

the academic community are the primary users of the data. Without this survey, these data users would have no industry data for analytical purposes. The Federal Reserve Board (FRB) uses the data to benchmark its monthly estimates of capacity output and utilization. In addition, FRB uses these data to analyze changes in the use of capital, capital stocks and inputs related to capacity growth. The Defense Logistics Agency (DLA) uses the data to assess industry readiness to meet demand for goods under selected national emergency scenarios pertaining to the National Defense Stockpile requirements planning process for strategic and critical materials.

*Affected Public:* Business or other for-profit.

*Frequency:* Annually.

*Respondent's Obligation:* Mandatory.

*Legal Authority:* Title 13 U.S.C., section 182.

*OMB Desk Officer:* Susan Schechter, (202) 395-5103.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dhynek@doc.gov](mailto:dhynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Susan Schechter, OMB Desk Officer either by fax (202-395-7245) or e-mail ([susan\\_schechter@omb.eop.gov](mailto:susan_schechter@omb.eop.gov)).

Dated: June 28, 2004.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-15010 Filed 7-1-04; 8:45 am]

BILLING CODE 3510-07-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### AMBIT Applications and Questionnaires

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burdens, invites the general public and other Federal agencies to take this opportunity to comment on the continuing information collections, as required by the Paperwork Reduction

Act of 1995, Public Law 104-13 (44 U.S.C. 3506 (2)(A)).

**DATES:** Written comments must be submitted on or before August 31, 2004.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6625, 14th & Constitution Avenue, NW., Washington, DC 20230; Phone number: (202) 482-0266; e-mail: [dHynek@doc.gov](mailto:dHynek@doc.gov).

#### FOR FURTHER INFORMATION CONTACT:

Request for additional information or copies of the information collection should be directed to: Erin Schumacher, SABIT, Department of Commerce, FCB 4100W, 14th Street & Constitution Avenue, NW., Washington, DC 20230, Phone number: (202) 482-0073; Fax number: (202) 482-2443, e-mail: [Erin\\_Schumacher@ita.doc.gov](mailto:Erin_Schumacher@ita.doc.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The U.S. Department of Commerce's International Trade Administration, in collaboration with the International Fund for Ireland (IFI), has established the American Management & Business Internship Training (AMBIT) Program. AMBIT provides one-week to six-month training programs for managers and technical experts from Northern Ireland and the Border Counties of Ireland, thereby improving their skills while enhancing U.S. commercial opportunities in the region. AMBIT was launched in 1995 to demonstrate America's interest in supporting the peace process by encouraging economic development in Northern Ireland and the Six Border Counties of Ireland.

The U.S. Department of Commerce works in partnership with the IFI, an organization established in 1986 by the British and Irish Governments to promote economic/social progress and to encourage contact, dialog, and reconciliation in the region. The United States, the European Union, Canada, Australia, and New Zealand contribute to the IFI budget.

##### II. Method of Collection

Applications are sent to U.S. companies and intern candidates via facsimile, email or mail upon request by a delegated agency of the IFI. Feedback surveys are given to participating U.S. companies and interns at the completion of programs.

##### III. Data

*OMB Number:* 0625-0224.

*Form Number:* n/a.

*Type of Review:* Regular Submission.

*Affected Public:* Business or other non-profit, individuals (non-U.S. citizens).

*Estimated Number of Respondents:* 450.

*Estimated Time Per Response:* 1-3 hours.

*Estimated Total Annual Burden Hours:* 1050.

*Estimated Total Annual Costs:* \$63,000.

#### IV. Request for Comments

Comments are invited on (a) whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have the practical utility; (b) the accuracy of the agency's estimate of the burden (including the hours and costs) of the proposed collection of information; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: June 28, 2004.

**Madeleine Clayton,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 04-15009 Filed 7-1-04; 8:45 am]

BILLING CODE 3510-HE-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-533-824]

#### Notice of Decision of the Court of International Trade: Polyethylene Terephthalate Film, Sheet, and Strip from India

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

**ACTION:** Notice of decision of the Court of International Trade.

**SUMMARY:** On June 18, 2004, the Court of International Trade (CIT) sustained the Department of Commerce's (the Department's) redetermination to subject Polyplex Corporation Limited (Polyplex) to the antidumping duty (AD) order on Polyethylene Terephthalate Film, Sheet, and Strip (PET film) from India. *See Dupont Teijin Films USA, LP, Mitsubishi Polyester Film of America,*

LLC, and Toray Plastics (America), Inc. v. United States and Polyplex Corporation Limited, USCIT Slip Op. 04-70 (June 18, 2004), Court No. 02-00463 (*Dupont Teijin III*). Consistent with the decision of the United States Court of Appeals for the Federal Circuit (Federal Circuit) in *The Timken Company v. United States and China National Machinery and Equipment Import and Export Corporation*, 893 F. 2d 337 (Fed. Cir. 1990) (*Timken*), the Department is publishing this notice of the CIT's decision in *Dupont Teijin III*.  
**EFFECTIVE DATE:** June 28, 2004.

**FOR FURTHER INFORMATION CONTACT:** Howard Smith or Jeffrey Pedersen at (202) 482-5193 or (202) 482-2769, respectively; AD/CVD Enforcement, Office 4 Import Administration, Room 1870, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:**

**Background**

In the investigative stage of this proceeding, the Department excluded Polyplex, a company with an AD margin greater than *de minimis*, from the AD order on PET film from India based on a zero percent AD cash deposit rate. The Department calculated the zero percent cash deposit rate by reducing the AD margin by the export subsidies found in the companion countervailing duty (CVD) investigation. See *Notice of Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip from India*, 67 Fed. Reg. 34899, 34901 (May 16, 2002), and accompanying *Issues and Decision Memorandum (Final Determination)*, as amended, 67 Fed. Reg. 44175 (July 1, 2002). The plaintiffs in the Court proceeding under consideration here filed a motion for judgement upon the agency record contesting the Department's final AD determination. The plaintiffs claimed that the Department improperly excluded Polyplex from the AD order on PET film from India because Polyplex's dumping margin, before adjusting the company's AD cash deposit rate for CVD export subsidies, is 10.34 percent. The Court agreed with the plaintiffs, noting that the Department cannot exclude an exporter from an order because its cash deposit rate is zero. See *Dupont Teijin Films USA, LP, Mitsubishi Polyester Film of America, LLC, and Toray Plastics (America), Inc. v. United States and Polyplex Corporation Limited*, 273 F. Supp. 2d 1347, 1352 (July 9, 2003) (*Dupont Teijin I*). However, because the Department accounted for CVD export

subsidies by adjusting the AD cash deposit rate, rather than U.S. price, as required by 19 U.S.C. § 1677a, the Court stated that “{u}pon remand, Commerce must calculate Polyplex's dumping margin after making the adjustments to export price required by 19 U.S.C. § 1677a and Commerce's reasonable interpretation thereof. If Commerce continues to calculate a dumping margin of 10.34 percent for Polyplex, Polyplex must be subject to the antidumping duty order ...” See *Dupont Teijin I*, 273 F. Supp. 2d at 1352.

On August 11, 2003, the Department issued its *Final Results of Redetermination Pursuant to Court Remand* in which it explained that countervailing duties are imposed upon the issuance of a countervailing duty order. At the time that the Department issued its *Final Determination*, the order in the companion CVD investigation had not yet been issued. Thus, the Department argued that Polyplex's sales were not subject to a countervailing duty order. Therefore, the Department contended that its decision in the *Final Determination* not to increase U.S. price by the amount of the export subsidies determined in the companion CVD investigation is consistent with 1677a(c)(1)(C), which requires the Department to increase U.S. price by the amount of any countervailing duty imposed on the subject merchandise to offset an export subsidy. Because Polyplex's dumping margin, before taking into account export subsidies, is 10.34 percent, the Department, pursuant to the Court's remand order, stated that Polyplex will be subject to the AD order on PET film from India.

In *Dupont Teijin Films USA, LP, Mitsubishi Polyester Film of America, LLC, and Toray Plastics (America), Inc., v. United States and Polyplex Corporation Limited*, 297 F. Supp. 2d 1367 (*Dupont Teijin II*), the Court sustained the Department's interpretation, upon remand, of the statutory phrase “countervailing duty imposed” in the context of companion AD and CVD investigations. However, the Court again remanded this case to the Department, instructing it to: (1) “fully address Polyplex's concern that petitioners could unfairly control the respondents' fate in an AD determination and resulting AD order by filing an extension and/or alignment request in the countervailing duty investigation;” (2) “explain how it will “fairly and consistently apply its interpretation of ‘imposed’ when a final determination or an amended final determination issues on the same day as a countervailing duty order on the

subject merchandise due to a petitioner's alignment request;” and, (3) “seek to restore the parties, as far as is possible, to the position they would have been had they been able to act on the Department's new interpretation of ‘imposed,’ and the court's determination in this matter, prior to the issuance of the *Amended Final Determination*.” See *Dupont Teijin II*, 297 F. Supp. 2d at 1374.

On March 3, 2004, the Department issued its second *Final Results of Redetermination Pursuant to Court Remand (Second Remand Determination)* in which it explained that although it would likely adjust a respondents' U.S. prices for export subsidies when it simultaneously issues a final AD determination and a CVD order on the same merchandise, it is not permitted to amend a final AD determination to take into account a CVD order issued subsequent to the AD final determination. Thus, the Department concluded that it was unable to exclude Polyplex from the AD order on PET film from India. The Department also explained that the risk of petitioners manipulating the process by filing an extension and/or alignment request in the countervailing duty investigation “is slight given the uncertainty of an investigation's final results, coupled with the *extremely* unusual circumstance present here, where a foreign producer's countervailed subsidies fully accounted for its less-than-fair-value sales, thereby reducing any AD cash deposits on its imported goods to zero.” See *Dupont Teijin III*, Slip Op. 04-70 at 12. The Court sustained the Department's *Second Remand Determination* in its entirety.

**Notification**

In its decision in *Timken*, the Federal Circuit held that, pursuant to 19 U.S.C. 1516a(e), the Department must publish notice of a CIT decision which is “not in harmony” with the Department's determination. The CIT's decision in *Dupont Teijin III* is not in harmony with the Department's final determination in the AD investigation of PET film from India. Therefore, publication of this notice fulfills the Department's obligation under 19 U.S.C. 1516a(e). In addition, this notice will serve to begin the suspension of liquidation pending the expiration of the period to appeal the CIT's June 18, 2004, decision, or, if that decision is appealed, pending a final decision by the Federal Circuit. The Department will instruct U.S. Customs and Border Protection to suspend liquidation of, and require a cash deposit of zero percent for, PET

film exported by Polyplex that is entered, or withdrawn from warehouse, for consumption on or after June 28, 2004.

Dated: June 28, 2004.

**Jeffrey A. May,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 04-15226 Filed 7-1-04; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-485-805]

#### **Certain Small Diameter Carbon and Alloy Seamless Standard, Line and Pressure Pipe from Romania: Extension of the Time Limit for the Preliminary Results of Antidumping Duty Administrative Review**

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

**EFFECTIVE DATE:** July 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Charles Riggle at (202) 482-0650 or David Layton at (202) 482-0371, Office of AD/CVD Enforcement, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

#### **TIME LIMITS:**

##### **Statutory Time Limits**

Section 751(a)(3)(A) of the Tariff Act of 1930, as amended (the Act), requires the Department of Commerce (the Department) to complete the preliminary results of an administrative review within 245 days after the last day of the anniversary month of an order or finding for which a review is requested and the final results within 120 days after the date on which the preliminary results are published. If it is not practicable to complete the review within these time periods, section 751(a)(3)(A) of the Act allows the Department to extend the time limit for the preliminary results to a maximum of 365 days after the last day of the anniversary month of an order or finding for which a review is requested and for the final results to 180 days (or 300 days if the Department does not extend the time limit for the preliminary results) from the date of publication of the preliminary results.

##### **Background**

On August 1, 2003, the Department published a notice of opportunity to request an administrative review of this

order. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 68 FR 45218. On August 29, 2003, in accordance with 19 CFR 351.213(b)(2), S.C. Silcotub S.A. (Silcotub), a Romanian producer/exporter of subject merchandise, requested a review. In addition, in accordance with 19 CFR 351.222(e), Silcotub requested that the Department revoke the order with regard to Silcotub, pursuant to 19 CFR 351.222(b)(2). On September 2, 2003, United States Steel Corporation, a domestic interested party, requested reviews of Silcotub and S.C. Petrotub S.A., producers/exporters of certain small diameter carbon and alloy seamless standard, line and pressure pipe from Romania.

On September 30, 2003, the Department published a notice of initiation of administrative review of the antidumping duty order on certain small diameter carbon and alloy seamless standard, line and pressure pipe from Romania, covering the period August 1, 2002, through July 31, 2003 (68 FR 56262). On March 31, 2004, the Department published a notice of *Extension of the Time Limit for the Preliminary Results of Antidumping Duty Administrative Review* (69 FR 16893), extending the deadline for the issuance of the preliminary results by 90 days. The preliminary results are currently due no later than August 2, 2004.

#### **Extension of Time Limit for Preliminary Results of Review**

We determine that it is not practicable to complete the preliminary results of this review within the current partially extended time limit due to the complex nature of this review as discussed in the previous extension notice (69 FR 16893). We require additional time to address these matters through the gathering and verification of certain information.

Therefore, in accordance with section 751(a)(3)(A) of the Act, the Department is extending the time limit for completion of the preliminary results by an additional 30 days until no later than August 30, 2004. We intend to issue the final results of review no later than 120 days after publication of the preliminary results notice.

Dated: June 25, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. 04-15106 Filed 7-1-04; 8:45 am]

BILLING CODE 3510-DS-S

## DEPARTMENT OF COMMERCE

### International Trade Administration

[C-475-821]

#### **Stainless Steel Wire Rod from Italy: Final Results of Full Sunset Review of Countervailing Duty Order**

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

**ACTION:** Notice of final results of full sunset review of countervailing duty order of Stainless Steel Wire Rod from Italy.

**SUMMARY:** On August 1, 2003, the Department of Commerce ("the Department") initiated a sunset review of the countervailing duty order on Stainless Steel Wire Rod from Italy (68 FR 45219). Because we find that the net countervailable subsidy likely to prevail is *de minimis*, the Department is revoking this countervailing duty order.

**DATES:** *Effective Date:* July 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Hilary Sadler, Esq. or Martha Douthit, Office of Policy, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-4340 or (202) 482-5050.

#### **SUPPLEMENTARY INFORMATION:**

##### **The Applicable Statute**

The Department's procedures for the conduct of sunset reviews are set forth in Section 751(c) of the Tariff Act of 1930, as amended (the "Act"), and 19 CFR 351.218. Guidance on methodological and analytical issues relevant to the Department's conduct of sunset reviews is set forth in the Department's Policy Bulletin 98:3—*Policies regarding the Conduct of Five-Year Sunset Reviews of Countervailing Duty and Countervailing Duty Orders: Policy Bulletin*, 63 FR 18871 (April 16, 1998) ("*Sunset Policy Bulletin*").

For purposes of this review, the product covered is Stainless Steel Wire Rod ("SSWR") from Italy. Certain stainless steel wire rod (SSWR or subject merchandise) comprises products that are hot-rolled or hot-rolled annealed and/or pickled and/or descaled rounds, squares, octagons, hexagons or other shapes, in coils, that may also be coated with a lubricant containing copper, lime or oxalate. SSWR is made of alloy steels containing, by weight, 1.2 percent or less of carbon and 10.5 percent or more of chromium, with or without other elements. These products are