

functions, such as making freight and delivery arrangements, sales force development, market research, solicitation of orders, technical advice, negotiating prices, invoicing, acting as mill and customer liaison, repairing and cleaning coils, and making arrangements for warranty related to sales. However, because in our LOT analysis for CEP sales we only consider the selling activities reflected in the price after the deduction of the expenses incurred by the U.S. affiliate, the record indicates that for CIL's CEP sales there are substantially fewer services performed than for the sales in its home market. Therefore, we have determined that CIL's home market sales are made at a different, and more advanced, stage of marketing than the LOT of the CEP sales.

Accordingly, we determined that an LOT adjustment may be appropriate when comparing to CEP sales. However, the data available does not permit a determination that there is a pattern of consistent price differences between sales at different LOTs in the home market, as there is only one LOT in the home market. Therefore, because CIL's home market sales are made at a different, and more advanced, stage of marketing than the LOT of the CEP sales, we have made a CEP offset to CIL's NV in accordance with section 773(a)(7)(B) of the Act. This offset is equal to the amount of indirect expenses incurred in the home market not exceeding the amount of the deductions made from the U.S. price in accordance with 772(d)(1)(D) of the Act.

#### Currency Conversion

For purposes of these preliminary results, we made currency conversions in accordance with section 773A(a) of the Act, based on the official exchange rates in effect on the dates of U.S. sales, as obtained from the Federal Reserve Bank.

#### Preliminary Results of Review

As a result of our review, we preliminarily determine that the following percentage weighted-average margins exist for the period April 10, 2002, through September 30, 2003:

| Manufacturer/exporter         | Margin (percent) |
|-------------------------------|------------------|
| Caribbean Ispat Limited ..... | 3.45             |
| All Others .....              | 12.38            |

The Department will disclose calculations performed within five days of the date of publication of this notice to the parties of this proceeding in accordance with 19 CFR 351.224(b). An interested party may request a hearing

within 30 days of publication of these preliminary results. See 19 CFR 351.310(c). Any hearing, if requested, ordinarily will be held 44 days after the date of publication, or the first working day thereafter. Interested parties may submit case briefs no later than 30 days after the date of publication of these preliminary results of review. Rebuttal briefs limited to issues raised in such briefs, may be filed no later than 35 days after the date of publication. Parties who submit arguments are requested to submit with the argument (1) a statement of the issue, and (2) a brief summary of the argument. Further, parties submitting written comments are requested to provide the Department with an additional copy of the public version of any such comments on diskette. The Department will issue the final results of this administrative review, which will include the results of its analysis of issues raised in any such comments, or at a hearing, if requested, within 120 days of publication of these preliminary results.

#### Assessment Rate

Pursuant to 19 CFR 351.212(b), the Department calculated an assessment rate for each importer of the subject merchandise. Upon issuance of the final results of this administrative review, if any importer-specific assessment rates calculated in the final results are above *de minimis* (i.e., at or above 0.5 percent), the Department will issue appraisement instructions directly to CBP to assess antidumping duties on appropriate entries by applying the assessment rate to the entered value of the merchandise. For assessment purposes, we calculated importer-specific assessment rates for the subject merchandise by aggregating the dumping margins for all U.S. sales to each importer and dividing the amount by the total entered value of the sales to that importer.

#### Cash Deposit Requirements

To calculate the cash deposit rate for each producer and/or exporter included in this administrative review, we divided the total dumping margins for each company by the total net value for that company's sales during the review period.

The following deposit rates will be effective upon publication of the final results of this administrative review for all shipments of wire rod from Trinidad and Tobago entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided by section 751(a)(2)(C) of the Act: (1) The cash deposit rate for the company listed above will be the rate established in the final results of this review, except if the

rate is less than 0.5 percent and, therefore, *de minimis*, the cash deposit will be zero; (2) for previously reviewed or investigated companies not listed above, the cash deposit rate will continue to be the company-specific rate published for the most recent final results in which that manufacturer or exporter participated; (3) if the exporter is not a firm covered in this review, a prior review, or the original less than fair value ("LTFV") investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent final results for the manufacturer of the merchandise; and (4) if neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 12.38 percent, the "All Others" rate established in the LTFV investigation. See *Final Determination*.

These cash deposit requirements, when imposed, shall remain in effect until publication of the final results of the next administrative review.

#### Notification to Importers

This notice serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This administrative review is issued and published in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: November 1, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. E4-3071 Filed 11-5-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-489-807]

#### Certain Steel Concrete Reinforcing Bars From Turkey; Final Results, Rescission of Antidumping Duty Administrative Review in Part, and Determination Not To Revoke in Part

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

**ACTION:** Notice of final results of antidumping duty administrative review.

**SUMMARY:** On May 5, 2004, the Department of Commerce (the Department) published the preliminary results of the administrative review of the antidumping duty order on certain steel concrete reinforcing bars from Turkey (69 FR 25063). This review covers three manufacturers/exporters of the subject merchandise to the United States. The period of review (POR) is April 1, 2002, through March 31, 2003. We are rescinding the review with respect to 19 companies because they had no shipments of subject merchandise to the United States during the POR. In addition, we have determined not to revoke the antidumping duty order with respect to an additional exporter, ICDAS Celik Enerji Tersane ve Ulasim Sanayi, A.S. (ICDAS).

Based on our analysis of the comments received, we have made changes in the margin calculations. Therefore, the final results differ from the preliminary results. The final weighted-average dumping margins for the reviewed firms are listed below in the section entitled "Final Results of Review."

**EFFECTIVE DATE:** November 8, 2004.

**FOR FURTHER INFORMATION CONTACT:** Irina Itkin or Elizabeth Eastwood, Office of AD/CVD Enforcement, Office 2, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230; telephone (202) 482-0656 and (202) 482-3874, respectively.

**SUPPLEMENTARY INFORMATION:**

**Background**

This review covers the following three manufacturers/exporters: Colakoglu Metalurji A.S. and Colakoglu Dis Ticaret (collectively "Colakoglu"); Diler Demir Celik Endustrisi ve Ticaret A.S., Yazici Demir Celik Sanayi ve Ticaret A.S., and Diler Dis Ticaret A.S. (collectively "Diler"); and ICDAS.

On May 5, 2004, the Department published in the **Federal Register** the preliminary results of administrative review of the antidumping duty order on certain steel concrete reinforcing bars (rebar) from Turkey. *See Certain Steel Concrete Reinforcing Bars from Turkey; Preliminary Results of Antidumping Duty Administrative Review and Notice of Intent Not to Revoke in Part*, 69 FR 25063 (May 5, 2004) (*Preliminary Results*).

Prior to the preliminary results the following companies informed the

Department that they had no shipments of subject merchandise to the United States during the POR: Cebitas Demir Celik Endustrisi A.S. (Cebitas), Cemtas Celik Makina Sanayi ve Ticaret A.S. (Cemtas), Demirsan Haddecilik Sanayi ve Ticaret A.S. (Demirsan), Ege Celik Endustrisi Sanayi ve Ticaret A.S. (Ege Celik), Ekinciler Holding A.S. and Ekinciler Demir Celik San A.S. (collectively "Ekinciler"), Habas Sinai ve Tibbi Gazlar Istihal Endustrisi A.S. (Habas), Iskenderun Iron & Steel Works Co. (Iskenderun), Izmir Demir Celik Sanayi A.S. (Izmir), Kaptan Demir Celik Endustrisi ve Ticaret A.S. (Kaptan), Kardemir—Karabuk Demir Celik Sanayi ve Ticaret A.S. (Karabuk), Kroman Celik Sanayi A.S. (Kroman), Metas Izmir Metalurji Fabrikasi Turk A.S. (Metas), Nurmet Celik Sanayi ve Ticaret A.S. (Nurmet), Nursan Celik Sanayi ve Haddecilik A.S. (Nursan), Sivas Demir Celik Isletmeleri A.S. (Sivas), Tosyali Demir Celik Sanayi A.S. (Tosyali), and Ucel Haddecilik Sanayi ve Ticaret A.S. (Ucel). We reviewed data from U.S. Customs and Border Protection (CBP) and confirmed that there were no entries of subject merchandise from any of these companies during the POR, except for Habas. We also confirmed with CBP data that two additional companies included in this review, Ege Metal Demir Celik Sanayi ve Ticaret A.S. (Ege Metal) and Kurum Demir Sanayi ve Ticaret Metalenerji A.S. (Kurum), did not have entries of subject merchandise during the POR. Consequently, in accordance with 19 CFR 351.213(d)(3) and consistent with our practice, we are rescinding the review for the companies listed above. Furthermore, we are rescinding our review for Habas because we find that this company did not have any reviewable entries during this POR. For further discussion, see the "Partial Rescission of Review" section of this notice, below, and *Comment 14* of the "Issues and Decision Memorandum" (Decision Memo) from Jeffrey A. May, Deputy Assistant Secretary for Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, dated November 1, 2004.

We invited parties to comment on our preliminary results of review. In June 2004, we received case briefs from the petitioners (*i.e.*, Gerdau AmeriSteel Corporation, Commercial Metals Company (SMI Steel Group), and Nucor Corporation), Colakoglu, and ICDAS, and rebuttal briefs from the petitioners, Colakoglu, ICDAS, Habas, and Diler.

The Department has conducted this administrative review in accordance with section 751 of the Act.

**Scope of the Order**

The product covered by this order is all stock deformed steel concrete reinforcing bars sold in straight lengths and coils. This includes all hot-rolled deformed rebar rolled from billet steel, rail steel, axle steel, or low-alloy steel. It excludes (i) plain round rebar, (ii) rebar that a processor has further worked or fabricated, and (iii) all coated rebar. Deformed rebar is currently classifiable in the Harmonized Tariff Schedule of the United States (HTSUS) under item numbers 7213.10.000 and 7214.20.000. The HTSUS subheadings are provided for convenience and customs purposes. The written description of the scope of this proceeding is dispositive.

**Period of Review**

The POR is April 1, 2002, through March 31, 2003.

**Partial Rescission of Review**

As noted above, Cebitas, Cemtas, Demirsan, Ege Celik, Ege Metal, Ekinciler, Iskenderun, Izmir, Kaptan, Karabuk, Kroman, Kurum, Metas, Nurmet, Nursan, Sivas, Tosyali, and Ucel had no shipments and/or entries of subject merchandise to the United States during the POR. We have confirmed this with CBP data. Therefore, in accordance with 19 CFR 351.213(d)(3) and consistent with the Department's practice, we are rescinding our review with respect to these companies. (**SEE, E.G.**, *Certain Steel Concrete Reinforcing Bars from Turkey; Final Results, Rescission of Antidumping Administrative Review in Part, and Determination Not to Revoke in Part*, 68 FR 53127, 53128 (Sept. 9, 2003).)

Furthermore, with regard to Habas, we preliminarily determined that Habas did not have any reviewable entries of subject merchandise during the POR. Information from CBP indicates that there were entries of subject merchandise produced by Habas during the POR. However, the exporter of this merchandise was an unaffiliated company in a third country, and Habas provided documentation to support its claim that it did not have knowledge that this merchandise was destined for the United States. Consequently, we continue to find that Habas did not have any reviewable entries during this POR. *See Comment 14* of the Decision Memo. Accordingly, we are rescinding our review for Habas.

**Cost of Production**

As discussed in the *Preliminary Results*, we conducted an investigation to determine whether the respondents

participating in the review made home market sales of the foreign like product during the POR at prices below their costs of production (COPs) within the meaning of section 773(b)(1) of the Tariff Act of 1930, as amended (the Act). We performed the cost test for these final results following the same methodology as in the *Preliminary Results*, except as discussed in the accompanying Decision Memo.

We found 20 percent or more of each respondent's sales of a given product during the reporting period were at prices less than the weighted-average COP for this period. Thus, we determined that these below-cost sales were made in "substantial quantities" within an extended period of time and at prices which did not permit the recovery of all costs within a reasonable period of time in the normal course of trade. See sections 773(b)(2)(B), (C), and (D) of the Act.

Therefore, for purposes of these final results, we found that Colakoglu, Diler, and ICDAS made below-cost sales not in the ordinary course of trade. Consequently, we disregarded these sales for each respondent and used the remaining sales as the basis for determining normal value, pursuant to section 773(b)(1) of the Act.

### Analysis of Comments Received

All issues raised in the case briefs by parties to this administrative review and to which we have responded are listed in the Appendix to this notice and addressed in the Decision Memo, which is adopted by this notice. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in the Central Records Unit, room B-099, of the main Department building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>. The paper copy and electronic version of the Decision Memo are identical in content.

### Changes Since the Preliminary Results

Based on our analysis of comments received, we have made certain changes in the margin calculations. These changes are discussed in the relevant sections of the Decision Memo.

### Final Results of Review

We determine that the following weighted-average margin percentages exist for the period April 1, 2002, through March 31, 2003:

| Manufacturer/producer/<br>exporter | Margin percentage |
|------------------------------------|-------------------|
| Colakoglu .....                    | 9.25              |
| Diler .....                        | 0.38              |
| ICDAS .....                        | 0.00              |

The Department will determine, and CBP shall assess, antidumping duties on all appropriate entries. In accordance with 19 CFR 351.212(b)(1), for ICDAS we have calculated importer-specific assessment rates based on the ratio of the total amount of antidumping duties calculated for the examined sales to the total entered value of those sales.

Regarding all of Colakoglu and Diler's sales, for assessment purposes, we do not have the information to calculate entered value because these companies were not the importers of record for the subject merchandise. To determine whether the duty assessment rates were *de minimis*, in accordance with the requirement set forth in 19 CFR 351.106(c)(2), we have calculated importer-specific *ad valorem* ratios based on the export prices. Pursuant to 19 CFR 351.106(c)(2), we will instruct CBP to liquidate without regard to antidumping duties any entries for which the assessment rate is *de minimis* (i.e., less than 0.50 percent). The Department will issue appraisal instructions directly to CBP within 15 days of publication of these final results of review.

### Cash Deposit Requirements

The following deposit requirements will be effective upon publication of this notice of final results of administrative review for all shipments of rebar from Turkey entered, or withdrawn from warehouse, for consumption on or after the date of publication, as provided by section 751(a)(1) of the Act: 1) The cash deposit rates for the reviewed companies will be the rates indicated above; 2) for previously investigated companies not listed above, the cash deposit

rate will continue to be the company-specific rate published for the most recent period; 3) if the exporter is not a firm covered in this review, or the less-than-fair-value (LTFV) investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and 4) the cash deposit rate for all other manufacturers or exporters will continue to be 16.06 percent, the all others rate established in the LTFV investigation.

These deposit requirements, when imposed, shall remain in effect until

publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of doubled antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3). Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: November 1, 2004.

**James J. Jochum,**  
Assistant Secretary for Import  
Administration.

### Appendix Issues in Decision Memorandum

#### Comments

1. Treatment of Section 201 Duties
2. Application of High Inflation/Replacement Cost Methodology
3. Inputs Purchased from Affiliated Parties
4. Treatment of Packing Expenses in the General and Administrative (G&A) and Interest Expense Calculations
5. Date of Sale for Colakoglu
6. Universe of Reviewed Transactions for Colakoglu
7. Home Market Credit Expenses for Colakoglu
8. Commission Offset for Colakoglu
9. Despatch Revenue and Demurrage Expenses for Colakoglu
10. Period of Review for Diler
11. Inland Freight Supplied by Diler's Affiliate
12. Home Market Credit Expenses for Diler
13. G&A Ratio for Diler
14. POR Entries of Merchandise Produced by Habas
15. Revocation for ICDAS
16. Collapsing Issue for ICDAS
17. Whether to Treat ICDAS's U.S. Sales as Export Price (EP) or Constructed Export Price (CEP) Sales

18. Short-term Interest Rates Used for ICDAS  
 19. Standard Rolling Times for ICDAS  
 20. Prior Period Reversals for ICDAS  
 21. Gain on Sale of Ship for ICDAS  
 [FR Doc. E4-3072 Filed 11-5-04; 8:45 am]

**BILLING CODE:** 3510-DS-S

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Submission for OBM Review; Comment Request

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

**DATES:** Consideration will be given to all comments received by December 8, 2004.

*Title and OMB Number:* Viability of TRICARE Standard Survey; OMB Number 0720-0031.

*Type of Request:* Extension.

*Number of Respondents:* 25,165.

*Responses Per Respondent:* 1.

*Annual Responses:* 25,165.

*Average Burden Per Response:* 10 minutes.

*Annual Burden Hours:* 4,194.

*Needs and Uses:* As mandated by Congress, confidential surveys of civilian physicians will be completed in TRICARE market areas within the United States to determine how many accept new TRICARE Standard patients in each market area. 20 TRICARE market areas in the United States will be conducted each fiscal year until all TRICARE market areas in the United States have been surveyed.

*Affected Public:* Individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Voluntary.

*OMB Desk Officer:* Mr. John Kraemer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Kraemer at the Office of Management and Budget, Desk Officer for DoD, Room 10236, New Executive Office Building, Washington, DC 20503.

*DoD Clearance Officer:* Mr. Robert Cushing.

Written requests for copies of the information collection proposal should be sent to Mr. Cushing, WHS/ESCD/Information Management Division, 1225 South Clark Street, Suite 504, Arlington, VA 22202-4326.

Dated: October 29, 2004.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison  
Office, Department of Defense.*

[FR Doc. 04-24784 Filed 11-5-04; 8:45 am]

**BILLING CODE** 5001-06-M

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Office of the Under Secretary of Defense (Personnel and Readiness).

**ACTION:** Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Under Secretary of Defense (Personnel and Readiness) announces the following proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. 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 practical utility; (b) the accuracy of the agency's estimate of burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by January 7, 2005.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to the Office of the Under Secretary of Defense (Personnel and Readiness) Defense Commissary Agency, ATTN: Barry White, 1300 E Ave, Ft. Lee, Virginia 23801-1800).

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call at (804) 734-8974.

*Title and OMB Control Number:* Commissary Evaluation and Utility Surveys—Generic, OMB Control Number 0704-0407.

*Needs and Uses:* The Defense Commissary Agency will conduct a variety of surveys on an as needed basis. The survey population will include but is not limited to persons eligible to use the commissary throughout the world.

The surveys will be used to assess the customer's satisfaction with various aspects of the commissary operation and obtain their opinions of various commissary issues. Surveys will also be used to help determine individual commissary market potential and commissary size requirements.

*Affected Public:* Individuals or households, businesses or other for profit.

*Annual Burden Hours:* 148 hours.

*Number of Respondents:* 6633.

*Responses per Respondent:* 1.

*Average Burden per Response:* 1.34 minutes.

*Frequency:* On occasion.

#### **SUPPLEMENTARY INFORMATION:**

##### **Summary of Information Collection**

(All respondents are authorized patrons by DOD regulations, unless otherwise described.)

##### *Commissary Sizing Survey*

Surveys will support commissary renovation and new construction. Survey results will be used to help determine market potential and associated commissary size requirements.

##### *Facility Site Decision*

Surveys will support commissary site decisions. Where applicable, commissary user preference can be incorporated into the site location decision process. Patrons will input their answers to questions concerning where they would like a new facility located, as well as give their opinions and concerns that will affect their shopping experience. The survey results will also be used to estimate where the commissary users are located through the use of population density maps.

##### *Patron Migration Survey*

These surveys will aid in predicting the impact to commissaries that are near a closing commissary or a commissary that is undergoing some other kind of transformation that may cause commissary users to migrate to an alternative nearby commissary. The results will be used to determine requirements for the nearby receiving commissaries.

##### *Commissary Operational Surveys*

These surveys will supply information on various processes within the commissaries. The surveyed population could be commissary customers, employees within the agency, vendors, distributors or contractors. Persons surveyed will not necessarily be authorized commissary users.