

*Comment 2:* Appropriate Surrogate Value for Financial Ratios

*Comment 3:* Calculation of the MHPC Financial Ratios

*Comment 4:* Brokerage and Handling Expenses

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Constructed Export Price (“CEP”) Profit

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*Jinju-Related Issue:*

*Comment 8:* Classification of Jinju’s U.S. Sales

*Shanghai Eswell-Related Issues*

*Comment 9:* Calculation of the

Assessment Rates for Shanghai Eswell

*Comment 10:* Classification of Shanghai Eswell’s U.S. Sales

*Wuhan Bee-Related Issues*

*Comment 11:* Classification of Wuhan Bee’s U.S. Sales

*Comment 12:* Use of EP sales for Wuhan Bee

*Comment 13:* Application of Adverse Facts Available to Wuhan Bee

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## 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 instruments of equivalent scientific value, for the purposes for which the instruments shown below are intended to be used, are 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:* 05-023. Applicant: Dartmouth College, Procurement and Auxiliary Services, Caller t10,001, Hanover, NH 03755. Instrument: Electron Microscope, Model Technai G<sup>2</sup> 20 U-TWIN with XL30 ESEM FEG.

Manufacturer: FEI Co, The Netherlands. Intended Use: The instrument is intended to be used to study:

1. Nanophase and nanocrystalline magnetic intermagnetic alloys
2. Monolayer-protected metal nanoparticle clusters
3. Protein crystals with infused inorganic nanoparticles. The instrument will also be use in graduate and undergraduate studies. Application accepted by Commissioner of Customs: June 9, 2005.

*Docket Number:* 05-027. Applicant: Beckman Research Institute of the City of Hope National Medical Center, 1450 East Duarte Road, Duarte, CA 91010. Instrument: Scanning Electron Microscope, Model Quanta 200 ESEM. Manufacturer: FEI Company, The Netherlands. Intended Use: The instrument is intended to be used in various research projects of the Institute including:

1. Studies of cell-cell interactions, such as occurs in cell-mediated immunity, or the arrangement of cells in tissues
2. Studies of cell surface structures, such as those that may be important in pathogens gaining a foothold in immune compromised and healthy patients
3. The examination of nanodevices used in mass spectrometers and other instrumentation for the study of small quantities of proteins and nucleic acid. Application accepted by Commissioner of Customs: June 21, 2005.

*Docket Number:* 05-028. Applicant: University of Wisconsin, Madison, Department of Biochemistry, 433 Babcock Drive, Madison, WI 53706-1544. Instrument: Electron Microscope, Model Technai 12 TWIN. Manufacturer: FEI Company, Czech Republic. Intended Use: The instrument is intended to be used for research by investigators at the University. Studies involve electron microscopy of animal cells, isolated proteins, DNA molecules, viruses, etc. All of the materials are biological in origin and the objective is to explore either the structure and/or the mechanism of action of these biological materials. Application accepted by Commissioner of Customs: June 23, 2005.

**Gerald A. Zerdy,**

*Program Manager Statutory Import Programs Staff.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Notice of Opportunity To Apply for Membership on the U.S. Travel and Tourism Advisory Board

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce is currently seeking applications for membership on the U.S. Travel and Tourism Advisory Board (“Board”). The purpose of the Board is to recommend to the Secretary of Commerce the appropriate coordinated activities with regards to funding for the U.S. Travel and Tourism Promotional Campaign (“Campaign”). Pursuant to Public Law 108-7, Division B, Section 210, the Secretary of Commerce shall in consultation with the Board design, develop and implement an international promotional campaign, which seeks to encourage foreign individuals to travel to the United States for the purposes of engaging in tourism related activities. Also, pursuant to 15 U.S.C. 1512 which provides the Department of Commerce the province and duty to foster, promote, and develop foreign and domestic commerce, the Board shall advise the Secretary of Commerce on the development, creation and implementation of a national tourism strategy and shall provide a means of ensuring regular contact between the government and the travel and tourism sector. The Board shall advise the Secretary on government policies and programs that affect the United States travel and tourism industry and provide a forum for discussing and proposing solutions to industry-related problems.

**SUPPLEMENTARY INFORMATION:** The Office of the Advisory Committees is accepting applications for Board members. Members shall serve until the Board’s charter expires on August 1, 2007. Members will be selected based on our judgement of the candidates’ proven experience in promoting, developing, and implementing advertising and marketing programs for travel-related or tourism-related industries; or the candidates’ proven abilities to manage tourism-related or other service-related organizations. Also, members will be selected based on our judgement of the candidates’ ability to represent the travel and tourism industry in the development, creation and implementation of a national tourism strategy.

Each Board member shall serve as the representative of a tourism-related “U.S.

entity.” However, for the purposes of eligibility, a U.S. entity shall be defined as a firm incorporated in the United States (or an unincorporated firm with its principal place of business in the United States) that is controlled by U.S. citizens or by another U.S. entity. An entity is not a U.S. entity if 50 percent plus one share of its stock (if a corporation, or a similar ownership interest of an unincorporated entity) is controlled, directly or indirectly, by non-U.S. citizens or non-U.S. entities. Priority may be given to chief executive officers or a similarly-situated officer of a tourism-related entity. Priority may also be given to individuals with international tourism marketing experience.

Officers or employees of state and regional tourism marketing entities are also eligible for consideration for Board membership. A state and regional tourism marketing entity, may include, but is not limited to, state government tourism office, state and/or local government supported tourism marketing entities, or multi-state tourism marketing entities. Again, priority may be given to chief executive officers or a similarly-situated officer.

Secondary selection criteria will ensure that the board has a balanced representation of the tourism-related industry in terms of point of view, demographics, geography and company size. The Board members will be selected on the basis of their experience and knowledge of the tourism industry. Members will serve at the discretion of the Secretary of Commerce.

Board members shall serve in a representative capacity presenting the views and interests of the particular tourism-related sector in which they operate. Board members are not special government employees, and will receive no compensation for their participation in Board activities. Members participating in Board meetings and events will be responsible for their travel, living and other personal expenses. Meetings will be held regularly, usually in Washington, DC.

To be considered for membership, please provide the following: 1. Name and title of the individual requesting consideration. 2. A letter containing a brief statement of why the applicant should be considered for membership on the Board. This letter should include the applicant's tourism-related experience. 3. The applicant's personal resume. 4. An affirmative statement that the applicant is not required to register as a foreign agent under the Foreign Agents Registration Act of 1938, as amended. 5. If a state or regional tourism marketing entity, the functions

and responsibilities of the entity. 6. The company's size and ownership, product or service line and major markets in which the company operates.

**ADDRESSES:** Submit application information to Lindsey Dickinson, Director, Office of Advisory Committees, U.S. Department of Commerce, Room 4043, Washington, DC 20230.

*Deadline:* All applications must be received by the Office of Advisory Committees, by close of business on July 29, 2005.

**FOR FURTHER INFORMATION CONTACT:** Lindsey Dickinson, (202) 482-0087.

Dated: June 30, 2005.

**Lindsey Dickinson,**

*Director, Office of Advisory Committees.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of decision of panel.

**SUMMARY:** On June 24, 2005 the binational panel issued its decision in the review of the five year review made by the International Trade Commission, respecting Gray Portland Cement and Clinker from Mexico, NAFTA Secretariat File Number USA-MEX-2000-1904-10. The binational panel affirmed in part and remanded in part the International Trade Commission's determination. Copies of the panel decision are available from the U.S. Section of the NAFTA Secretariat.

**FOR FURTHER INFORMATION CONTACT:** Caratina L. Alston, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, DC 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it

conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686). The panel review in this matter has been conducted in accordance with these Rules.

*Panel Decision:* The panel affirmed in part and remanded in part the International Trade Commission's determination respecting Gray Portland Cement and Clinker from Mexico. The panel remanded on the following issues:

1. On remand the Commission is to apply the "probable" or "more likely than not" standard announced by the CIT in *Siderca* when making its determination regarding likely volume, likely price effects, and likely impact on the industry.

2. With regard to the likely volume of subject imports if the antidumping duty order is revoked, the Commission is to (a) explain how it is probable that subject imports would increase if the antidumping duty order is revoked, and (b) render a complete analysis of how the various third-country antidumping duty orders would affect the likely volume of subject imports to the United States.

3. With regard to the likely price effects of subject imports on the industry if the order is revoked, the Commission is to (a) explain the price implications of revocation of the antidumping duty order with sufficient clarity to show how the record supports the Commission findings that revocation of the order would be likely to lead to significant negative price effects on the domestic industry, (b) explain how revocation of the antidumping duty order would be likely to lead to significant price underselling by subject imports of the domestic product, and (c) explain how subject imports are likely to enter the United States at prices that otherwise would have a significant price depressing or suppressing effect on the domestic product.

4. With regard to the likely impact on the domestic industry if the antidumping duty order is revoked, the Commission is to (a) explain how it reached the conclusion that the order should remain in place in order to protect the highly-profitable, regional industry, given the continuing solid demand in the region and a substantial increase in non-Mexican cement