

CERTAIN FROZEN FISH FILLETS FROM  
VIETNAM

Producer/manufacturer/exporter	Weighted-average margin (percent)
Agifish .....	61.88
Vinh Hoan .....	37.94
Nam Viet .....	53.96
CATACO .....	41.06
Afiex .....	49.16
CAFATEX .....	49.16
Da Nang .....	49.16
Mekonimex .....	49.16
QVD .....	49.16
Viet Hai .....	49.16
Vietnam Wide Rate .....	63.88

**Verification**

As provided in section 782(I)(1) of the Act, we intend to verify all company information relied upon in making our final determination.

**Suspension of Liquidation**

In accordance with section 733(d) of the Act, we are directing the U.S. Customs Service to suspend liquidation of all imports of subject merchandise, entered, or withdrawn from warehouse, for consumption on or after the date of publication of this notice in the **Federal Register** with respect to Agifish, Vinh Hoan, CATACO, Afiex, Cafatex, Da Nang, Mekonimex, QVD and Viet Hai. We will instruct U.S. Customs Service to require a cash deposit or the posting of a bond equal to the weighted-average amount by which the NV exceeds EP, as indicated above. With respect to Nam Viet and all other Vietnam exporters, the Department will direct the U.S. Customs Service to suspend liquidation of all entries of certain frozen fish fillets from Vietnam that are entered, or withdrawn from warehouse, for consumption on or after 90 days prior to the date of publication in the **Federal Register** of our preliminary determinations in these investigations. Customs shall require a cash deposit or posting of a bond equal to the estimated preliminary dumping margins reflected in the preliminary determinations published in the **Federal Register**. The suspension of liquidation to be issued after our preliminary determination will remain in effect until further notice. These suspension of liquidation instructions will remain in effect until further notice.

**International Trade Commission Notification**

In accordance with section 733(f) of the Act, we have notified the ITC of the Department's preliminary affirmative determination of sales at less than fair

value. If our final determination is affirmative, the ITC will determine before the later of 120 days after the date of this preliminary determination or 45 days after our final determination whether the domestic industry in the United States is materially injured, or threatened with material injury, by reason of imports of certain frozen fish fillets, or sales (or the likelihood of sales) for importation, of the subject merchandise.

**Public Comment**

In accordance with 19 CFR 351.301(c)(3), interested parties may submit publicly available information to value the factors of production for purposes of the final determination within 40 days after the date of publication of this preliminary determination. Case briefs or other written comments may be submitted to the Assistant Secretary for Import Administration no later than fifty days after the date of publication of this notice, and rebuttal briefs, whose content is limited to issues raised in case briefs, no later than fifty-five days after the date of publication of this preliminary determination. See 19 CFR 351.309(c)(1)(i); 19 CFR 351.309(d)(1). A list of authorities used and an executive summary of issues should accompany any briefs submitted to the Department. This summary should be limited to five pages total, including footnotes.

In accordance with section 774 of the Act, we will hold a public hearing, if requested, to afford interested parties an opportunity to comment on arguments raised in case or rebuttal briefs. If a request for a hearing is made, we will tentatively hold the hearing two days after the deadline of submission of rebuttal briefs at the U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230, at a time and location to be determined. Parties should confirm by telephone the date, time, and location of the hearing two days before the scheduled date.

Interested parties who wish to request a hearing, or to participate if one is requested, must submit a written request to the Assistant Secretary for Import Administration, U.S. Department of Commerce, Room 1870, within 30 days of the date of publication of this notice. See 19 CFR 351.310(c). Requests should contain: (1) The party's name, address, and telephone number; (2) the number of participants; and (3) a list of the issues to be discussed. At the hearing, each party may make an affirmative presentation only on issues raised in that party's case brief, and may make rebuttal presentations only on

arguments included in that party's rebuttal brief.

This determination is issued and published in accordance with sections 733(f) and 777(i)(1) of the Act.

Dated: January 24, 2003.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

[FR Doc. 03-2331 Filed 1-30-03; 8:45 am]

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**DEPARTMENT OF COMMERCE****International Trade Administration**

[C-507-501; C-507-601]

**Certain In-Shell Pistachios (C-507-501) and Certain Roasted In-Shell Pistachios (C-507-601) from the Islamic Republic of Iran: Final Results of New Shipper Countervailing Duty Reviews**

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

**ACTION:** Notice of Final Results of Countervailing Duty New Shipper Reviews.

**SUMMARY:** On September 4, 2002, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results in the countervailing duty (CVD) new shipper reviews of certain in-shell pistachios and certain in-shell roasted pistachios from Iran.

The net subsidy rates in these *Final Results* differ from those of the *Preliminary Results*. The revised final net subsidy rates for the reviewed companies are listed below in the "Suspension of Liquidation" section of this notice.

**EFFECTIVE DATE:** January 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** Darla Brown at (202) 482-2849 or Alicia Kinsey (202) 482-4793, Office of AD/CVD Enforcement VI, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, Room 4012, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

**SUPPLEMENTARY INFORMATION:****Background**

On September 4, 2002, the Department published the preliminary results of the new shipper reviews on certain in-shell pistachios and certain in-shell roasted pistachios from Iran. See *Certain In-Shell Pistachios (C-507-501) and Certain Roasted In-Shell Pistachios (C-507-601) from the Islamic*

*Republic of Iran: Preliminary Results of New Shipper Countervailing Duty Reviews*, 67 FR 56534 (September 4, 2002) (*Preliminary Results*). In accordance with 19 CFR 351.214, these new shipper reviews cover only those producers or exporters for which a review was specifically requested. Accordingly, these new shipper reviews cover Tehran Negah Nima Trading Company (Nima) and nine programs.

We invited interested parties to comment on the *Preliminary Results*. On December 16, 2002, we received comments from interested parties. On December 23, 2002, we received rebuttal comments from interested parties. At the request of the Department, respondents submitted revised case brief and rebuttal comments on January 8, 2003, and petitioners submitted revised rebuttal comments on January 10, 2003 that removed new factual information that was included in their initial submissions. A public hearing was held at the Department of Commerce on January 13, 2003.

**Scope of the Reviews**

*In-Shell Pistachios*

The product covered by this new shipper review is in-shell pistachio nuts from which the hulls have been removed, leaving the inner hard shells and edible meat, as currently classifiable in the Harmonized Tariff Schedules of the United States (HTSUS) under item number 0802.50.20.00. The written description of the scope of this proceeding is dispositive.

*Roasted In-Shell Pistachios*

The product covered by this new shipper review is all roasted in-shell pistachio nuts, whether roasted in Iran or elsewhere, from which the hull has been removed, leaving the inner hard shells and the edible meat, as currently classifiable in the HTSUS under item number 0802.50.20.00. The written description of the scope of this proceeding is dispositive.

**Analysis of Comments Received**

All issues raised in the case and rebuttal briefs by parties to these new shipper reviews are addressed in the "Issues and Decision Memorandum" (Decision Memorandum) dated January

24, 2003, which is hereby adopted by this notice. A list of 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 Appendix I. 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 in room B-099 of the Main Commerce Building. In addition, a complete version of the Decision Memorandum can be accessed directly on the World Wide Web at <http://www.ia.ita.doc.gov>, under the heading "Federal Register Notices." The paper copy and electronic version of the Decision Memorandum are identical in content.

**Suspension of Liquidation**

In accordance with section 705(c)(1)(B)(i)(I) of the Tariff Act of 1930, as amended (the Act), we have calculated individual rates for the company under these new shipper reviews. For the period October 1, 2000, to September 30, 2001, we determine the net subsidy rates for the company under these new shipper reviews to be as follows:

**CERTAIN RAW IN-SHELL PISTACHIOS**

Producer/Exporter	Net Subsidy Rate
Tehran Negah Nima Trading Company, Inc. ....	23.18 percent ad valorem

**CERTAIN ROASTED IN-SHELL PISTACHIOS**

Producer/Exporter	Net Subsidy Rate
Tehran Negah Nima Trading Company, Inc. ....	21.68 percent ad valorem

Bonding is no longer permitted to fulfill security requirements for shipments from Tehran Negah Nima Trading Company, Inc. (Nima) of certain raw in-shell pistachios and certain roasted in-shell pistachios from Iran entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these new shipper reviews. As Nima is the exporter but not the producer of subject merchandise, the Department's final results will apply to certain raw in-shell pistachios and certain roasted in-shell pistachios from Iran exported by Nima and produced by Maghsoudi Farms. See 19 CFR 351.107(b).

The following deposit requirements will be effective upon publication of this notice of final results of these new shipper reviews for all shipments of certain raw in-shell pistachios and certain roasted in-shell pistachios from

Iran entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(2)(B) of the Act: (1) For the merchandise exported by Nima and produced by Maghsoudi Farms, the cash deposit rates will be equal to the net subsidy rates listed above; (2) for subject merchandise exported by Nima but not produced by Maghsoudi Farms, the cash deposit rate will be the "all others" rate established in the original CVD investigations. See *Final Affirmative Countervailing Duty Determination and Countervailing Duty Order: In-Shell Pistachios from Iran*, 51 FR 8344 (March 11, 1986) and *Final Affirmative Countervailing Duty Determination and Countervailing Duty Order: Roasted In-Shell Pistachios from Iran*, 51 FR 35679 (October 7, 1986); (3) if the exporter is not a firm covered in these new shipper reviews, a prior review, or the CVD

investigations, but the manufacturer is, the cash deposit rates will be the rates established for the most recent period for the manufacturer of the merchandise; and (4) if neither the exporter nor manufacturer is a firm covered in these new shipper reviews or the original investigations, the cash deposit rates will continue to be the "all others" rates established in the original CVD investigations.

**Return or Destruction of Proprietary Information**

This notice will serve as the only reminder to parties subject to Administrative Protective Order (APO) of their responsibility concerning the destruction of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Failure to comply is a violation of the APO.

This determination is published pursuant to sections 705(d) and 777(i) of the Act.

Dated: January 24, 2003.

**Faryar Shirzad,**

*Assistant Secretary for Import Administration.*

## Appendix I - Issues and Decision Memorandum

### Methodology and Background Information

#### Analysis of Programs

#### I. Use of Facts Available

#### II. Programs Determined to Confer Subsidies

##### A. Provision of Fertilizer and Machinery

##### B. Provision of Water and Irrigation equipment

##### C. Provision of Credit

##### D. Technical Support from the GOI E. Duty Refunds on Imported Raw or Intermediate Materials Used in the Production of Exported Goods

##### F. Program to Improve Quality of Exports of Dried Fruit

#### III. Program Determined to Be Not Countervailable

##### A. Price Supports and/or Guaranteed Purchase of All Production

#### IV. Programs Determined to Be Not Used

##### A. Export Certificate Voucher Program

##### B. Tax Exemptions

#### V. Total Ad Valorem Rate

#### VI. Analysis of Comments

*Comment 1:* Discovery of Additional Farm Does Not Render Nima Ineligible for a New Shipper Review

*Comment 2:* Nima's Sale of Subject Merchandise to the United States Is Bona Fide

*Comment 3:* Application of Adverse Facts Available to Grower-Related Subsidies

*Comment 4:* Undisclosed Benefits Relating to Maghsoudi Farms' Land Title

*Comment 5:* Application of Adverse Facts Available to the Price Supports and/or Guaranteed Purchase of Production Program

*Comment 6:* Application of Adverse Facts Available to the Provision of GOI Credit Program

*Comment 7:* Application of Adverse Facts Available to the Provision of Fertilizer and Machinery Program

*Comment 8:* Application of Adverse Facts Available to the Tax Exemption Program

*Comment 9:* Application of Adverse Facts Available to the Water and Irrigation Program

*Comment 10:* Application of Adverse Facts Available to the Technical Assistance Program

*Comment 11:* Application of Adverse Facts Available to the Program for Imported Raw or Intermediate Materials Used in the Production of Exported Goods

*Comment 12:* Application of Adverse Facts Available to the Program to Improve Quality of Exports of Dried Fruit

*Comment 13:* Application of Adverse Facts Available to the Export Certificate Voucher Program

*Comment 14:* Application of a Combination Rate Limited to Production Exported by Nima from the Single Farm Disclosed by Maghsoudi

*Comment 15:* Completeness and Accuracy of Data Reported by Nima

*Comment 16:* Reliability of Sales Information Submitted by Fallah Pistachios

[FR Doc. 03-2330 Filed 1-30-03; 8:45 am]

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## DEPARTMENT OF DEFENSE

### Department of the Army

#### Intent To Prepare an Environmental Impact Statement for the Digital Multi-Purpose Range Complex at Fort Benning, GA

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of intent.

**SUMMARY:** Fort Benning proposes to construct and operate a digital multi-purpose range complex (DMPRC). The DMPRC would provide a state-of-the-art range facility to meet the Army's training needs for soldiers to conduct gunnery courses in a realistic training environment by expanding the installation's training capacity. The current facilities (ranges) on Fort Benning do not meet modern gunnery standards and are inadequate to support full gunnery training and qualifications, requiring either training to modified standards or transporting units from Fort Benning to Fort Stewart, a distance of approximately 200 miles, for the required training. The project would include construction of the firing and target area, installation of fiber optics, construction of support facilities, upgrading of associated existing roadways, and construction of utilities to support the site. The proposed DMPRC would ensure soldiers are fully combat ready. The DMPRC would provide a suitable training range to fully support future needs of Army Transformation. Incorporating modern technology and range design into the DMPRC will allow Intermediate Brigade Combat Teams at Fort Benning to train more realistically and efficiently.

**DATES:** To be considered in the Draft EIS, comments and suggestion should be received not later than March 3, 2003.

**ADDRESSES:** Please direct written comments concerning the scope of the Digital Multi-Purpose Range Complex to Mr. Archibald Caldwell, Assistant Range Officer, Directorate of Training, U.S. Army Infantry Center, Attn: ATZB-OTR, Fort Benning, GA, 31905-5122 or e-mail to [Caldwella@benning.army.mil](mailto:Caldwella@benning.army.mil).

**FOR FURTHER INFORMATION CONTACT:** Mr. Archibald Caldwell by telephone at (706) 545-3446 or by e-mail to [Caldwella@benning.army.mil](mailto:Caldwella@benning.army.mil).

**SUPPLEMENTARY INFORMATION:** Fort Benning is the "Home of the Infantry" and conducts Program of Instruction training for Mechanized Infantry Students and sustainment training for elements of Mechanized Infantry Division units. Today's Army includes Mechanized Infantry units with both M2 Bradley Fighting Vehicles (BFVs) and M1A1 and M1A2 Abrams tanks. Although the Army is undergoing a transformation, Abrams tanks and BFVs will play vital roles in Army operations for a significant period of time (20-30 years). In addition to Infantry School training, Fort Benning is the home of several Forces Command deployable units and approximately 44 tank crews and 84 BFV crews. These assigned units are stationed at Fort Benning and must maintain their proficiency through required gunnery training. Consequently, Fort Benning needs a range that will accommodate all weapon systems that are relevant to ground warfare.

BFV crews and Abrams tank crews train for combat readiness by practicing and qualifying at different skill levels, known as gunnery Tables I through XII. Existing facilities on Fort Benning do not meet full training standards for BFV or Abrams tank training due to inadequate firing distance to the targets and width between the firing lanes. Currently Hastings Range (the existing facility) can only support a modified version of Table XII gunnery qualification training for the BFV and Abrams tank in a non-digitized environment. The digital component of the proposed DMPRC will enhance training by providing real time monitoring to increase safety and by providing feedback for after action reviews.

The proposed DMPRC would support Army Transformation by providing a quality range that would meet the training requirements of the current operational assets (Legacy Forces) as