

## II. Method of Collection

Approximately 16,300 county governments, consolidated city-county governments, independent cities, towns, townships, special district governments, and public school systems designated for the annual survey will be sent an appropriate form or the data will be collected through a data sharing arrangement between the Census Bureau and the state government.

We developed cooperative agreements with state and large local government officials to collect the data from their dependent agencies and report to us as one central respondent. These arrangements reduce the need for a mail canvass of approximately 3,250 state agencies and 700 school systems. Currently we have central collection agreements with 38 states, four local school district governments, and two state university systems. We continue to work at expanding the conversion of paper submissions into electronic formats, for both individual units and central collection units.

In 2001, the public employment program collected data for certain form types through a Web-based instrument. Beginning with the 2003 annual collection cycle, all form types can be completed on the Internet. For the 2003 annual survey, 3,470 governments responded using our Web site.

## III. Data

*OMB Number:* 0607-0452.

*Form Number:* E-1, E-2, E-3, E-4, E-5, E-6, E-7, E-9.

*Type of Review:* Regular.

*Affected Public:* State governments, county governments, consolidated city-county governments, independent cities, towns, townships, special district governments, and public school systems.

*Estimated Number of Respondents:* 16,369.

*Estimated Time Per Response:* The average for all forms is 51 minutes.

*Estimated Total Annual Burden Hours:* 13,865.

*Estimated Total Annual Cost:* \$262,464.

(**Note**—Based upon the average hourly pay for full-time employment for the financial administration function within the 2002 census of local government employment.)

*Respondent's Obligation:* Voluntary.

*Legal Authority:* Title 13 United States Code, section 161.

## 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 practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) 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 other 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: July 13, 2004.

**Madeleine Clayton,**

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

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-812]

#### Dynamic Random Access Memory Semiconductors of One Megabit or Above From the Republic of Korea: Notice of Court Decision and Suspension of Liquidation

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

**ACTION:** Notice of court decision and suspension of liquidation.

**SUMMARY:** On August 18, 2003, the United States Court of International Trade (CIT) issued a decision invalidating certain sets of liquidation instructions issued by the Department of Commerce (the Department) in the antidumping proceeding covering entries of dynamic random access memory semiconductors of one megabit or above (DRAMs) from the Republic of Korea. *See Nissei Sangyo America, Ltd., v. United States*, Slip Op. 03-105 (August 18, 2003), Court No. 00-00113 (NSA); *Renesas Technology America, Inc., v. United States*, Slip Op. 03-106 (August 18, 2003), Court No. 00-00114 (Renesas). On September 15, 2003, the Defendant-Intervenor, Micron Technology, Inc. (Micron), in NSA and Renesas filed a motion for reconsideration with the Court. On May 3, 2004, the motion for reconsideration was denied. On July 1, 2004, a motion of appeal was filed by the Department with the United States Court of Appeals

for the Federal Circuit (CAFC). Consistent with the decision of the CAFC in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*), the Department is notifying the public that the NSA and Renesas decisions were "not in harmony" with the Department's liquidation instructions.

**DATES:** Effective July 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Ron Trentham or Tom Futtner, AD/CVD Enforcement, Office 4, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-6320 or (202) 482-3814, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On May 6, 1996, the Department published the final results of administrative review of entries of DRAMs manufactured by LG Semicon Co., Ltd. (LG), formerly Goldstar Electron Co., Ltd., and Hyundai Electronics Co., Ltd. (Hyundai), that were imported into the United States from October 29, 1992, through April 30, 1994 (POR 1). The Department determined that the dumping margin for sales made by LG during the period of review (POR) was 0.00 percent. *See Dynamic Random Access Memory Semiconductors of One Megabit or Above from the Republic of Korea, Final Results of Antidumping Duty Administrative Review*, 61 FR 20216 (May 6, 1996).

On January 7, 1997, the Department published the final results of administrative review of entries of DRAMs manufactured by LG and Hyundai that were imported into the United States from May 1, 1994, through April 30, 1995 (POR 2). The Department determined that the dumping margin for sales made by LG during the POR was 0.01 percent. *See Dynamic Random Access Memory Semiconductors of One Megabit or Above from the Republic of Korea, Final Results of Antidumping Duty Administrative Review*, 62 FR 965 (January 7, 1997).

Subsequently, Micron filed an action in opposition to dumping margins calculated in POR 1 and POR 2 for LG. The CIT and the CAFC sustained the results of the first and second administrative reviews for LG. *See Micron Technology v. United States*, 23 CIT 55, 44 F. Supp. 2d 216 (1999); *Micron Technology v. United States*, 23 CIT 208, 40 F. Supp.2d 481 (1999), collectively the *Micron* cases.

At the conclusion of the *Micron* cases, the Department instructed U.S. Customs

and Border Protection (CBP) to assess antidumping duties on NSA's and Renesas's imports of LG DRAMs during POR 1 and POR 2 at the cash deposit rate imposed upon entry rather than the rates determined for the manufacturer in POR 1 and POR 2.

NSA and Renesas filed a complaint with the CIT challenging the Department's liquidation instructions to CBP concerning entries produced and exported by LG and imported by NSA and Renesas during POR 1 and POR 2. On August 18, 2003, the CIT remanded these cases ordering the Department to rescind the liquidation instructions and issue new instructions instructing CBP to liquidate or re-liquidate NSA's and Renesas's entries at the antidumping rates covering LG for POR 1 and POR 2.

As noted above, on September 15, 2003, Micron filed a motion for reconsideration with the Court and on May 3, 2004, the motion for reconsideration was denied. On July 1, 2004, a motion of appeal was filed by the Department with the CAFC.

#### Timken Notice

In its decision in *Timken*, the CAFC held that pursuant to 516a(c)(1) and (e) of the Tariff Act of 1930, as amended, the Department must publish notice of a decision of the CIT which is not in harmony with the Department's determination. The CIT's decision in *NSA* and *Renesas* were not in harmony with the Department's liquidation instructions. Therefore, publication of this notice fulfills the statutory obligation.

#### Suspension of Liquidation

This notice will serve to continue the suspension of liquidation pending a final decision by the CAFC. Because the CIT issued an injunction on March 20, 2000, for NSA and on April 11, 2000, for Renesas, the Department will continue to suspend liquidation of entries of DRAMs from the Republic of Korea that (1) were produced and exported by LG, and imported by NSA and Renesas; (2) were entered or withdrawn from warehouse, for consumption, from October 29, 1992, through April 30, 1995. The Department will issue liquidation instructions covering these entries if the CIT's decision is affirmed on appeal.

Dated: July 12, 2004.

**Jeffrey A. May,**

*Deputy Assistant Secretary for Import Administration, Group I.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration (A-533-820)

#### Certain Hot-Rolled Carbon Steel Flat Products from India; Notice of Rescission of Antidumping Duty Administrative Review

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

**ACTION:** Notice of Rescission of Antidumping Duty Administrative Review.

**SUMMARY:** On January 22, 2004, the Department of Commerce (the Department) published in the **Federal Register** a notice announcing the initiation of an administrative review of the antidumping duty order on certain hot-rolled carbon steel flat products (HRS or subject merchandise) from India covering Essar Steel Ltd., (Essar) and the period December 1, 2002, through November 30, 2003. We are rescinding this review as a result of the absence of entries into the United States of subject merchandise from Essar during the period of review (POR).

**EFFECTIVE DATE:** July 19, 2004.

**FOR FURTHER INFORMATION CONTACT:** Kevin Williams or Howard Smith, Office IV, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482-2371 or (202) 482-5193, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On December 3, 2001, the Department published in the **Federal Register** the antidumping duty order on HRS from India. See *Notice of Amended Final Antidumping Duty Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Hot-Rolled Carbon Steel Flat Products from India*, 66 FR 60194 (December 3, 2001). On December 2, 2003, the Department published in the **Federal Register** a notice of "Opportunity to Request Administrative Review" of the antidumping duty order on HRS from India. See *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 68 FR 67401 (December 2, 2003). On December 30 and 31, 2003, petitioners, Nucor Corporation and U.S. Steel Corporation, respectively, requested an administrative review of the

antidumping duty order on HRS from India covering Essar. The Department initiated this review on January 22, 2004. See *Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 69 FR 3117 (January 22, 2004). On February 10, 2004, Essar filed a letter certifying to the Department that it did not export any subject merchandise that was entered for consumption into the United States during the POR. The Department confirmed through U.S. Customs and Border Protection (CBP) data that there were no entries of subject merchandise from Essar during the POR. Moreover, the Department invited petitioners to comment on our intent to rescind this review with respect to Essar. We received no comments. See the May 17, 2004, memorandum to the file regarding "Intent to Rescind the Antidumping Duty Administrative Review on Certain Hot-Rolled Carbon Steel Flat Products From India."

#### Rescission of Review

Because the only firm for which a review was requested made no entries into the customs territory of the United States during the POR, the Department is rescinding this review. This determination is consistent with the Department's practice and 19 C.F.R. § 351.213(d)(3). As such, we will issue appropriate assessment instructions directly to CBP.

#### Notification to Interested Parties

This notice also serves as a 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 C.F.R. § 351.305(a)(3). Timely written notification of the return or 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.

This notice is published in accordance with section 777(i) of the Tariff Act of 1930, as amended and 19 C.F.R. § 351.213(d)(4).

Dated: July 12, 2004.

**Jeffrey A. May,**

*Deputy Assistant Secretary for Import Administration, Group I.*

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