

Resources Office will establish a service date for each competing employee in accordance with the procedures in 5 CFR 351.503.

(2) Credit for performance will be based on the results of each of the previous 5 Selection Boards. Points are weighted because competition is more difficult as one moves upward through the ranks of the Foreign Service. Employees receive points for being on a list of those recommended for promotions, whether promoted or not.

- An MC recommended for promotion receives 65 points.
- An OC recommended for promotion receives 55 points.
- A Class One recommended for promotion receives 45 points.
- A Class Two recommended for promotion receives 35 points.
- A Class Three recommended for promotion receives 25 points.
- A Class Four recommended for promotion receives 15 points.
- Those not recommended for promotion and not low-ranked receive 10 points.
- Officers who are low-ranked receive no points.

(5) Points are given also for awards that are recommended by each of the previous 5 Selection Boards.

- A Sustained Superior Performance Award or cash award (SSPA) receives 3 points.
- A Meritorious Step Increase (MSI) receives 5 points.
- Performance Pay (SFS only) receives 5 points.
- Presidential Award (SFS only) receives 10 points.

.05 Employees are rank-ordered within subgroup based on the number of points received. Those with the fewest points go to the bottom of the list and are released first. Those with the most points are at the top of the list and are the last to be released.

.06 FS employees compete for retention only within their competitive level. There is no right to displace employees in another competitive level.

#### *Section 7. Breaking Ties in Retention Standing*

.01 The first tie breaker is among those with equal points within a subgroup is to release first anyone who has been low-ranked during the previous 5 years.

.02 If needed, the next tie breaker is use results of Selection Boards, prior to the last 5 Boards being considered, for up to 2 additional years. As soon as the tie is broken, for example in year 6, the officer with the least number of points is be released first.

.03 If after all of the above, there is still a tie, the tie will be broken based on a lottery.

#### *Section 8. Extension of Effective Date of RIF*

Management may allow an employee to remain on the rolls for up to a year past the effective date of the RIF for the needs of the service. For example, if serious disruptions would occur in overseas staffing, management could approve a one-year extension of the appointment of an employee reached for release from the competitive level.

#### *Section 9. Transfer of Function*

.01 This section is applicable when the work of one or more employees is moved from one competitive area to another as a transfer of function regardless of whether or not the movement is made under authority of a statute, Executive order, reorganization plan, or other authority.

.02 Reduction in force procedures will be used in the losing competitive area to identify the employees to be transferred.

#### *Section 10. Access to Retention Records*

All employees covered by these regulations are entitled to review retention registers.

#### *Section 11. Benefits/Placement Assistance*

.01 Any employee at Class One or higher, who is separated through RIF, is eligible for an immediate annuity in accordance with Section 806 of the Foreign Service Act of 1980, as amended. Officers below the Class One level are eligible for an immediate annuity if they meet the age and service requirements for voluntary retirement.

.02 Otherwise, they receive severance benefits in accordance with Section 609(b) of the Foreign Service Act of 1980, as amended, as follows:

- (1) A payment equal to one-twelfth of a year's salary at his or her current salary rate for each year of service and proportionately for a fraction of a year, but not to exceed a total of one year's salary at the officer's current rate and,
- (2) a refund of the contributions made by the officer to the Foreign Service Retirement and Disability Fund (FSRD), except that in lieu of a refund an officer who has at least 5 years of service credit toward retirement under the FSRD system may elect to receive an annuity, beginning at age 60. Those enrolled in the Foreign Service Pension System (FSPS), who have completed at least 5 years of creditable service, may elect to receive a deferred annuity at age 62.

.03 An officer cannot receive an immediate annuity and severance benefits.

#### *Section 12. Right to Appeal*

.01 An employee has the right to appeal the RIF action to the Merit Systems Protection Board (MSPB) or use the Foreign Service grievance procedure, but not both.

.02 MSPB Appeals.

Appeals to MSPB must be filed during the 30 calendar days beginning with the day after the effective date of the RIF action.

.03 Foreign Service Grievance Board.

Grievances are limited to cases of violation or inappropriate use of RIF authority by the Agency. Such grievances are initiated at the Agency level with the Office of Foreign Service Personnel, and must be submitted within 20 days after the effective date of the Reduction-in-Force. The filing of a grievance does not change the effective date of the action proposed in this notice.

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### **Foreign-Trade Zones Board**

[Order No. 802]

#### **Expansion of Foreign-Trade Zone 70, Detroit, Michigan, Area**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

Whereas, an application from the Greater Detroit Foreign Trade Zone, Inc., grantee of Foreign-Trade Zone 70, for authority to expand its general-purpose zone to include jet fuel storage and distribution facilities at the Detroit Metropolitan Wayne County Airport was filed by the Board on May 4, 1995 (FTZ Docket 20-95, 60 FR 25886, 5/15/95); and,

Whereas, notice inviting public comment was given in Federal Register and the application has been processed pursuant to the FTZ Act and the Board's regulations; and,

Whereas, the Board adopts the findings and recommendations of the examiner's report, and finds that the requirements of the FTZ Act and Board's regulations are satisfied, and that the proposal is in the public interest;

Now, therefore, the Board hereby orders:

The application to expand FTZ 70 is approved, subject to the Act and the

Board's regulations, including Section 400.28.

Signed at Washington, DC, this 20th day of February 1996.

Susan G. Esserman,  
Assistant Secretary of Commerce for Import  
Administration, Alternate Chairman, Foreign-  
Trade Zones Board.

John J. DaPonte, Jr.,  
Executive Secretary.

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## International Trade Administration

[A-122-601]

### Brass Sheet and Strip From Canada; 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 a request from one respondent, the Department of Commerce (the Department) has conducted an administrative review of the antidumping duty order on brass sheet and strip from Canada. The review covers one manufacturer/exporter of the subject merchandise to the United States for the period January 1, 1994 through December 31, 1994.

We have preliminarily determined that U.S. sales have not been made below the normal value (NV). If these preliminary results are adopted in our final results of administrative review, we will instruct U.S. Customs to assess antidumping duties equal to the difference between the United States price (USP) and the 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:** February 27, 1996.

**FOR FURTHER INFORMATION CONTACT:**  
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of Antidumping Compliance, Import  
Administration, International Trade  
Administration, U.S. Department of  
Commerce, 14th Street and Constitution  
Avenue, N.W., Washington, D.C. 20230,  
telephone: (202) 482-5253.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 12, 1987, the Department published in the Federal Register (52 FR 1217) the antidumping duty order on

brass sheet and strip (BSS) from Canada. On January 12, 1995, the Department published in the Federal Register a notice of "Opportunity to Request an Administrative Review" of this antidumping duty order for the period of January 1, 1994 through December 31, 1994 (60 FR 2941). We received a timely request for review from the respondent, Wolverine Tube (Canada), Inc. (Wolverine). On February 15, 1995, the Department initiated a review of Wolverine (60 FR 8629). The period of review (POR) is January 1, 1994 through December 31, 1994.

#### 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 Round Agreements Act.

#### Scope of the Review

Imports covered by the review are shipments of BSS, other than leaded and tin BSS. The chemical composition of the covered products is currently defined in the Copper Development Association (C.D.A.) 200 Series or the Unified Numbering System (U.N.S.) C2000. Products whose chemical composition is defined by other C.D.A. or U.N.S. series are not covered by this order.

The physical dimensions of the products covered by this review are BSS of solid rectangular cross section over 0.006 inches (0.15 millimeters) through 0.188 inches (4.8 millimeters) in finished thickness or gauge, regardless of width. Coil, wound-on-reels (traverse wound), and cut-to-length products are included. During the review period such merchandise was classifiable under Harmonized Tariff Schedule (HTS) subheadings 7409.21.00 and 7409.29.00. Although the HTS subheadings are provided for convenience and for Customs purposes, the written description of the scope of this order remains dispositive.

Pursuant to the final affirmative determination of circumvention of antidumping duty order, we determined that brass plate used in the production of BSS falls within the scope of the antidumping duty order on BSS from Canada. See *Brass Sheet and Strip from Canada: Final Affirmative Determination of Circumvention of Antidumping Duty Order*, 58 FR 33610 (June 18, 1993).

The review covers one Canadian manufacturer/exporter, Wolverine, and the period January 1, 1994 through December 31, 1994.

#### United States Price (USP)

In calculating USP for Wolverine, the Department treated respondent's sales as export price (EP), as defined in section 772(a) of the Act, because the subject merchandise was sold to unaffiliated U.S. purchasers prior to the date of importation.

We calculated EP based on packed, delivered, duty-paid prices to unaffiliated customers in the United States. We made deductions from the gross unit price, where appropriate, for inland freight—plant/warehouse to port of exit, brokerage and handling, international freight, and U.S. customs duty, in accordance with section 772(c)(2)(A) of the Act. We added to the gross unit price packing costs for shipment to the United States, where applicable, pursuant to section 772(c)(1)(A) of the Act.

No other adjustments to USP were claimed or allowed.

#### Cost of Production Analysis

Because the Department disregarded sales below the cost of production (COP) in the last completed review of Wolverine, we have reasonable grounds to believe or suspect that sales below the COP may have occurred during this review. See Section 773(b)(2)(A)(ii) of the Act and *Brass Sheet and Strip from Canada: Final Results of Antidumping Administrative Review*, 60 FR 49582 (September 26, 1995). Therefore, pursuant to section 773(b)(1) of the Act, we initiated a COP investigation of Wolverine.

In accordance with section 773(b)(3) of the Act, we calculated the COP based on the sum of the costs of materials and fabrication employed in producing the foreign like product, plus selling, general and administrative expenses (SG&A) and the cost of all expenses incidental to placing the foreign like product in condition packed ready for shipment. We relied on the home market sales and COP information provided by Wolverine in its questionnaire responses.

We compared COP to the reported home market prices on a product-specific basis, less any applicable movement charges, and rebates. In accordance with section 773(b)(1) of the Act, in determining whether to disregard home market sales made at prices below the COP, we examined whether such sales were made within an extended period of time in substantial quantities, and whether such sales were made at prices which permitted recovery of all costs within a reasonable period of time.

Pursuant to section 773(b)(2)(C) of the Act, where less than 20 percent of