

opportunity to comment on the *Preliminary Results*. We received no comments from either Green Tree or TIL on the Department's *Preliminary Results*. Therefore, the Department is adopting its preliminary finding that TIL is the successor-in-interest to ICI in these final results.

EFFECTIVE DATE: December 9, 2003.

FOR FURTHER INFORMATION CONTACT:

Michele Mire or Howard Smith, AD/CVD Enforcement, Office 4, Group II, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-4711 and (202) 482-5193, respectively.

SUPPLEMENTARY INFORMATION:

Background

On July 10, 1990, the Department published in the **Federal Register** (55 FR 28270) the antidumping duty order on INC from the United Kingdom. On March 28, 2003, TIL requested that the Department conduct a changed circumstances review of the antidumping duty order on INC from the United Kingdom, claiming that it is the successor-in-interest to ICI, and, as such, it is entitled to receive the same antidumping treatment accorded to ICI. On April 11, 2003, Green Tree notified the Department that it opposed TIL's request to be considered the successor-in-interest to ICI. On July 18, 2003, and August 14, 2003, at the request of the Department, TIL submitted additional information and documentation pertaining to its changed circumstances request. Notwithstanding Green Tree's objection to finding TIL to be the successor-in-interest to ICI, record evidence indicates that, with the exception of the managing director of the INC business, TIL has made no material changes to the management, production facilities, suppliers of raw materials, or customers of ICI's former INC business. Further, while Green Tree expressed concern over a possible difference between the cost of capital for TIL and ICI, the record indicates that many of the significant factors that affect costs have not changed. Finally, although there has been a change in the legal entity performing U.S. selling functions under TIL, the record indicates that there have been no significant changes in the sales process or pricing of INC. See *Preliminary Results* at 59585. On October 16, 2003, the Department published its preliminary results in the **Federal Register**, finding TIL to be the successor-in-interest to ICI for purposes of determining antidumping liability.

See *Preliminary Results*. We invited interested parties to comment on these findings. On October 31, 2003, and November 5, 2003, Green Tree and TIL, respectively, submitted letters in which they notified the Department that they would not file comments on the *Preliminary Results*.

Scope of Review

Imports covered by this review are shipments of INC from the United Kingdom. INC is a dry, white amorphous synthetic chemical with a nitrogen content between 10.8 and 12.2 percent, and is produced from the reaction of cellulose with nitric acid. INC is used as a film-

former in coatings, lacquers, furniture finishes, and printing inks. The scope of this order does not include explosive grade nitrocellulose, which has a nitrogen content of greater than 12.2 percent.

INC is currently classified under Harmonized Tariff Schedule of the United States (HTSUS) item number 3912.20.0000. While the HTSUS classification is provided for convenience and customs purposes, the written description remains dispositive as to the scope of the product coverage.

Final Results of Changed Circumstances Review

Because we received no comments from interested parties on the *Preliminary Results*, and for the reasons stated in the *Preliminary Results*, we find the record supports TIL to be the successor-in-interest to ICI for antidumping duty cash deposit purposes. We will instruct Customs and Border Protection to suspend shipments of subject merchandise made by TIL at ICI's cash deposit rate (*i.e.*, 3.06 percent) effective upon publication of this notice. This cash deposit rate shall remain in effect until publication of the next administrative review in which TIL participates.

We are issuing and publishing this determination and notice in accordance with sections 751(b)(1) and 777(i)(1) of the Tariff Act of 1930, as amended, and section 351.216 of the Department's regulations.

Dated: December 1, 2003.

James S. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Steel Import Licensing and Surge Monitoring

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

ACTION: Notice of continuation of Steel Import Licensing and Surge Monitoring program.

SUMMARY: Pursuant to the Presidential Proclamation to Provide for the Termination of Action Taken with Regard to Imports of Steel Products, issued December 4, 2003, the Department of Commerce will continue the Steel Import Licensing and Surge Monitoring program established effective February 1, 2003 (19 CFR part 360).

DATES: This notice is effective December 4, 2003.

FOR FURTHER INFORMATION CONTACT: Julie Al-Saadawi: telephone (202) 482-1930; fax (202) 501-1377; e-mail steel_license@ita.doc.gov. The information contained in this notice is also posted on the import licensing Web site (<http://ia.ita.doc.gov/steel/license/>).

SUPPLEMENTARY INFORMATION: On March 5, 2002, the President issued Proclamation 7529, implementing safeguard measures with respect to certain imported steel products pursuant to sections 201 and 203 of the 1974 Trade Act, 19 U.S.C. 2251, 2253 (67 FR 10553). In an accompanying Memorandum, the President instructed the Secretary of the Treasury and the Secretary of Commerce to establish a system of import licensing to facilitate the monitoring of imports of these steel products, and directed the Secretary of Commerce to publish regulations in the **Federal Register** establishing such a system of import licensing (67 FR 10593, 10596). Pursuant to this direction, Import Administration published proposed regulations establishing a system of import licensing on July 18, 2002 (67 FR 47338), and promulgated final regulations on December 31, 2002, effective February 1, 2003 (67 FR 79845).

On December 4, 2003, the President issued a proclamation terminating the safeguard measures and directing the Secretary of Commerce to continue the steel import licensing system established effective February 1, 2003, until the earlier of March 21, 2005, or such time as the Secretary of Commerce establishes a replacement program.

19 CFR 360.105, promulgated December 31, 2002, and effective February 1, 2003, provided as follows: "The licensing program will be in effect for the duration of the safeguard measures only. Licenses will be required on all subject imports entered during this period. The licenses will be valid for 10 business days after the expiration of the safeguard measures to allow for the final filing of required Customs documentation. Information collected under this system will not be kept longer than the period of time legally required beyond the expiration of these remedies." Section 105, which is itself not a termination provision, referred to the initial period (three years and one day) for which the safeguard measures were proclaimed by the President (Proclamation 7529, section 9), after which they would expire in the absence of further action by the President. The duration of the licensing program is not affected by the early termination of such measures. The President retains authority to implement such other actions, including but not limited to the licensing program, as he deems appropriate and feasible pursuant to 19 U.S.C. 2253, without regard to the early termination of the safeguard measures.

James J. Jochum,

Assistant Secretary for Import Administration.

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 120103D]

Magnuson-Stevens Act Provisions; Atlantic Highly Migratory Species; Exempted Fishing and Scientific Research Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of 2004 Exempted Fishing and Scientific Research Permits; request for comments.

SUMMARY: NMFS announces the intent to issue Exempted Fishing Permits (EFPs) and Scientific Research Permits (SRPs) for the collection of Atlantic highly migratory species (HMS). These EFPs/SRPs would authorize collections of a limited number of tunas, swordfish, billfishes, and sharks from Federal waters in the Atlantic Ocean and Gulf

of Mexico for the purposes of scientific data collection and public display. Generally, the EFPs/SRPs will be valid through December 31, 2004. NMFS also announces the intent to consider issuing EFPs upon receiving applications from U.S. fishermen whose vessels fish for Atlantic HMS while operating under chartering arrangements within the Exclusive Economic Zone (EEZ) of other nations to ensure consistency with another country's regulations without violating U.S. regulations.

DATES: Written comments on these collection, research and fishing activities will be considered by NMFS in issuing such EFPs/SRPs if received on or before December 24, 2003.

ADDRESSES: Send comments to Christopher Rogers, Chief, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. EFP/SRP applications and copies of the regulations under which EFPs/SRPs are issued may also be requested from this address. Comments also may be sent via facsimile (fax) to (301)713-1917. Comments will not be accepted if submitted via e-mail or Internet.

FOR FURTHER INFORMATION CONTACT: Heather Stirratt or Sari Kiraly, 301-713-2347; fax: 301-713-1917.

SUPPLEMENTARY INFORMATION: EFPs and SRPs are requested and issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and/or the Atlantic Tunas Convention Act (16 U.S.C. 971 *et seq.*). Regulations at 50 CFR 600.745 and 50 CFR 635.32 govern scientific research activity, exempted fishing, and exempted educational activity with respect to Atlantic HMS.

Issuance of EFPs and/or SRPs may be necessary because possession of certain shark species is prohibited, possession of billfishes on board commercial fishing vessels is prohibited, and because the commercial fisheries for bluefin tuna, swordfish and large coastal sharks may be closed for extended periods, during which collection of live animals and/or biological samples would otherwise be prohibited. In addition, NMFS regulations at 50 CFR 635.32 regarding implantation or attachment of archival tags in Atlantic HMS require prior authorization and a report on implantation activities.

NMFS seeks public comment on its intention to issue EFPs for the purpose of collecting biological samples under at-sea fisheries observer programs. NMFS intends to issue EFPs to any NMFS or NMFS-approved observer to bring onboard and possess, for scientific research purposes, biological sampling,

measurement, etc., any Atlantic swordfish, Atlantic shark, or Atlantic billfish, provided the fish is a recaptured tagged fish, dead prior to being brought onboard, or specifically authorized for sampling by the Director of the Office of Sustainable Fisheries at the request of the Southeast Fisheries Science Center or Northeast Fisheries Science Center. On average, several hundred swordfish and sharks are collected by at-sea observers under such EFPs in any given year.

Collection of bluefin tuna may be authorized for scientific research, age and growth, genetic, and spawning studies. In 2003, five permits for bluefin tuna archival tagging and research were issued. In addition, NMFS issued 12 EFPs allowing commercial pelagic longline fishing vessels to assist NOAA scientists in conducting sea turtle bycatch reduction experiments in the Northeast Distant Waters (NED) of the Grand Banks.

NMFS is also seeking public comment on its intention to issue EFPs for the collection of restricted species of sharks for the purpose of public display. In the Final Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks (HMS FMP), NMFS established a public display and research quota of 60 metric tons wet weight for this purpose. NMFS has preliminarily determined that, based on average weight of sharks landed, approximately 3,000 sharks could be taken with this current quota. The actual number of sharks that would be taken depends on the species and size of the sharks. NMFS believes that harvesting this amount for public display will have a minimal impact on the stock. In 2003, seven EFPs, which authorized the collection of 352 sharks for display purposes, were issued. The total number reported as actually taken will not be known until early 2004. However, of the 402 sharks authorized for collection in seven EFPs issued during 2002, only 37 sharks were reported taken.

Generally, the authorized collections or exemptions would involve activities otherwise prohibited by regulations implementing the HMS FMP and Amendment 1 to the Atlantic Billfish Fishery Management Plan. The EFPs, if issued, may authorize recipients to fish for and possess tunas, billfishes, swordfish, and sharks outside the applicable Federal commercial seasons, size limits and retention limits, or to fish for and possess prohibited species.

NMFS has undertaken a restructuring of the exempted fishing application and reporting procedures for Atlantic HMS. To that effect, on November 10, 2003, NMFS published a final rule (68 FR