

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.

**Gerald A. Zerdy,**

*Program Manager Statutory Import Programs Staff.*

[FR Doc. E5-5895 Filed 10-24-05; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Applications for Duty-Free Entry of Scientific Instruments

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), we invite comments on the question of whether an instrument of equivalent scientific value, for the purposes for which the instrument shown below is intended to be used, is being manufactured in the United States.

Comments must comply with 15 CFR 301.5(a)(3) and (4) of the regulations and be filed within 20 days with the Statutory Import Programs Staff, U.S. Department of Commerce, Washington, D.C. 20230. Applications may be examined between 8:30 A.M. and 5:00 P.M. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW, Washington, D.C.

*Docket Number:* 05-037. Applicant: California Institute of Technology, 1200 E. California Blvd., Pasadena, CA 91125. Instrument: Dual Beam SEM/FIB System, Model 200 Nanolab. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument is intended to be used to modify and analyze delicate nano-devices as well as to prepare more conventional cross-sectional thin sections for analytical electron microscopy. The nanostructures to be modified will largely be developed within Caltech's microfabrication facilities and the delivered software system will be re-written to enable more precise patterning and alignment of nanostructures. Metallorganic gases can be delivered to the sample surface through a gas manifold for metal deposition and etching gases can be injected to perform chemically-assisted focused ion etching. A laser

interferometer stage will enable the alignment of nanostructures to existing alignment marks for a flexible nanofabrication system. A large variety of chemical analysis sensors will further extend the capabilities of the system. Application accepted by Commissioner of Customs: September 27, 2005.

*Docket Number:* 05-044. Applicant: Tufts University, 169 Holland Street, Somerville, MA 02144. Instrument: Low-temperature Scanning Tunneling Microscope. Manufacturer: Omicron Nanotechnology, Germany. Intended Use: The instrument is intended to be used to study molecules adsorbed on metal and semiconductor surfaces at low temperature to gain understanding of the physisorption and chemisorption processes. The research is intended to: (1) obtain high-resolution images of molecules adsorbed on surfaces at temperatures down to 4 Kelvin, (2) record conductance and vibrational data from these systems using the microscope's spectroscopic capabilities and (3) manipulate the positions of molecules using the microscope tip. Application accepted by Commissioner of Customs: October 5, 2005.

**Gerald A. Zerdy,**

*Program Manager Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Princeton University, Notice of 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 5:00 P.M. in Suite 4100W, U.S. Department of Commerce, Franklin Court Building, 1099 14th Street, NW, Washington, D.C.

*Docket Number:* 05-035. Applicant: Princeton University, Princeton, New Jersey. Instrument: Geiger Mode Ionizing Counters (1350). Manufacturer: pol.hi.tech, S.R.I, Italy. Intended Use: See notice at 70 FR 48372, August 17, 2005.

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: These are compatible accessories for an existing instrument. Also referred to as limited streamer tubes, they are to be interfaced to the Stanford Linear Accelerator to study all the systematics of B meson decay processes by international research projects. Extreme reliability is an essential feature, since once assembled, they cannot be removed for replacement. The only domestic assembly facility for producing large numbers of these devices (at the University of Houston) has been decommissioned. The accessories are pertinent to the intended uses and we know of no domestic accessories which can be readily adapted for this purpose. We know of no other instrument or apparatus of equivalent scientific value which is being manufactured in the United States.

**Gerald A. Zerdy,**

*Program Manager Statutory Import Programs Staff.*

[FR Doc. E5-5894 Filed 10-24-05; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### State University of New York, Stony Brook, et al., Notice of Consolidated Decision on Applications for Duty-Free Entry of Electron Microscopes

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 5:00 P.M. in Suite 4100W, Franklin Court Building, U.S. Department of Commerce, 1099 14th Street, NW, Washington, D.C.

*Docket Number:* 05-032. Applicant: State University of New York, Stony Brook. Instrument: Electron Microscope, Model JEM-2200FS. Manufacturer: JEOL Ltd., Japan. Intended Use: See notice at 70 FR 48372, August 17, 2005. Order Date: September 2, 2003.

*Docket Number:* 05-034. Applicant: The University of Southern Mississippi, Hattiesburg. Instrument: Electron Microscope, Model JEM-2100. Manufacturer: JEOL, Ltd., Japan. Intended Use: See notice at 70 FR 48372, August 17, 2005. Order Date: October 13, 2004.

Comments: None received. Decision: Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as these instruments are intended to be used, was being manufactured in the United

States at the time the instruments were ordered. Reasons: Each foreign 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 each instrument OR at the time of receipt of application by U.S. Customs and Border Protection.

**Gerald A. Zerdy,**

*Program Manager Statutory Import Programs Staff.*

[FR Doc. E5-5893 Filed 10-24-05; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

(C-427-603)

#### Preliminary Results of Full Sunset Review: Brass Sheet and Strip from France

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

**SUMMARY:** On April 1, 2005, the Department of Commerce ("the Department") initiated a sunset review of the countervailing duty ("CVD") order on brass sheet and strip from France, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"). On the basis of a notice of intent to participate and an adequate substantive response filed on behalf of the domestic interested parties and an adequate response from respondent interested parties, the Department determined to conduct a full sunset review of this CVD order pursuant to section 751(c) of the Act and 19 CFR 351.218(e)(2). As a result of our analysis, the Department preliminarily finds that revocation of the CVD order would likely to lead to continuation or recurrence of a countervailable subsidy at the level indicated in the "Preliminary Results of Review" section of this notice.

**EFFECTIVE DATE:** October 25, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Darla Brown or David Goldberger, AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue NW, Washington, DC 20230; telephone: (202) 482-2849 or (202) 482-4136, respectively.

**SUPPLEMENTARY INFORMATION:**

### Background

On April 1, 2005, the Department initiated a sunset review of the CVD order on brass sheet and strip from France pursuant to section 751(c) of the Act. *See Notice of Initiation of Five-year ("Sunset") Reviews*, 70 FR 16800 (April 1, 2005). The Department received a notice of intent to participate from the following domestic interested parties: Heyco Metals, Inc. ("Heyco"); Olin Corporation – Brass Group ("Olin"); Outokumpu American Brass ("Outokumpu"); PMX Industries, Inc. ("PMX"); Revere Copper Products, Inc. ("Revere"); Scott Brass ("Scott"); the International Association of Machinists and Aerospace Workers; United Auto Workers (Local 2367 and Local 1024); and United Steelworkers of America (AFL/CIO-CLC) (hereinafter, collectively "domestic interested parties"), within the deadline specified in 19 CFR 351.218(d)(1)(i). The domestic interested parties claimed interested party status under sections 771(9)(C) and (D) of the Act, as domestic brass mills, rollers, and unions engaged in the production of brass sheet and strip in the United States.

The Department received substantive responses from the domestic interested parties as well as from Gravograph Industrie International ("Gravograph"); Trefimetaux, S.A. ("TMX"); and the Government of France ("GOF"). On May 24, 2005, after analyzing the substantive and rebuttal responses of interested parties, consistent with 19 CFR 351.218(e)(1)(ii)(A) and (C), the Department determined to conduct an expedited review of this countervailing duty order on the basis that the two respondent companies, Gravograph and TMX, accounted for less than 50 percent of the exports of subject merchandise from France to the United States during the sunset review period.

Subsequently, the GOF and the European Union ("EU") requested that the Department reconsider its adequacy determination on the basis that the customs data concerning imports (U.S. data) and exports (French data) do not reliably reflect the actual volume of imports of brass sheet and strip.<sup>1</sup> On June 10, 2005, domestic interested parties submitted a letter reiterating earlier comments asserting that the French respondents failed to submit all of the required information in their responses and failed to satisfy the 50-percent export threshold set forth in the regulations. Thus, according to domestic interested parties, the Department's determination to conduct an expedited

<sup>1</sup> See letters of June 8, 2005, and June 9, 2005, respectively.

review was correct and should be maintained.

On June 14, 2005, the Department met with representatives from the EU and the GOF to discuss their request that the Department reconsider its decision to conduct an expedited review in the instant case.<sup>2</sup> On July 11, 2005, the GOF provided additional information concerning the statistics on French brass sheet and strip and again requested that the Department reconsider its adequacy determination. On July 13, 2005, the EU expressed its support for the GOF's request for a full sunset review noting that, in view of the manifest discrepancies in the various sources of data, for which the GOF has been proactive in trying to find a solution, it would be wrong to deny all the parties a full and comprehensive investigation of the facts. Finally, on July 14, 2005, the domestic interested parties reiterated the view that the Department should conduct an expedited sunset review in this proceeding arguing that no justification exists for the Department to reverse its earlier conclusion.

The Department determined that the sunset review of the CVD order on brass sheet and strip from France is extraordinarily complicated. In accordance with section 751(c)(5)(C)(v) of the Act, the Department may treat a review as extraordinarily complicated if it is a review of a transition order (*i.e.*, an order in effect on January 1, 1995). (*See* section 751(c)(6)(C) of the Act.) Therefore, on July 27, 2005, the Department extended the time limit for the completion of the final results of this review until not later than October 28, 2005, in accordance with section 751(c)(5)(B) of the Act. *See Brass Sheet and Strip from Germany, Brazil, and France: Extension of Final Results of Expedited Sunset Review of the Antidumping and Countervailing Duty Orders*, 70 FR 43395 (July 27, 2005). However, when the Department determined to conduct a full sunset review of this order, the preliminary results of the full sunset review were extended until October 18, 2005.

### Scope of the Order

The merchandise subject to the CVD order is coiled, wound-on-reels (traverse wound), and cut-to-length

<sup>2</sup> See June 16, 2005, Memorandum to the File, From Kelly Parkhill, concerning the Sunset Review of the Countervailing Duty Order on Brass Sheet and Strip from France.

The Department reconsidered its original determination, and, on August 12, 2005, determined to conduct a full review of this order, as provided for at section 751(c)(5)(A) and (C) of the Tariff Act of 1930 and at 19 CFR 351.218(e)(2).