the *Decision Memorandum*, is attached to this notice as an Appendix. Parties can find a complete discussion of all issues raised in these reviews and the corresponding recommendations in this public memorandum which is on file at the U.S. Department of Commerce, in the Central Records Unit, in room B–099. In addition, a complete version of the *Decision Memorandum*, is accessible in B–099 and on the Web at ia.ita.doc.gov. The paper copy and electronic version of the Decision Memorandum are identical in content.

Use of Facts Available

In accordance with section 776 of the Act, we have determined that the use of facts available is appropriate for these proceedings for our analysis of Reiner Brach's entries. For a discussion of our determination with respect to this matter, see the facts available section of the *Decision Memorandum*, accessible in B–099 and on the Web at ia.ita.doc.gov.

Changes Since the Preliminary Results

Based on our analysis of comments received, we have not made any changes in the margin calculations. See ''*Decision Memorandum*,'' accessible in B–099 and on the Web at ia.ita.doc.gov.

Final Results of the Reviews

We determine the following margins for the periods August 1, 1997 through July 31, 1998 and August 1, 1998 through July 31, 1999:

CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE

Producer/ manufacturer/exporter	Margin (percent)
Reiner Brach (97–98 Review) ..	36.00
Reiner Brach (98–99 Review) ..	36.00

Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative reviews for all shipments of cut-to-length plate from Germany entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed company will be the rate shown above; (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) the cash deposit rate for all other manufacturers or exporters will continue to be 36.00 percent. This rate is the ''all others'' rates from the LTFV investigation. See Antidumping Duty Orders and Amendments to Final Determinations of Sales at Less Than Fair Value: Certain Hot-Rolled Carbon Steel Flat Products, Certain Cold-Rolled Carbon Steel Flat Products, Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate From Germany, 58 FR 44170 (August 19, 1993) (''Antidumping Duty Order'').

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

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) 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 doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective orders (''APO'') of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305 or conversion to judicial protective order is requested. Failure to comply with the regulations and terms of an APO is a violation which is subject to sanction.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: January 5, 2001.

Troy H. Cribb,

Assistant Secretary for Import Administration.

Appendix

1. Respondent Cooperation
2. Request to Extend Final and Submit Additional Data
3. The Application of Total Adverse Facts Available
4. The Facts Available Margin

[FR Doc. 01–1225 Filed 1–12–01; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Public Hearing on Establishment of Import Restrictions on Certain Steel Products From Ukraine to the United States

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

EFFECTIVE DATE: January 16, 2001.

FOR FURTHER INFORMATION CONTACT: For procedural questions concerning the public hearing and/or public comments, contact Lesley Stagliano at (202) 482–0190. All other questions should be directed to Edward Yang at (202) 482–0406.

SUPPLEMENTARY INFORMATION: On June 1, 1990, pursuant to Title IV of the Trade Act of 1974 (the Trade Act), the Governments of the United States of America and Union of Soviet Socialist Republics entered into the Agreement on Trade Relations Between the United States of America and the Union of Soviet Socialist Republics. On May 6, 1992, this agreement became effective between the United States of America and Ukraine (the 1992 Agreement). Article XI of the 1992 Agreement provides that the Parties will consult with a view toward finding means of remedying or preventing actual or threatened market disruption, and it authorizes the Parties to take action, including the imposition of import restrictions, to achieve this goal.

In January 2001, the United States Department of Commerce and the Ministry of Economy of Ukraine entered into negotiations and consultations pursuant to Article XI of the Agreement on Trade Relations Between the United States of America and Ukraine. In these negotiations, the Parties are considering whether the conditions of Article XI have been met with respect to U.S. imports of certain steel products from Ukraine and, if so, what action should be taken.

Pursuant to Article XI, the United States is considering establishing import restrictions on Ukrainian exports to the United States of the following 21 steel products:

1. Steel Concrete Reinforcing Bar (Re-Bar)
2. Hot-Rolled Carbon Quality Steel Products
3. Cold-Rolled Carbon Quality Steel Products
4. Hot-Rolled Steel Stainless and Alloy Products
5. Cold-Rolled Stainless, Alloy and Other Carbon Steel Products
6. Galvanized Sheet Products
7. Other Metallic Coated Flat-Rolled Products
8. Rails
9. Electrical Sheet Products
10. Heavy Structural Shapes
11. Hot-Rolled Bars
12. Hot-Rolled Light Shapes
13. Cold-Finished Bars
14. Certain Tin Mill Products Pipe and Tube Products
15. Wire Rod Products
16. Tool Steel
17. Drawn Wire
18. Wheels and Axles
19. Fabricated Structural Shapes
20. Semifinished Steel Products
21. Pig Iron

Each category of steel would have a separate export limit. In addition to the issuance of export licenses by the Ministry of Economy of Ukraine, the United States would establish a border enforcement mechanism to ensure compliance with the export limits. The border mechanism will be in the form of denial of entry for any shipment of steel, covered by the categories listed above, which exceeds the limits or lacks the required documents.

Section 125(c) of the Trade Act (19 U.S.C. 2135(c)) provides that whenever the United States, acting in pursuance of any of its rights or obligations under any trade agreement entered into pursuant to the Trade Act, modifies any obligation with respect to the trade of any foreign country or instrumentality, the President is authorized to proclaim increased duties or other import restrictions, to the extent, at such times, and for such periods as he deems necessary or appropriate, in order to exercise the rights or fulfill the obligations of the United States.

Section 125(f) of the Trade Act (19 U.S.C. 2135(f)) requires the President to provide the opportunity for interested parties to present views at a public hearing prior to taking action pursuant to section 125(b), (c), or (d) of the Trade Act (19 U.S.C. 2135(b), (c), or (d)). Such an opportunity is being provided by scheduling such a hearing for Wednesday, January 17, 2001, at the United States Department of Commerce. If the consultations and negotiations with the Ministry of Economy of Ukraine result in a tentative agreement, the Department will publish the proposed agreement on its Import Administration website (http://ia.ita.doc.gov) no later than 12:00 p.m. on Tuesday, January 16, 2001, and conduct the hearing on January 17, 2001.

Notice of Public Hearing: Pursuant to section 125(f) of the Trade Act of 1974 (19 U.S.C. 2135(f)), the International Trade Administration of the Department of Commerce, has scheduled a public hearing beginning at 10 a.m., on January 17, 2001, at Room 1412 of the Herbert C. Hoover Building, U.S. Department of Commerce, 14th and Constitution Ave., NW, Washington, DC.

Requests to Present Oral Testimony: Parties wishing to testify orally at the hearing must provide written notification of their intention not later than 5 p.m., January 16, 2001 to Troy H. Cribb, Assistant Secretary for Import Administration: In re Public Hearing on Establishment of Import Restrictions on Certain Steel Products From Ukraine to the United States, Room 1870, Herbert C. Hoover Building, U.S. Department of Commerce, 14th and Constitution Ave., NW, Washington, DC. The notification should include (1) the name of the person presenting the testimony, their address and telephone number; (2) the organization or company they are representing, if appropriate; (3) a list of issues to be addressed; and (4), if applicable, any request for an extension of the time limitation on the oral presentation. This notification may be submitted via facsimile to Vicki Sullivan at (202) 273–0957. Those parties presenting oral testimony must also submit a written brief, in 20 copies, not later than 10 a.m., January 18, 2001, to the above-mentioned address.