Comment 16: Milliken indicates that, in its supplemental questionnaire response, Shabnam reported an amount for interest expense on its balancing, modernization, replacement, and evaluation (BMRE) loan, and that Shabnam stated that the loan amount was lower than the amount originally reported in its questionnaire response. Milliken argues that the Department should continue to use the higher interest rate calculated for the BMRE loan in its final margin calculation because it claims that the lower rate listed in Shabnam's supplemental questionnaire response is not consistent with the amount of interest expense it reported.

Department's Position: As explained in the preliminary results, we were not able to incorporate information provided in respondents' supplemental questionnaire responses for the preliminary results. Therefore, we used an interest rate based on the facts available to calculate Shabnam's interest expense. In our preliminary results, we stated that we would incorporate the information reported in respondents' supplemental questionnaire responses into our final margin calculations. Shabnam indicated in its supplemental questionnaire response the interest rate applicable to the amount borrowed from the BMRE loan. Since Milliken has not provided an adequate explanation as to why we should reject the use of Shabnam's reported interest rate on its BMRE loan, absent verification there is no reason to question the interest rate reported in Shabnam's supplemental questionnaire response. For the final results, we have, therefore, modified the interest expense calculation to take into account the interest rate reported in Shabnam's supplemental questionnaire response.

Comment 17: Milliken states that, in its supplemental questionnaire response, Shabnam indicated that it incurred an expense to build a factory shed in order to upgrade its shop towel production facility. Milliken argues that, while Shabnam indicates that the construction of the factory shed is ''currently halted,'' it does not indicate whether the shed sat idle during the POR. Milliken contends that, given the type of manufacturing methods employed by Shabnam, it is unlikely that the factory shed is not being used in the production of subject merchandise. Milliken argues that the Department should therefore treat the shed as part of the company's plant and equipment used in the manufacture of subject merchandise and include an amount for depreciation expenses in Shabnam's cost of production.

Department's Position: In its supplemental questionnaire response, Shabnam stated that construction of the factory shed is still in progress and therefore is incomplete. Further, even though the construction of the shed is currently halted, there is no evidence on the record to indicate that this partly finished factory shed is usable for production purposes. In addition, there is no evidence on the record to indicate that Shabnam did not already include an amount for depreciation expense for the partly finished factory shed. Given the lack of evidence to support Milliken's claim, there is nothing on the record to warrant an adjustment to Shabnam's depreciation expense in the calculation of COP to account for the partly finished factory shed.

Final Results of Review

We determine the following percentage weighted-average margins exist for the period March 1, 1994, through February 28, 1995:

Manufacturer/Exporter	Margin (Percent)
Eagle Star Mills Ltd.	42.31
Greyfab (Bangladesh) Ltd.	0.70
Hashem International	0.00
Khaled Textile Mills Ltd.	0.00
Shabnam Textiles	0.00
Sonar Cotton Mills (Bangladesh) Ltd.	27.31

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between the export price and normal value may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be those rates established above (unless the rate for a firm is *de minimis, i.e.*, less than 0.5 percent, in which case a cash deposit of zero will be required for that firm); (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 period; (3) if the exporter is not a firm covered in this review, a prior review, or the original 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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the original investigation, the cash deposit rate will be 4.60 percent, the ''All Others'' rate established in the *LTFV Final Determination* (57 FR 3996).

These deposit requirements 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 353.26 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the 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.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: October 23, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 96–27859 Filed 10–29–96; 8:45 am]

BILLING CODE 3510–DS–P

[A–580–811]

Steel Wire Rope From the Republic of Korea; Final Results of Antidumping Duty Administrative Review

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

ACTION: Notice of Final Results of Antidumping Duty Administrative Review.

SUMMARY: On May 6, 1996, the Department of Commerce (the Department) published the preliminary results of its 1994–95 administrative review of the antidumping duty order

on steel wire rope from Korea (61 FR 20233). The review covers 25 manufacturers/exporters for the period March 1, 1994, through February 28, 1995 (the POR). We have analyzed the comments received on our preliminary results and have determined that no changes in the margin calculations are required. The final weighted-average dumping margins for each of the reviewed firms are listed below in the section entitled ''Final Results of Review.''

EFFECTIVE DATE: October 30, 1996.

FOR FURTHER INFORMATION CONTACT: Thomas O. Barlow, Matthew Rosenbaum, or Kris Campbell, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, Washington, D.C. 20230; telephone: (202) 482–4733.

SUPPLEMENTARY INFORMATION:

The Applicable Statute

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department's regulations are to the current regulations, as amended by the interim regulations published in the Federal Register on May 11, 1995 (60 FR 25130).

Background

On May 6, 1996, the Department published in the Federal Register the preliminary results of its 1994–95 administrative review of the antidumping duty order on steel wire rope from the Republic of Korea (61 FR 20233) (Preliminary Results). We gave interested parties an opportunity to comment on our preliminary results. We received case briefs from the petitioner, the Committee of Domestic Steel Wire Rope and Specialty Cable Manufacturers (the Committee), and rebuttal briefs from six respondents including Chung-Woo Rope Co., Ltd. (Chung Woo), Chun Kee Steel & Wire Rope Co., Ltd. (Chun Kee), Manho Rope & Wire Ltd. (Manho), Kumho Wire Rope Mfg. Co., Ltd. (Kumho), Ssang Yong Steel Wire Co., Inc. (Ssang Yong), and Sungjin Company (Sungjin). There was no request for a hearing. The Department has conducted this review in accordance with section 751 of the Act.

Scope of Review

The product covered by this review is steel wire rope. Steel wire rope encompasses ropes, cables, and cordage of iron or carbon steel, other than stranded wire, not fitted with fittings or made up into articles, and not made up of brass-plated wire. Imports of these products are currently classifiable under the following Harmonized Tariff Schedule (HTS) subheadings: 7312.10.9030, 7312.10.9060, and 7312.10.9090. Excluded from this review is stainless steel wire rope, *i.e.*, ropes, cables and cordage other than stranded wire, of stainless steel, not fitted with fittings or made up into articles, which is classifiable under HTS subheading 7312.10.6000. Although HTS subheadings are provided for convenience and Customs purposes, our own written description of the scope of this review is dispositive.

Use of Facts Otherwise Available

We have determined, in accordance with section 776(a) of the Act, that the use of facts available is appropriate for Boo Kook Corp., Dong-Il Steel Mfg. Co., Ltd., Hanboo Rope, Jinyang Wire Rope Inc., and Seo Jin Rope because they did not respond to our antidumping questionnaire. We find that these firms have withheld ''information that has been requested by the administering authority.'' Furthermore, we determine that, pursuant to section 776(b) of the Act, it is appropriate to make an inference adverse to the interests of these companies because they failed to cooperate by not responding to our questionnaire.

Where the Department must base the entire dumping margin for a respondent in an administrative review on facts otherwise available because that respondent failed to cooperate, section 776(b) of the Act authorizes the use of an inference adverse to the interests of that respondent in choosing the facts available. Section 776(b) of the Act also authorizes the Department to use as adverse facts available information derived from the petition, the final determination, a previous administrative review, or other information placed on the record. Section 776(c) of the Act provides that the Department shall, to the extent practicable, corroborate that secondary information from independent sources reasonably at its disposal. The Statement of Administrative Action (SAA) provides that ''corroborate'' means simply that the Department will satisfy itself that the secondary information to be used has probative value. (*See* H.R. Doc. 316, Vol. 1, 103d Cong., 2d sess. 870 (1994).)

To corroborate secondary information, the Department will, to the extent practicable, examine the reliability and relevance of the information to be used. However, unlike other types of information, such as input costs or selling expenses, there are no independent sources for calculated dumping margins. Thus, in an administrative review, if the Department chooses as total adverse facts available a calculated dumping margin from a prior segment of the proceeding, it is not necessary to question the reliability of the margin for that time period. With respect to the relevance aspect of corroboration, however, the Department will consider information reasonably at its disposal as to whether there are circumstances that would render a margin not relevant. Where circumstances indicate that the selected margin is not appropriate as adverse facts available, the Department will disregard the margin and determine an appropriate margin (*see, e.g., Fresh Cut Flowers from Mexico; Final Results of Antidumping Duty Administrative Review*, 61 FR 6812 (Feb. 22, 1996), where the Department disregarded the highest margin as adverse best information available (BIA) because the margin was based on another company's uncharacteristic business expense resulting in an unusually high margin).

For a discussion of our application of facts available regarding specific firms, see our response to Comment 1 below.

Analysis of Comments Received

Comment 1: The Committee argues that, for all uncooperative respondents, the Department must apply a rate of 23.5 percent because the rate of 1.51 percent used in the preliminary results undercuts the cooperation-inducing purpose of the facts available provision. The Committee contends that the Department is permitted to draw an adverse inference where a party has not cooperated in a proceeding (citing the SAA at 199). The Committee further asserts that the SAA (at 200) directs the Department, in employing adverse inferences, to consider the extent to which a party may benefit from its own lack of cooperation.

The Committee references the Department's policy of applying an uncooperative rate based on the higher of (1) the highest of the rates found for any firm for the same class or kind of merchandise in the less than fair value (LTFV) investigation or prior administrative reviews; or (2) the highest calculated rate in the current review for any firm.[1] The Committee

[1] The Committee refers to this standard as the first tier in the Department's traditional two-tiered BIA methodology, but points out that the Department has not yet explicitly applied the two-tiered

claims that the Department has used a higher rate than that established under this practice where the uncooperative rate was not sufficiently adverse to induce the respondents to submit timely, accurate and complete questionnaire responses. The Committee cites *Silicon Metal From Argentina: Final Results of Antidumping Duty Administrative Review*, 58 FR 65336, 65337 (December 14, 1993) *(Silicon Metal)*, and *Certain Malleable Cast Iron Pipe Fittings from Brazil; Final Results of Antidumping Duty Administrative Review*, 60 FR 41876 (August 14, 1995) *(Pipe Fittings)* in support of its position that the Department must use a sufficiently adverse uncooperative facts available rate to ensure that the respondent does not obtain a more favorable result by failing to cooperate. The Committee notes that, in these cases, the Department used a higher rate than derived using the standard two-tiered approach to derive the uncooperative rate. The Committee argues that the Department should once again deviate from its standard uncooperative rate determination practice since the dumping margin assigned to uncooperative respondents in this steel wire rope proceeding (1.5 percent) has failed to induce the submission of questionnaire responses by a majority of respondents.

In calculating what it views as an appropriate facts available rate, the Committee compared a price quotation of a single steel wire rope product from a Korean steel wire rope producer subject to this proceeding to the constructed value of this product, derived from various industry sources. The Committee calculates a dumping rate of 23.5 percent using this approach and claims that this rate is a more appropriate ''uncooperative'' rate than the 1.51 percent rate the Department used in the preliminary results. The Committee cites *Sodium Thiosulfate from the People's Republic of China: Final Results of Antidumping Duty Administrative Review*, 59 FR 12934 (March 8, 1993) *(Sodium Thiosulfate)*, in support of calculating a revised facts available rate in light of documented changes in manufacturing costs and import prices. It contends that, from the first quarter of the 1992–94 POR to the last quarter of the 1994–95 POR, the manufacturing costs of steel wire rope increased significantly, while the value of imports of carbon steel wire rope declined. The Committee contends that the increase in manufacturing costs is not reflected in the price of steel wire rope exported to the United States and that this is indicative of continuing sales of steel wire rope at less than fair market value.

Department's Position: We disagree with the Committee and find that reliance on petitioner-supplied data as a basis for facts available would be inappropriate in the context of this review. The Department has broad discretion in determining what constitutes facts available in a given situation. *Krupp Stahl AG et al.* v. *United States*, 822 F. Supp 789 (CIT 1993) at 792; *see also Allied-Signal Aerospace Co. v. United States*, 996 F.2d. 1185 (Fed. Cir. 1993) at 1191, which states ''[b]ecause Congress has 'explicitly left a gap for the agency to fill' in determining what constitutes the [best information available], the ITA's construction of the statute must be accorded considerable deference,'' citing *Chevron U.S.A., Inc. v. Natural Resources Defense Council, Inc.*, 467 U.S. 837, 833–44 (1984).

In any given review, a respondent will have knowledge of the antidumping rates from the investigation and past reviews but not of the rates that will be established in the ongoing review. Because under our facts available policy we consider the highest rate from the current review as one possible source of facts available, potentially uncooperative respondents will generally be less able to predict their facts available rate as the number of participants in the ongoing review increases. Thus, the facts available methodology induces respondents to participate and receive their own known rates as opposed to a potentially much higher unknown rate. Accordingly, this uncertainty in the facts available margin rate which may be selected satisfies the cooperation-inducing function of the facts available provision in this case.

In addition, respondents have an incentive to respond to our request for information because of the possibility of eventual revocation of the antidumping duty order with respect to the company. A respondent that does not participate in the administrative review is not eligible for revocation. Hence, a further reason the rate assigned to the uncooperative respondents in this review may be considered adverse is because it results in respondents remaining subject to the order without eligibility for revocation.

We recognize that there are instances in which the uncooperative rate resulting from our standard methodology may not induce respondents to cooperate in subsequent segments of the proceeding. The few cases in which we have not relied on this approach have involved an extremely limited number of participants, and therefore a consequently small number of rates available for use as a basis for the uncooperative rate.[2] For instance, in *Sodium Thiosulfate*, we used information supplied by the petitioner to establish the uncooperative rate for the only respondent that had shipments of subject merchandise during the POR. Similarly, in *Silicon Metal*, we resorted to petitioner-supplied data where we had a calculated rate for only one firm: ''[i]n this instance, we have only Andina's rate from the LTFV investigation * * *. Because Andina's rate is also the 'all other' rate, Silarsa would be assured a rate no higher than Andina's, *the only respondent who cooperated fully with the Department in this administrative review*. The use of the uncooperative BIA methodology, *in this instance*, restricts the field of potential BIA rates *to the rate established for one firm.'' Silicon Metal*, at 65336 and 65337 (emphasis added).

Our determination in *Pipe Fittings* is a further example of a situation in which the circumstances of the case clearly demonstrated that the uncooperative rate was not sufficient to induce the respondent to cooperate. In *Pipe Fittings*, we applied a petition-based rate to a non-responsive company that was the only company to have ever been investigated or reviewed: ''[we] have only calculated one margin, which was in the less-than-fair-value (LTFV) investigation. Due to the unusual situation, we have determined to use as BIA the simple average of the rates from the petition * * *. In not responding to our requests for information, Tupy could be relying upon our normal BIA practice to lock in a rate that is capped at its LTFV rate'' (*see Pipe Fittings* at 41877–78).

The concern in such cases with respect to the uncooperative rate methodology is that the lack of past rates, as well as the small number of participants in the current review, could allow a respondent in such a review to

methodology to administrative reviews initiated under the URAA. We note that our practice regarding the derivation of the dumping rate for uncooperative respondents has not changed for reviews conducted pursuant to URAA procedures. *(see Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.: Preliminary Results of Antidumping Duty Administrative Reviews*, 61 FR 35713, 35715 (July 8, 1996)).

[2] As noted, although we have explained our practice in terms of a two-tiered methodology in pre-URAA reviews, the cases where we deviated from this approach, as cited by the Committee, involved first-tier, uncooperative respondents, and our practice regarding the derivation of the dumping margin assigned to uncooperative companies has not changed.

manipulate the proceeding by choosing not to comply with our requests for information. In such cases the cooperation-inducing function of the facts available provision of the Act may not be achieved by use of the uncooperative rate methodology, in which case the Department will resort to alternative sources in determining the appropriate rate for uncooperative respondents.

The cases cited by the Committee in support of its position establish only that we will consider, on a case-by-case basis as appropriate, petitioner-supplied data in situations involving a number of calculated rates insufficient to induce cooperation by respondents in the proceeding. In those cases, we did not have rates for more than one company and therefore determined that the use of a BIA rate higher than the highest rate in the history of the case was appropriate to encourage future cooperation.

Because we have calculated rates from three companies in the LTFV final determination, eight companies in the first review, and six companies in this review, the concern over potential manipulation of antidumping rates cited in *Sodium Thiosulfate, Silicon Metal,* and *Pipe Fittings* does not exist in the present case. The lack of alternative information and the substantial amount of primary information on the record lead us to conclude that the Committee's information is inferior to the primary information. Therefore, we are satisfied that selection of the highest of these rates is appropriate for facts available for this review, is consistent with our practice, and is sufficiently adverse.

Comment 2: The Committee contends that the Department failed to adjust Ssang Yong's home market price for ''other bank charges'' and differences in merchandise (DIFMER). The Committee also contends that the Department failed to deduct international freight and marine insurance in calculating Ssang Yong's U.S. price (USP).

Department's Position: We disagree with the Committee. We appropriately adjusted for other bank charges and differences in merchandise in calculating normal value and for international freight and marine insurance in calculating USP. When disclosing the materials used in the preliminary results, we inadvertently attached Sung Jin's cover page to Ssang Yong's computer program. Although we did not make these adjustments in Sun Jin's program (because they were not appropriate for that company), we did make such adjustments in Ssang Yong's program.

Comment 3: The Committee states that the Department correctly rejected claims by Chung Woo, Ltd., Kumho and Ssang Yong for duty drawback because these companies did not demonstrate the requisite connection between imports for which they paid duties and exports of steel wire rope. The Committee argues that these respondents failed to meet the requirements of the Department's two-pronged test for determining whether a party is entitled to an adjustment to USP for duty drawback because they have not shown that: (1) The import duty and the rebate received under the ''simplified'' Korean drawback program are directly linked, and (2) there were sufficient raw material inputs to account for duty drawback received on exports of steel wire rope. The committee claims that this test has been upheld by the Court of International Trade, citing *Far East Machinery Co.* v. *United States,* 12 CIT 972, 699 F. Supp. 309 (1988).

Respondents argue that the duty drawback amount received is tied directly to the amount of the export sales on which it is based and that this amount constitutes the rebate of a tax imposed directly upon the foreign like product, with in the meaning of Section 773(a)(6)(iii) of the Act. Respondents urge the Department to adjust USP for their claimed duty drawback amounts.

Department's Position: We agree with the Committee and have not granted the adjustment for the simplified duty drawback amounts received by Chung Woo, Kumho, and Ssang Yong. As we stated in the preliminary results, we did not adjust the USP for duty drawback for respondents that reported it using the simplified method.

As noted by the Committee, we apply a two-pronged test to determine whether a respondent has fulfilled the statutory requirements for a duty drawback adjustment (*see Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.: Final Results of Antidumping Duty Administrative Reviews,* 60 FR 10900, 10950 (February 28, 1995)). Section 772(c)(1)(B) of the Act provides for an upward adjustment to USP for duty drawback on import duties which have been rebated (or which have not been collected) *by reason* of the exportation of the subject merchandise to the United States. In accordance with this provision, we will grant a duty drawback adjustment if we determine that (1) import duties and rebates are directly linked to and are dependent upon one another, and (2) the company claiming the adjustment can demonstrate that there are sufficient imports of raw materials to account for the duty drawback received on exports of the manufactured product. The CIT consistently has accepted this application of the law. *See Far Eastern Machinery,* 688 F. Supp. at 612, *aff'd. on remand,* 699 F. Supp. at 311; *Carlisle Tire & Rubber Co.* v. *United States,* 657 F. Supp. 1287, 1289 (1987); *Huffy Corp.* v. *United States,* 10 CIT 215–216, 632 F. Supp.

The Department's two-pronged test meets the requirements of the statute. The first prong of the test requires the Department ''to analyze whether the foreign country in question makes entitlement to duty drawback dependent upon the payment of import duties.'' *Far East Machinery,* 699 F. Supp. at 311. This ensures that a duty drawback adjustment will be made only where the drawback received by the manufacturer is contingent on import duties paid or accrued. The second prong requires the foreign producer to show that it imported a sufficient amount of raw materials (upon which it paid import duties) to account for the exports, based on which it claimed rebates. *Id.*

The respondents that reported duty drawback under the Korean simplified method fail both prongs of this test. With respect to the first criterion, these respondents stated in their rebuttal brief that the Korean government determines the simplified drawback amount using average import duties paid by companies that claimed duty drawback through the individual reporting method. (Companies that claim drawback using the individual, not simplified, reporting method must provide information to the government regarding actual import duties paid on inputs used in the production of the exported merchandise for which they claim drawback.) Accordingly, unlike companies that claimed drawback using the individual reporting method (see Comment 4, below), the companies that used the simplified reporting method were unable to demonstrate a connection between payment of import duties and receipt of duty drawback on exports of steel wire rope. Such companies also fail the second prong of our test because they did not demonstrate that they had sufficient imports of raw materials to account for the duty drawback received on exports of the manufactured product. Therefore we have not adjusted USP for drawback claimed by Chung Woo, Kumho, and Ssang Yong.

Comment 4: The Committee argues that the Department should not adjust the USP for duty drawback claimed by Chun Kee and Manho. It claims that, even though these companies claim that

they use the individual duty drawback method, neither company demonstrated that it has fulfilled the second prong of the Department's test by showing that there were sufficient imports of raw materials to account for the duty drawback received on the exports of the subject merchandise. The Committee contends that the Department's questionnaire requires respondents to explain how duty drawback is calculated and to provide worksheets in support of the narrative response. The Committee claims that neither respondent made any attempt to demonstrate that there were sufficient raw material imports to account for the duty drawback received on the exports of the manufactured product, nor did respondents provide any calculations in support of their claimed adjustment aside from listing the amount of duty drawback received.

Respondents contend that the Department verified in a prior review the system under which duty drawback was received and that they accurately responded to the Department's questionnaires in the present review. They claim that they answered all of the questions regarding duty drawback, and, if the Committee believed that the responses of both companies were inadequate, the Committee should have raised the issue prior to the issuance of the preliminary results of review.

Department's Position: We disagree with the Committee. We are satisfied that, under the individual method of applying for duty drawback, Korean companies are required to provide adequate information that shows that they had sufficient imports of raw materials to account for the duty drawback received on exports of the manufactured product. This satisfies the second prong of the duty drawback test as mentioned above and is consistent with our practice in the preliminary and final results of the first review. *See Preliminary Results* at 14421, 14422 and *Steel Wire Rope From the Republic of Korea; Final Results of Antidumping Duty Administrative Review,* 60 FR 63499, 63506 (December 11, 1995). In addition, we are satisfied that under the individual duty drawback method Korea makes entitlement to duty drawback dependent upon the payment of import duties, which satisfies the first prong of the duty drawback test.

Comment 5: The Committee contends that the Department should not adjust Sung Jin and Ssang Yong's home market prices for credit expenses. The Committee claims that Sung Jin failed to provide adequate documentation in response to the Department's initial and supplemental requests for information regarding this expense. Specifically, the Committee provides three reasons to support its argument that Sung Jin's response was insufficient to support the claimed adjustment, as follows: (1) Sung Jin failed to provide any documentary support for the balance of short-term borrowing for October 1994 as required by the Department; (2) the sample documents provided by Sung Jin in support of the interest paid refer to only one of the banks to which Sung Jin paid interest; and (3) there is no documentary evidence in support of the interest paid or the balance of short-term borrowing except for one month in 1994.

The Committee claims that Ssang Yong failed to: (1) Provide any documentary support for its cumulative daily balance; (2) provide worksheets describing how it calculated each customer-specific collection period; and (3) report the average collection period for certain home market customers for which a home market credit expense was claimed. The Committee cites *Sonco Steel Tube Div., Ferrum, Inc. v.* United States, 12 CIT 745, 751, 694 F. Supp. 959, 964 (1988), quoted in *NSK Ltd.* v. *United States,* 17 CIT 1185, 1188, 837 F. Supp. 437 (1993), in support of its argument that the burden of demonstrating entitlement to a circumstance-of-sale adjustment is on the party requesting the adjustment.

Respondents assert that both Sung Jin and Ssang Yong responded fully to the Department's questionnaire and that the Department decided correctly that the responses were adequate. They claim that they gave details concerning their home market credit expense as requested and that the Department acknowledged their validity implicitly by accepting the information provided and using it in its preliminary results of review.

Department's Position: We disagree with the Committee and have accepted respondents claims for an adjustment to home market prices for credit expenses. Both companies responded adequately to our initial and supplemental questionnaires regarding this expense.

Our initial questionnaire requested an explanation of the calculation of the credit expense, including the source of the short-term interest rates used in this calculation. Sung Jin provided a general explanation of the credit expense and, regarding the short-term interest used in this calculation, provided the loan balance and interest payments for each month of 1994 (Sung Jin calculated its POR-average short-term rate by dividing interest paid over loans received). In our supplemental questionnaire, we asked Sung Jin to provide further information regarding the source of the interest rates used in calculating this expense. Sung Jin provided a sample of source documentation to back up its calculation of the short-term interest rate. Specifically, the company provided the names of the banks from which they borrowed during one of the POR months (October 1994), as well as a sample bank statement.

We consider this information provided by Sung Jin to be responsive to our requests for information. We did not ask Sung Jin to provide all backup documentation to support its calculation of its short-term interest rate but instead requested that the company provide the source of its calculated rate. In Sung Jin's case, this source is the monthly loan balances and interest payments made by the company during 1994. Sung Jin appropriately provided each monthly loan balance and interest payment, and it provided source documentation regarding one of the POR months. In addition, Sung Jin adequately explained its overall calculation of its credit expense.

For Ssang Yong, we are also satisfied that it provided adequate information regarding the calculation of its credit expense. While, as the Committee argued, Ssang Yong did not provide source documents regarding its cumulative daily loan balance and interest incurred (which Ssang Yong used to calculate its short-term interest rate), we did not ask for backup documentary support for its cumulative daily balance but instead asked for the source of the interest rate, which it did provide. With respect to the customer-specific average collection period, Ssang Yong provided such periods for most of its customers and provided a detailed breakout of the calculation of this period for one customer. The calculation methodology Ssang Yong used was the same for each customer. We are satisfied that Ssang Yong provided accurate responses to our requests for information.

Comment 6: The Committee contends that the Department erred in indicating that Myung Jin had no individual rate from any prior segment of this proceeding. It claims that, in the course of assigning Myung Jin a no-shipments rate, the Department mistakenly stated that Myung Jin has no individual rate from any segment of this proceeding. The Committee asserts that Myung Jin has a prior rate of 1.51 percent from the 1992–1994 administrative review and that, in accordance with Department precedent, a respondent with no shipments during the POR should receive the same rate that it most recently received in a previously completed segment of the proceeding.

Department's Position: We agree with the Committee that Myung Jin previously received a rate of 1.51 percent. This is the rate assigned to it in the 1992–1994 administrative review and remains the rate applicable to Myung Jin, given that it did not make shipments of subject merchandise to the United States during the POR.

Final Results of Review

We determine the following percentage weighted-average margins exist for the period March 1, 1994, through February 28, 1995:

Manufacturer/exporter	Margin (percent)
Atlantic & Pacific	1.51
Boo Kook Corporation	1.51
Chun Kee Steel & Wire Rope Co., Ltd.	0.01
Chung Woo Rope Co., Ltd.	0.04
Dae Heung Industrial Co.	(1)
Dae Kyung Metal	1.51
Dong-Il Metal	1.51
Dong-Il Steel Manufacturing Co., Ltd	1.51
Dong Young Rope	1.51
Hanboo Wire Rope, Inc.	1.51
Jinyang Wire Rope, Inc	1.51
Korea Sangsa Co.	(1)
Korope Co.	1.51
Kumho Rope	0.01
Kwang Shin Ind.	1.51
Kwangshin Rope	1.51
Manho Rope & Wire, Ltd.	0.00
Myung Jin Co.	(2) 1.51
Seo Hae Ind.	1.51
Seo Jin Rope	1.51
Ssang Yong Steel Wire Co., Ltd	0.06
Sung Jin	0.00
Sungsan Special Steel Processing Inc.	(1)
TSK (Korea) Co., Ltd.	(1)
Yeonsin Metal	0.18(2)

[1] No shipments subject to this review. The firm has no individual rate from any segment of this proceeding.

[2] No shipments subject to this review. Rate is from the last relevant segment of the proceeding in which the firm had shipments/sales.

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between export price and normal value may vary from the percentages stated above. The Department will issue appraisement instructions on each exporter directly to the Customs Service.

Furthermore, the following deposit requirements will be effective for all shipments of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the publication date of these final results of this administrative review, as provided by section 751(a)(1) of the Act: (1) The cash deposit rates for the reviewed companies will be those rates established above (except that, if the rate for a firm is *de minimis, i.e.,* less than 0.5 percent, a cash deposit of zero will be required for that firm); (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 period; (3) if the exporter is not a firm covered in this review, a prior review, or the original 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) if neither the exporter nor the manufacturer is a firm covered in this or any previous review or the original investigation, the cash deposit rate will be 1.51 percent, the ''All Others'' rate established in the *LTFV Final Determination* (58 FR 11029).

These deposit requirements 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 353.26 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 notice also serves as a reminder to parties subject to administrative protective orders (APOs) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d)(1). Timely written notification of the 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.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: October 22, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

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[A–588–054, A–588–604]

Tapered Roller Bearings, Four Inches or Less in Outside Diameter, and Components Thereof, From Japan, and Tapered Roller Bearings and Parts Thereof, Finished and Unfinished, From Japan; Opportunity to Request Administrative Review

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

ACTION: Correction; Notice of Opportunity to Request Administrative Review of Antidumping Finding and Antidumping Duty Order.

Background

Each year during the anniversary month of the publication of an antidumping or countervailing duty order, finding, or suspension of an investigation, an interested party, as defined in section 771(9) of the Tariff Act of 1930, as amended, may request, in accordance with section 353.22 or 355.22 of the Department of Commerce (the Department) Regulations (19 CFR 353.22 and 355.22) that the Department conduct an administrative review of that antidumping or countervailing duty order, finding, or suspended investigation. On October 1, 1996, the Department published in the Federal Register its ''Notice of Opportunity to Request Administrative Review'' and invited interested parties to request an administrative review of the listed antidumping and countervailing duty orders, findings or suspended investigations (61 FR 51259). However, the listed cases did not include the antidumping finding on tapered roller bearings (TRBs), four inches or less in outside diameter, and components thereof, from Japan (A–588–054).

Not later than October 31, 1996, interested parties may request administrative review of either the antidumping finding on TRBs, four inches or less in outside diameter, and components thereof or the antidumping duty order on TRBs and parts thereof from Japan (A–588–604) for the period October 1, 1995 through September 30 1996.

In accordance with sections 353.22(a) of the Department's regulations, an interested party as defined by section 353.2(k) may request in writing that the Secretary conduct an administrative review. Section 353.22(a)(1) requires that an interested party must specify the individual producers or resellers for which they are requesting a review, and the requesting party must state why it desires the Secretary to review those particular producers or resellers.