

of the alternatives formulated and discussed in the statement. (Reviewers may wish to refer to the Council on Environmental Quality Regulations for implementing the procedural provisions of the National Environmental Policy Act at 40 CFR 1503.3 in addressing these points.).

The final EIS is scheduled to be completed in April 1998. In the final EIS, the Forest Service is required to respond to comments and responses received during the comment period that pertain to the environmental consequences discussed in the draft EIS and applicable laws, regulations, and policies considered in making the decision regarding this proposal. Darrel L. Kenops, Forest Supervisor, is the responsible official and as responsible official, he will document the Moose Subwatershed Timber Sales decision and rationale in the Record of Decision. That decision will be subject to Forest Service Appeal Regulations (36 CFR part 215).

Dated: December 2, 1997.

**Darrel L. Kenops,**

*Forest Supervisor.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

[A-570-827]

**Notice of Court Decision: Certain Cased Pencils From the People's Republic of China**

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

**ACTION:** Notice of court decision.

**SUMMARY:** On November 13, 1997, the United States Court of International Trade (CIT) affirmed the determination made by the Department of Commerce (the Department) pursuant to a voluntary remand of the final determination of sales at less-than-fair value (LTFV) in the investigation of certain cased pencils from the People's Republic of China (PRC). *Writing Instrument Manufacturers Association, Pencil Section, et al. v. United States*, Slip Op. 97-151 (CIT November 13, 1997) (*Writing Instrument Manufacturers*). In the remand determination, the Department selected a new source for the surrogate values of the logs and slats used in producing certain cased pencils and changed its methodology for valuing these logs and slats.

**EFFECTIVE DATE:** November 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** Roy A. Malmrose, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W. Washington, D.C. 20230; telephone: (202) 482-5414.

**SUPPLEMENTARY INFORMATION:** In its Final Determination of Sales at Less Than Fair Value: Certain Cased Pencils from the People's Republic of China, 59 FR 55625 (November 8, 1994) (Final Determination), in order to value Chinese lindenwood, the Department used prices charged by U.S. producers of basswood, the wood most similar to the lindenwood used by the Chinese to produce cased pencils. In this remand determination, the Department used publicly-available published information reflecting basswood log prices from 12 U.S. mills to value the lindenwood logs used by two of the Chinese producers, Anhui Stationery Co. (Anhui) and Three Star Stationery Co. (Three Star).

China First Pencil Co. Ltd. (China First), an exporter and producer of the subject merchandise, purchased slats for the production of its pencils. To value this input, the Department relied on the two main publicly-available published sources for sawn basswood prices, the Hardwood Market Report and the Hardwood Weekly Review.

For its valuation methodology for lindenwood logs, the Department selected the grades of basswood logs most comparable to the lindenwood used by the Chinese producers, including the quality and diameter of the logs. For basswood sawn lumber, the Department selected the lumber most comparable to that used to produce the Chinese slats in terms of grade, thickness, and wood loss.

As a result of the remand determination, the final dumping margins and the PRC country-wide ("all others") rate are as follows:

Exporter	Margin percent
China First Co. Ltd. ....	8.60
Shanghai Lansheng Corp. ....	19.36
Shanghai Foreign Trade Corp. ....	11.15
Guangdong Stationery/Three Star Stationery .....	0.00
Guangdong Stationery/all other producers .....	53.65
PRC country-wide rate .....	53.65

On November 13, 1997, the CIT affirmed the Department's remand determination.

In its decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the United States Court

of Appeals for the Federal Circuit held that, pursuant to 19 U.S.C. section 1516a(e), the Department must publish a notice of a court decision which is not "in harmony" with a Department determination, and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's decision in *Writing Instrument Manufacturers* on November 13, 1997, constitutes a decision not in harmony with the Department's final affirmative determination. Publication of this notice fulfills the *Timken* requirement.

Accordingly, the Department will continue to suspend liquidation pending the expiration of the period of appeal, or, if appealed, until a "conclusive" court decision. In addition, pursuant to the affirmed remand results, China First is no longer excluded from the antidumping duty order issued in this case (Antidumping Duty Order: Certain Cased Pencils from the People's Republic of China, 59 FR 66909 (December 28, 1994)). Therefore, liquidation shall be suspended on entries, or withdrawals from warehouse, for consumption of the subject merchandise from China First effective ten days from the date of the decision in *Writing Instrument Manufacturers*. Absent an appeal, or, if appealed, upon a "conclusive" court decision affirming the CIT's opinion, the Department will amend the final LTFV determination and the antidumping duty order on certain cased pencils from the PRC to reflect the Department's remand results.

Dated: December 4, 1997.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

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**DEPARTMENT OF COMMERCE**

**International Trade Administration**

**Barnard College; Notice of Decision on Application for Duty-Free Entry of Scientific Instrument**

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 Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*Docket Number:* 97-084. *Applicant:* Barnard College, New York, NY 10027-6598. *Instrument:* Electron Microscope, Model EM208S. *Manufacturer:* Philips,

The Netherlands. *Intended Use:* See notice at 62 FR 52685, October 9, 1997. *Order Date:* July 4, 1997.

*Comments:* None received. *Decision:* Approved. No instrument of equivalent scientific value to the foreign instrument, for such purposes as the instrument is intended to be used, was being manufactured in the United States at the time the instrument was ordered. *Reasons:* The foreign instrument is a conventional transmission electron microscope (CTEM) and is intended for research or scientific educational uses requiring a CTEM. We know of no CTEM, or any other instrument suited to these purposes, which was being manufactured in the United States at the time of order of the instrument.

**Frank W. Creel,**

*Director, Statutory Import Programs Staff.*  
[FR Doc. 97-32466 Filed 12-10-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of California, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*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:* 97-076. *Applicant:* University of California, Davis, CA 95616. *Instrument:* Electron Spin Resonance Spectrometer, Model JES-TE100. *Manufacturer:* JEOL, Ltd., Japan. *Intended Use:* See notice at 62 FR 48811, September 17, 1997. *Reasons:* The foreign instrument provides a weak pitch signal to noise ratio of 400 to 1 and a cavity q-value of 18 000.

*Docket Number:* 97-078. *Applicant:* University of Missouri at Kansas City, Kansas City, MO 64110. *Instrument:* Free-Flow Electrophoresis Device. *Manufacturer:* Dr. Weber GmbH, Germany. *Intended Use:* See notice at 62 FR 52685, October 9, 1997. *Reasons:* The foreign instrument provides

continuous flow electrophoresis for separation of whole cells from blood or other tissue fluids and separation and purification of subcellular organelles.

*Docket Number:* 97-082. *Applicant:* University of Minnesota, Minneapolis, MN 55455. *Instrument:* Stopped-Flow Reaction Analyzer, Model SX.18MV. *Manufacturer:* Applied Photophysics, Ltd, United Kingdom. *Intended Use:* See notice at 62 FR 52685, October 9, 1997. *Reasons:* The foreign instrument provides completely anaerobic operation with a sub-millisecond dead time.

*Docket Number:* 97-083. *Applicant:* Indiana University-Purdue University at Indianapolis, Indianapolis, IN 46202. *Instrument:* Stopped-Flow Spectrometer, Model SX.61DX2. *Manufacturer:* Hi-Tech Scientific, United Kingdom. *Intended Use:* See notice at 62 FR 52685, October 9, 1997. *Reasons:* The foreign instrument provides double mixing stopped flow with compatibility for use by students.

*Docket Number:* 97-085. *Applicant:* University of Minnesota, Minneapolis, MN 55455. *Instrument:* Electron Paramagnetic Resonance Spectrometer, Model E500. *Manufacturer:* Bruker, Germany. *Intended Use:* See notice at 62 FR 52685, October 9, 1997. *Reasons:* The foreign instrument provides measurement of electron spin resonance for characterization of paramagnetic centers in various materials, identification of photo- and redox-active sites and elucidation of reaction mechanisms.

The National Institutes of Health advises in its memoranda dated November 5, 1997 that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) it knows of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

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

**Frank W. Creel,**

*Director, Statutory Import Programs Staff.*  
[FR Doc. 97-32445 Filed 12-10-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### University of Illinois at Urbana-Champaign, et al.; Notice of Consolidated Decision on Applications for Duty-Free Entry of Scientific Instruments

This is a decision consolidated pursuant to Section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897; 15 CFR part 301). Related records can be viewed between 8:30 A.M. and 5:00 P.M. in Room 4211, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.

*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:* 97-064. *Applicant:* University of Illinois at Urbana-Champaign, Urbana, IL 61801. *Instrument:* Reflection High Energy Electron Gun. *Manufacturer:* Focus GmbH, Germany. *Intended Use:* See notice at 62 FR 43710, August 15, 1997. *Reasons:* The foreign instrument provides: (1) Selectable beam diameter, (2) magnetic and electrostatic focusing to reduce size of beam and (3) double octopole deflection system for better steering. *Advice received from:* National Institute of Standards and Technology, November 7, 1997.

*Docket Number:* 97-065. *Applicant:* Princeton University, Princeton, NJ 08544-0033. *Instrument:* (50) Seismometers. *Manufacturer:* Guralp Systems Ltd., United Kingdom. *Intended Use:* See notice at 62 FR 43710, August 15, 1997. *Reasons:* The foreign instrument provides a frequency response from 0.03 to 10 Hz with simplified operational design for use by high school science students. *Advice received from:* The U.S. Geological Survey, November 6, 1997.

The National Institute of Standards and Technology and the U.S. Geological Survey advise that (1) the capabilities of each of the foreign instruments described above are pertinent to each applicant's intended purpose and (2) they know of no domestic instrument or apparatus of equivalent scientific value for the intended use of each instrument.

We know of no other instrument or apparatus being manufactured in the United States which is of equivalent