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: September 3, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99–23512 Filed 9–9–99; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

Census Bureau

Survey of Manufacturers' Shipments to Federal Government Agencies

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before November 9, 1999.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5033, 14th and Constitution Avenue, NW, Washington, DC 20230 (or via the Internet at LEngelme@doc.gov).

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument and instructions should be directed to Lee Wentela, U.S. Census Bureau, Room 2232 FB–4, Washington, DC 20233, on (301) 457–4832.

SUPPLEMENTARY INFORMATION:

I. Abstract

The Census Bureau presently conducts the Manufacturers' Shipments, Inventories, and Orders (M3) survey under Office of Management and Budget (OMB) control number 0607–0008. The M3 survey collects monthly data on shipments, inventories, and new and unfilled orders from manufacturing companies. The orders, as well as the shipments and inventory data, are used widely and are valuable tools for analysts of business cycle conditions, including members of the Council of Economic Advisers, the Treasury Department, and the business community. The proposed Survey of Manufacturers' Shipments to Federal Government Agencies will collect value of shipments from manufacturers in 1999, the value of shipments to Federal agencies under prime contracts by selected agencies, and the value of shipments which are subcontracted from Federal contracts. Estimates of shipments to the Federal government will be made for industries classified according to the new North American Industry Classification System (NAICS). These estimates will provide benchmark levels of shipments for government and nongovernment categories by NAICS industries for the monthly M3 series.

The monthly M3 estimates are based on a relatively small sample and reflect primarily the month-to-month changes of large companies. There is a clear need for periodic benchmarking of the M3 estimates to reflect the entire manufacturing universe. The Annual Survey of Manufactures (OMB control number 0607–0449) provides annual benchmarks for the shipments and inventory data collected in this monthly survey. However, the annual survey does not distinguish between government and non-government shipments. Because of the methodology used for the monthly indicator, any discrepancy between the indicator series and statistically derived measures can become exaggerated over time and the results can be misleading to policy makers. The last benchmark survey for government shipments was for the year 1992. In addition to the long period between benchmark estimates, the conversion from the Standard Industrial Classification system to NAICS further exacerbates any discrepancy and makes the need for the benchmark survey more critical.

II. Method of Collection

The Census Bureau will use mail out/mail back survey forms to collect the data. Companies will be asked to respond to the survey within 45 days of receipt. Letters encouraging participation will be mailed to companies that have not responded by the designated time.

III. Data

OMB Number: 0607–0763 (to be reinstated).

Form Number: MC–9675.

Type of Review: Regular.

Affected Public: Businesses, large and small, or other for profit organizations.

Estimated Number of Respondents: 2,000.

Estimated Time Per Response: 1 hour.

Estimated Total Annual Burden Hours: 2,000.

Estimated Total Annual Cost: $26,480.

Respondent's Obligation: Mandatory.

Legal Authority: Title 13 U.S.C., Section 182.

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: September 3, 1999.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of the Chief Information Officer.

[FR Doc. 99–23513 Filed 9–9–99; 8:45 am]

BILLING CODE 3510–07–P

DEPARTMENT OF COMMERCE

International Trade Administration

[A–489–807]

Certain Steel Concrete Reinforcing Bars From Turkey; Final Results of Antidumping Duty Administrative Review and New Shipper Review

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

SUMMARY: On May 7, 1999, the Department of Commerce published in the **Federal Register** the preliminary results of the administrative review and new shipper review of the antidumping duty order on certain steel concrete reinforcing bars from Turkey. The administrative review covers one manufacturer/exporter of the subject merchandise to the United States, Ekinciler. The new shipper review covers one manufacturer/exporter of the subject merchandise to the United States, ICDAS. The periods of review are October 10, 1996, through March 31, 1998, in the administrative review, and October 10, 1996, through July 31, 1998, in the new shipper review.

We gave interested parties an opportunity to comment on our preliminary results. We have considered the comments received in these final results and have changed the results from those presented in the preliminary results of review.

EFFECTIVE DATE: September 10, 1999.

FOR FURTHER INFORMATION CONTACT: Shawn Thompson or Irina Itkin, AD/CVD Enforcement Group I, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230; telephone (202) 482–1776 or (202) 482–0656, respectively.

SUPPLEMENTARY INFORMATION:

Background

On May 7, 1999, the Department of Commerce (the Department) published in the **Federal Register** its preliminary results of the 1996–1998 administrative review and new shipper review of the antidumping duty order on certain steel concrete reinforcing bars (rebar) from Turkey (64 FR 24578). The Department has now completed these administrative reviews, in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act).

Scope of the Reviews

The product covered by these reviews 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.

Periods of Review

The period of review (POR) is October 10, 1996, through March 31, 1998, for Ekinciler Holding A.S. and Ekinciler Demir Celik A.S. (collectively ''Ekinciler'') and October 10, 1996, through July 31, 1998, for ICDAS Celik Enerji Tersane ve Ulasim Sanayi A.S. (ICDAS).

Applicable Statute and Regulations

Unless otherwise indicated, all citations to 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 regulations codified at 19 CFR Part 351 (1998).

Level of Trade and Constructed Export Price Offset

In accordance with section 773(a)(1)(B) of the Act, to the extent practicable, we determine normal value (NV) based on sales in the comparison market at the same level of trade as export price (EP) or constructed export price (CEP). The NV level of trade is that of the starting-price sales in the comparison market or, when NV is based on CV, that of the sales from which we derive selling, general and administrative expenses (SG&A) and profit. For EP, the U.S. level of trade is also the level of the starting-price sales, which are usually from the exporter to the unaffiliated U.S. customer. For CEP, it is the level of the constructed sales from the exporter to the importer.

To determine whether NV sales are at a different level of trade than EP or CEP sales, we examine stages in the marketing process and selling functions along the chain of distribution between the producer and the unaffiliated customer. If the comparison-market sales are at a different level of trade and the difference affects price comparability, as manifested in a pattern of consistent price differences between the sales on which NV is based and comparison-market sales at the level of trade of the export transaction, we make a level-of-trade adjustment under section 773(a)(7)(A) of the Act. Finally, for CEP sales, if the NV level is more remote from the factory than the CEP level and there is no basis for determining whether the difference in the levels between NV and CEP affects price comparability, we adjust NV under section 773(a)(7)(B) of the Act (the CEP offset provision). *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Cut-to-Length Carbon Steel Plate from South Africa*, 62 FR 61731 (Nov. 19, 1997).

Neither Ekinciler nor ICDAS claimed that it made home market sales at more than one level of trade. Based on the information on the record, no level of trade adjustment was warranted for either company. For a detailed explanation of this analysis, see the memorandum entitled ''Preliminary Results of Antidumping Duty Administrative Review and New Shipper Review on Certain Steel Concrete Reinforcing Bars from Turkey,'' dated April 30, 1999 (''the concurrence memorandum'').

Regarding Ekinciler, in order to determine whether NV was established at a level of trade which constituted a more advanced stage of distribution than the level of trade of the CEP, we compared the selling functions performed for home market sales with those performed with respect to CEP transactions, which exclude those functions related to economic activities occurring in the United States, pursuant to section 772(d) of the Act. We found that Ekinciler performed essentially the same selling functions in its sales offices in Turkey for both home market and U.S. sales. Therefore, Ekinciler's sales in Turkey were not at a more advanced stage of marketing and distribution than the constructed U.S. level of trade, which represents an F.O.B. foreign port price after the deduction of expenses associated with U.S. selling activities. Because we find that no difference in level of trade exists between markets, we have not granted a CEP offset to Ekinciler. For further discussion, see the concurrence memorandum noted above.

Comparisons to Normal Value

To determine whether sales of rebar from Turkey were made in the United States at less than NV, we compared the CEP or EP, as appropriate, to the NV. Because Turkey's economy experienced high inflation during the POR (over 70 percent), we limited, as is Department practice, our comparisons to home market sales made during the same month in which the U.S. sale occurred and did not apply the ''90/60'' contemporaneity rule (*see, e.g., Notice of Final Results and Partial Rescission of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube from Turkey*, 63 FR 35191 (June 29, 1998) (affirming *Notice of Preliminary Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube from Turkey*, 63 FR 6155, 6158 (Feb. 6, 1998)); and *Certain Porcelain-on-Steel*

Cookware from Mexico: Final Results of Antidumping Duty Administrative Review, 62 FR 42496, 42503 (Aug. 7, 1997)). This methodology minimizes the extent to which calculated dumping margins are overstated or understated due solely to price inflation that occurred in the intervening time period between the U.S. and home market sales.

We first attempted to compare products sold in the U.S. and home markets that were identical with respect to the following hierarchical characteristics: grade, size, ASTM specification, and form. Where there were no home market sales of merchandise that were identical in these respects to the merchandise sold in the United States, we compared U.S. products with the most similar merchandise sold in the home market based on the hierarchy of characteristics listed above.

Export Price/Constructed Export Price

For all U.S. sales by Ekinciler, we used CEP, in accordance with section 772(b) of the Act. For all U.S. sales by ICDAS, we used EP, in accordance with section 772(a) of the Act, because the subject merchandise was sold directly to the first unaffiliated purchaser in the United States prior to importation and CEP methodology was not otherwise warranted based on the facts of record.

A. Ekinciler

We based CEP on packed prices to the first unaffiliated purchaser in the United States. We made deductions from CEP for discounts, as appropriate. We also made deductions for foreign brokerage and handling expenses, inspection fees, ocean freight, marine insurance, U.S. customs duties, discharge expenses (offset by despatch revenue), wharfage expenses, sorting expenses, truck loading expenses, U.S. warehousing expenses and insurance, U.S. inland freight, and U.S. inland insurance, where appropriate, in accordance with section 772(c)(2)(A) of the Act. We based the amount of foreign brokerage and handling expenses on the amount that Ekinciler paid to an affiliated party, because we determined that these expenses were at arm's length. For further discussion, see the concurrence memorandum.

We made additional deductions from CEP, where appropriate, for Exporters' Association fees, bank charges, credit expenses, U.S. indirect selling expenses, including inventory carrying costs, in accordance with section 772(d)(1) of the Act. We recalculated U.S. credit expenses using the weighted average of the U.S. interest rates reported in Ekinciler's response. This average rate was based on the actual borrowing experience of Ekinciler's affiliated parties for their U.S.-dollar-denominated loans. *See Comment 4.*

Pursuant to section 772(d)(3) of the Act, we further reduced the starting price by an amount for profit, to arrive at CEP. In accordance with section 772(f) of the Act, we calculated the CEP profit rate using the expenses incurred by Ekinciler and its affiliate on their sales of the subject merchandise in the United States and the foreign like product in the home market and the profit associated with those sales.

B. ICDAS

We based EP on packed prices to the first unaffiliated purchaser in the United States. We made deductions for foreign inland freight expenses, ocean freight expenses, inspection fees, and loading charges, where appropriate, in accordance with section 772(c)(2)(A) of the Act.

Normal Value

In order to determine whether there is a sufficient volume of sales in the home market to serve as a viable basis for calculating NV (i.e., the aggregate volume of home market sales of the foreign like product is five percent or more of the aggregate volume of U.S. sales), we compared the volume of each respondent's home market sales of the foreign like product to the volume of U.S. sales of subject merchandise, in accordance with section 773(a)(1)(C) of the Act. Based on this comparison, we determined that each respondent had a viable home market during the POR. Consequently, we based NV on home market sales.

Both respondents made sales of rebar to affiliated parties in the home market during the POR. Consequently, we tested these sales to ensure that, on average, they were made at arm's-length prices, in accordance with 19 CFR 351.403(c). To conduct this test, we compared the unit prices of sales to affiliated and unaffiliated customers net of all movement charges, direct selling expenses, and packing. Where prices to the affiliated party were on average 99.5 percent or more of the price to the unaffiliated parties, we determined that sales were made at arm's length (*see* 19 CFR 351.403(c) and the preamble to the Department's regulations (*see Antidumping Duties; Countervailing Duties; Final rule*, 62 FR 27296, 27355 (May 19, 1997)). Accordingly, for Ekinciler, we only included in our margin analysis those sales to the affiliated party that were made at arm's length. Regarding ICDAS, we did not include in our analysis any sales made to affiliated parties because they failed the arm's-length test. Pursuant to 19 CFR 351.403(d), we based our analysis on the downstream sales of the affiliates to their unaffiliated customers. *See* the memorandum entitled ''Arms-Length Test Performed in the Antidumping Duty Administrative New Shipper Review on Rebar from Turkey'' from Irina Itkin to the File, dated September 16, 1998.

A. Ekinciler

Pursuant to section 773(b)(2)(A)(ii) of the Act, there were reasonable grounds to believe or suspect that Ekinciler had made home market sales at prices below their cost of production (COP) in this (the first) review because the Department had disregarded sales below the COP for this company in the LTFV investigation. *See Notice of Final Determination of Sales at Less Than Fair Value: Certain Steel Concrete Reinforcing Bars from Turkey*, 62 FR 9737, 9740 (Mar. 4, 1997) (*Rebar from Turkey*). As a result, the Department initiated an investigation to determine whether Ekinciler made home market sales during the POR at prices below their respective COPs.

We calculated the COP based on the sum of Ekinciler's cost of materials and fabrication for the foreign like product, plus amounts for SG&A and packing costs, in accordance with section 773(b)(3) of the Act. We relied on Ekinciler's information as submitted, except in the specific instances discussed below.

(1) We considered Ekinciler to be the manufacturer of all rebar which was rolled by unaffiliated subcontractors because we find that Ekinciler controlled the production of this merchandise. This is consistent with our treatment of Ekinciler's subcontracted production in the LTFV investigation. *See* the memorandum entitled ''Antidumping Administrative Review on Certain Steel Concrete Reinforcing Bars (Rebar) from Turkey—Determination of Who Is the Producer for Rebar Rolled by Unaffiliated Subcontractors'' from James Maeder to Louis Apple, dated April 30, 1999. *See also Stainless Steel Flanges From India; Notice of Final Determination of Sales at Less Than Fair Value*, 58 FR 68853 (Dec. 29, 1993); and

(2) We revised the calculation of depreciation expenses related to the revaluation of fixed assets in order to use the index published by the Turkish Ministry of Finance. *See* World Accounting, Orsini, Gould, McAllister, & Parikh, Matthew Bender & Co., Inc., 1998, page TRK–30.

As noted above, we determined that the Turkish economy experienced significant inflation during the POR. Therefore, in order to avoid the distortive effect of inflation on our comparison of costs and prices, we requested that Ekinciler submit the product-specific costs of manufacturing (COM) incurred during each month of the POR. We calculated a POR-average COM for each product after indexing the reported monthly costs during the POR to an equivalent currency level using the Turkish Wholesale Price Index from the International Financial Statistics published by the International Monetary Fund. We then restated the POR-average COMs in the currency values of each respective month.

We compared the weighted-average COP figures to home market prices of the foreign like product, as required under section 773(b) of the Act, in order to determine whether sales had been made at prices below the COP. On a product-specific basis, we compared the COP to home market prices, less any applicable movement charges and selling expenses.

In determining whether to disregard home market sales made at prices below the COP, we examined whether such sales were made: (1) In substantial quantities within an extended period of time; and (2) at prices which permitted 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.

Pursuant to section 773(b)(2)(C)(i) of the Act, where less than 20 percent of Ekinciler's sales of a given product were at prices less than the COP, we did not disregard any below-cost sales of that product because we determined that the below-cost sales were not made in ''substantial quantities.'' Where 20 percent or more of Ekinciler's sales of a given product were at prices below the COP, we found that sales of that model were made in ''substantial quantities'' within an extended period of time (as defined in section 773(b)(2)(B) of the Act), in accordance with section 773(b)(2)(C)(i) of the Act. In such cases, we also determined that such sales were not made at prices which would permit recovery of all costs within a reasonable period of time, in accordance with section 773(b)(2)(D) of the Act. Therefore, for purposes of this administrative review, we disregarded the below-cost sales and used the remaining above-cost sales as the basis for determining NV, in accordance with section 773(b)(1) of the Act. Where all sales of a specific product were at prices below the COP, we disregarded all sales of that product.

In all cases, we found that comparison products existed for which there were sales at prices above the COP. Accordingly, we based NV on ex-factory, ex-warehouse or delivered prices to home market customers. We excluded from our analysis home market re-sales by Ekinciler of merchandise produced by unaffiliated companies. Where appropriate, we added an amount for interest revenue received from home market customers for delayed payment of invoices. Also where appropriate, we made deductions from the starting price for foreign inland freight, inland insurance, and off-site warehousing expenses, in accordance with section 773(a)(6)(B) of the Act. We deducted home market packing costs and added U.S. packing costs, in accordance with section 773(a)(6) of the Act.

Where appropriate, we made adjustments to NV to account for differences in physical characteristics of the merchandise, in accordance with section 773(a)(6)(C)(ii) of the Act and 19 CFR 351.411. We based this adjustment on the difference in the variable costs of manufacturing for the foreign like product and subject merchandise, using POR-average costs as adjusted for inflation for each month of the POR, as described above.

B. ICDAS

We based NV on the starting price to unaffiliated customers. We made deductions for inland freight expenses (offset by freight revenue), where appropriate, pursuant to section 773(a)(6)(B) of the Act. Pursuant to section 773(a)(6)(C)(iii) of the Act and 19 CFR 351.410(c), we made circumstance-of-sale adjustments by deducting home market credit expenses (offset by interest revenue), where appropriate, and adding U.S. credit expenses, bank charges, and Exporters' Association fees. We recalculated home market credit expenses using the interest rates observed at verification. We included bank charges related to short-term loans in our recalculation. *See Comment 14.*

In addition, we deducted home market packing costs and added U.S. packing costs, in accordance with section 773(a)(6) of the Act.

Currency Conversion

The Department's preferred source for daily exchange rates is the Federal Reserve Bank. However, the Federal Reserve Bank does not track or publish exchange rates for Turkish Lira. Therefore, we made currency conversions based on the daily exchange rates from the Dow Jones News/Retrieval Service. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value: Steel Wire Rod from Trinidad & Tobago,* 63 FR 9177, 9181 (Feb. 24, 1998) (*Steel Wire Rod from Trinidad & Tobago*). *See Comment 13.*

Analysis of Comments Received

We gave interested parties an opportunity to comment on the preliminary results. We received case briefs from Florida Steel Corp. and New Jersey Steel Corp. (the petitioners) and from both respondents. We also received rebuttal briefs from the petitioners and Ekinciler.

A. Ekinciler

Comment 1: Bank Charges Associated with Intra-Company Transfers. During the POR, Ekinciler sold rebar to its U.S. affiliate, Ferromin, which in turn resold the merchandise to unaffiliated customers. Ekinciler incurred certain bank charges related to the payment of the transfer price by Ferromin, and it reported these bank charges in a separate field in its U.S. sales listing. For purposes of the preliminary results, the Department treated these bank charges as CEP selling expenses and deducted them from CEP. Ekinciler argues that this treatment was incorrect, because the charges in question were associated with the payment between affiliated parties. As these transactions were incurred in Turkey and not directly linked to the sale to the first unaffiliated purchaser, Ekinciler asserts that they are indirect expenses which should not be deducted from CEP.

Ekinciler maintains that the Department is prohibited from making adjustments for expenses between affiliated parties under its regulations. Specifically, Ekinciler cites 19 CFR 351.402(b), which directs the Department to make no adjustment to the U.S. selling price for expenses that are related solely to the sale to an affiliated importer in the United States. Ekinciler notes that, in accordance with 19 CFR 351.402(b), the Department's practice is not to make such adjustments. As support for this position, Ekinciler cites *Porcelain-On-Steel Cookware from Mexico: Final Results of Antidumping Duty Administrative Review,* 64 FR 26934 (May 18, 1999) (*Mexican Cookware*), where the Department stated that indirect selling expenses incurred in the home market relating to the sale to the affiliated purchaser are not deducted from CEP.

In any event, Ekinciler asserts that it is the Department's practice to consider any credit-related expenses associated with transfers between affiliates as

indirect selling expenses. As support for this position, Ekinciler cites the *Final Determination of Sales at Less Than Fair Value: Circular Welded Non-Alloy Steel Pipe from Korea*, 57 FR 42942, 42949 (Sept. 17, 1992), which states:

> These [bank charges] result from intra-company transfers which occurred before the sale to the first unrelated party, and are not directly tied to individual sales to unrelated customers. The Department considers such expenses to be indirect selling expenses. See, e.g., Final Results of Antidumping Duty Administrative Review: Color Television Receivers from Korea, 55 FR 26225 (July 27, 1990).

Ekinciler also cites the *Final Determination of Sales at Less Than Fair Value: Color Television Receivers from Taiwan*, 49 FR 7628 (Mar. 1, 1984), where the Department found that interest expenses between affiliated parties should be treated as indirect selling expenses because they are intra-company expenses not directly related to sales to unrelated U.S. buyers.

According to the petitioners, the bank charges in question are direct selling expenses because they: (1) Are associated with the sale to the first unaffiliated customer; and (2) can be directly tied to the sale of the rebar in question. The petitioners assert that, under 19 CFR 351.402(b), the relevant factor in determining whether an expense should be treated as part of the CEP deduction is where the economic activity associated with the expense occurs. The petitioners assert that, in this case, the relevant activity—the sale—occurred in the United States after importation. Therefore, the petitioners contend that the Department should deduct these expenses from CEP, or, barring that, the Department should treat them as a circumstance-of-sale adjustment to NV.

DOC Position. We agree with Ekinciler. Contrary to the petitioners' assertions, the bank charges in question are not associated with a sale to an unaffiliated customer in the United States. Rather, they relate solely to transactions between Ekinciler and its affiliated U.S. reseller. Moreover, because they cannot be tied directly to a sale to the first unaffiliated purchaser, they are indirect selling expenses.

The Department's regulations provide explicit guidance on the treatment of such expenses. Specifically, 19 CFR 351.402(b) states:

> In establishing constructed export price under section 772(d) of the Act, the Secretary will make adjustments for expenses associated with economic activities in the United States that relate to the sale to an unaffiliated purchaser, no matter where or when paid. The Secretary will not make an adjustment for any expense that is related solely to the sale to an affiliated importer in the United States, although the Secretary may make an adjustment to normal value for such expenses under section 773(a)(6)(C)(iii) of the Act.

This regulation is further explained in the preamble, which states:

> The purpose of these changes is to distinguish between selling expenses incurred on the sale to the unaffiliated customer, which may be deducted under 772(d), and those associated with the sale to the affiliated customer in the United States, which may not be deducted. In addition, the phrase ''no matter where or when paid'' is intended to indicate that if commercial activities occur in the United States and relate to the sale to an unaffiliated purchaser, expenses associated with those activities will be deducted from CEP even if, for example, the foreign parent of the affiliated U.S. importer pays those expenses. Finally, the reference to adjustments normal value reflects our agreement with the comment that the Secretary may adjust for direct selling expenses (as well as assumed expenses) associated with the sale to the affiliated importer under the circumstance of sale provision * * *

62 FR at 27351.

We explained our current practice in this area in a recent decision in *Mexican Cookware.* Specifically, we stated:

> The Department's current practice, as indicated by the preamble to the Department's new regulations, is to deduct indirect selling expenses incurred in the home market from the CEP calculation only if they relate to sales to the unaffiliated purchaser in the United States. We do not deduct from the CEP calculation indirect selling expenses incurred in the home market relating to the sale to the affiliated purchaser.

64 FR at 26942–43.

Consequently, in accordance with the Department's regulations and current practice, we have made no adjustment for the bank charges in question for purposes of the final results.

Comment 2: Indirect Selling Expenses Incurred in Turkey. The petitioners contend that the Department should require Ekinciler to report all indirect selling expenses incurred in Turkey to sell rebar in the United States. According to the petitioners, it is implausible that Ekinciler incurred no Turkish indirect selling expenses related to U.S. sales.

Ekinciler notes that, under its regulations and practice, the Department makes no adjustment for foreign indirect selling expenses. *See* 19 CFR 351.402(b) and *Mexican Cookware.* Therefore, Ekinciler asserts that, if the Department were to include these expenses in its calculations, it would do so only in the calculation of CEP profit. Ekinciler notes that this would result in the reduction of CEP profit, which would be to Ekinciler's advantage.

DOC Position. We disagree with the petitioners. As Ekinciler correctly notes, the expenses in question would be used only in the calculation of CEP profit because, in accordance with the Department's regulations, indirect selling expenses incurred in the home market relating to the sale to the affiliated purchaser are not deducted from the CEP calculation. *See* 19 CFR 351.402(b) and *Mexican Cookware.* Therefore, even if Ekinciler had incurred indirect selling expenses in Turkey related to U.S. sales, it was conservative for Ekinciler not to report these expenses. Accordingly, we have not requested any additional information from Ekinciler, nor have we based the amount of these expenses on facts available.

Comment 3: Pre-Sale Freight and Warehousing Expenses. According to the petitioners, the Department should deduct from NV neither any freight expenses incurred on the transportation of merchandise from the factory to Ekinciler's home market distribution warehouse nor the warehousing expenses themselves. The petitioners contend that these expenses should be treated as general expenses because they were incurred prior to the sale to the first unaffiliated customer.

According to Ekinciler, its transportation and warehousing expenses are incurred after the intra-corporate sale of the rebar to the respondent's affiliated trading company and are subsumed in the price to the unaffiliated customer. Ekinciler notes that both the Act and the regulations allow these types of adjustments. Ekinciler cites the preamble to the regulations at 62 FR 27410, which states that the Department is to deduct from NV all movement and related expenses incurred after the merchandise left the place of production.

DOC Position. We agree with Ekinciler. Section 773(a)(6)(B)(ii) of the Act directs the Department to reduce NV by the amount of any expenses incident to bringing the foreign like product from the original place of shipment (*i.e.*, the production facility) to the place of delivery. Moreover, under 19 CFR 351.401(e)(2), the Department considers warehousing expenses incurred after the foreign like product leaves the production facility to be movement expenses. Consequently, in accordance with section 773(a)(6)(B) of the Act and 19 CFR 351.401(e)(2), we have continued to treat the freight and warehousing expenses in question as movement charges and deducted them

from NV for purposes of the final results.

Comment 4: Credit Expenses. For purposes of the preliminary results, the Department based the U.S. interest rate on the weighted average of the interest rates paid by Ekdemir (*i.e.*, the Ekinciler Group's rebar producer) and Ekdis (*i.e.*, the Ekinciler Group's international trading company) on their U.S.-dollar-denominated loans. According to the petitioners, the Department should base the U.S. interest rate only on the rates paid by Ekdemir because this rate is the most reflective of Ekinciler's weighted-average short-term borrowing experience in the currency of the transaction. The petitioners contend that the Department should disregard Ekdis' U.S.-dollar borrowings because Ekdis was not directly involved in making sales to the United States. The petitioners further argue that the Department should recalculate Ekdemir's U.S. interest rate using 365 days, rather than 360, in order to make this calculation consistent with the calculation of the credit period.

Ekinciler agrees that the Department should not base the U.S. interest rate on the weighted average of Ekdemir's and Ekdis' U.S.-dollar borrowings. However, Ekinciler argues that the Department should use the average short-term dollar lending rates calculated by the Federal Reserve, because Ekinciler's U.S. subsidiary, Ferromin, had no borrowings during the POR. Ekinciler asserts that this rate is appropriate because the U.S. subsidiary was the party which would have been required to finance the U.S. sales from the date of shipment from the U.S. warehouse until the date of payment by the U.S. customer. Ekinciler maintains that using the Federal Reserve rate would be consistent with Department practice. To demonstrate this, Ekinciler cites *Certain Corrosion-Resistant Carbon Steel Flat Products and Certain Cut-to-Length Carbon Steel Plate from Canada: Final Results of Antidumping Duty Administrative Reviews,* 63 FR 12725, 12742 (Mar. 16, 1998) (*Carbon Steel Flat Products from Canada*), where the Department based the U.S. interest rate on Federal Reserve data for EP sales, even though the respondent's U.S. subsidiary had actual U.S. dollar borrowings.

Nonetheless, Ekinciler argues that, should the Department decide to use its U.S.-dollar borrowings in Turkey, it would be inappropriate to use only one of the two group companies' borrowing rates. Ekinciler cites *Certain Cut-to-Length Carbon Steel Plate from Sweden; Final Results of Antidumping Duty Administrative Review,* 61 FR 15772, 15779 (Apr. 9, 1996), where the Department stated that calculating interest expense based on a company's consolidated financial statements is appropriate because the cost of capital is fungible.

Finally, Ekinciler maintains that the Department did, in fact, use 365 days in the calculation of U.S. credit. Therefore, Ekinciler asserts that no further change is necessary.

DOC Position. We disagree with the petitioners and with Ekinciler, in part, regarding the appropriate interest rate to use in the U.S. credit calculations. As we stated in Import Administration Policy Bulletin 98–2 (Feb. 23, 1998):

> For the purposes of calculating imputed credit expenses, we will use a short-term interest rate tied to the currency in which the sales are denominated. We will base this interest rate on the respondent's weighted-average short-term borrowing experience in the currency of the transaction... In cases where a respondent has no short-term currency borrowings in the currency of the transaction, we will use publicly available information to establish a short-term interest rate applicable to the currency of the transaction.

Contrary to Ekinciler's assertions, this bulletin does not indicate that the source of the U.S. dollar-denominated short-term interest rate must be a bank located in the United States. Rather, this bulletin shows a clear preference for the actual borrowing experience of the respondent.

In this case, there were three parties who were involved in the sale of rebar to the United States. Since the U.S. subsidiary most directly involved in selling the subject merchandise had no U.S. dollar borrowings, and because we have a preference for using actual experience where possible, we have continued to use the average of the rates paid by the other parties involved in making the sale, rather than the Federal Reserve rate. We disagree with the petitioners' contention that we should base the U.S. interest rate solely on the experience of Ekdemir, because Ekdis was also involved in the sale of the subject merchandise.

Moreover, we find that the situation in *Carbon Steel Flat Products from Canada* is factually distinguishable from the circumstances in this case. In that case, unlike here, neither the respondent nor any affiliated party involved directly or indirectly with the sale of the subject merchandise had any borrowings in U.S. dollars (although in *Carbon Steel Flat Products from Canada* the U.S. subsidiary had borrowings in U.S. dollars, it was not involved in the sale of subject merchandise). Thus, because the respondent had no actual U.S.-dollar-denominated borrowings in that case, we determined that the use of the Federal Reserve rate was appropriate. In contrast, the respondent in this case does have actual U.S. dollar-denominated borrowings, and we relied on these borrowings to determine the U.S. interest rate.

Regarding the calculation of the interest rate, we agree with the petitioners. We find that Ekinciler's methodology understates the annual interest rate, because Ekinciler misstated the portion of the year to which the interest expense applied. Consequently, we have recalculated the U.S. interest rate for purposes of the final results.

Comment 5: Packing Expenses According to the petitioners, the Department should base the amount of Ekinciler's packing expenses on facts available, because Ekinciler's response contains contradictory statements which cannot be reconciled. Specifically, the petitioners assert that Ekinciler made the following statements: (1) The reason the packing material costs differ significantly from month to month is due to changes in material prices and to varying packing requirements depending upon the market in which the product is sold; and (2) packing materials used for U.S. and Turkish sales are very similar, and, consequently, the costs are nearly identical. Moreover, the petitioners contend that Ekinciler failed to index its packing figures, and it also did not include any expenses for packing labor or overhead in its calculations.

Ekinciler argues that the Department should accept its packing expenses as reported. Ekinciler maintains that the statements identified by the petitioners are not contradictory because the differences in packing requirements referenced above relate to third country markets, rather than to the U.S. or home market. Ekinciler asserts that the packing requirements for U.S. and home market sales are virtually identical. Furthermore, Ekinciler notes that, contrary to the petitioners' assertions, it accounted for the effects of inflation in its packing calculations because it reported current costs for its packing materials in accordance with standard Department practice. Finally, regarding packing labor and overhead, Ekinciler notes that it was not possible to segregate these costs from other labor and overhead costs its accounting system. Nonetheless, Ekinciler contends that its inability to report these expenses separately does not affect the margin calculations because these expenses are: (1) extremely small; (2) virtually the

same for the U.S. and home markets; and (3) captured in the reported COM.

DOC Position. Ekinciler consistently described its packing expenses in its response and correctly based the expenses reported on its current cost of materials (*i.e.*, the price of materials in the same month as production). Moreover, we note that, while Ekinciler did not index these costs itself, these costs were indexed in the computer program used to calculate Ekinciler's margin for purposes of the preliminary results.

Regarding labor and overhead, we find that, because the packing process is essentially the same for the U.S. and home markets, there would be no material difference in the amount of labor and overhead allocated to the U.S. and home markets. Consequently, we have continued to rely on the packing data reported by Ekinciler for purposes of the final results.

Comment 6: Offset to Materials Costs. Ekinciler claimed an offset to the materials costs reported in its response for certain materials recovered during the production process (*e.g.*, billet ends and slag). According to the petitioners, Ekinciler understated the value of billet ends because it valued them at the average shredded scrap purchase price for the month in which they were created. The petitioners contend that this approach is only valid if the billet ends are also used in that month. According to the petitioners, the Department should use facts available to account for this error.

In addition, the petitioners contend that the Department should disallow Ekinciler's offset for slag. According to the petitioners, slag cannot be reused in an arc furnace and is typically sold for use in roadbeds and airport runways.

Finally, the petitioners contend that Ekinciler improperly valued other scrap which was recovered during the production process. According to the petitioners, the proper value is not the weighted average of the domestic scrap purchases during the same month, but rather the weighted average of Ekinciler's total scrap purchases within the same month.

Ekinciler contends that the petitioners' argument regarding billet ends is moot because billet ends are recycled daily. Nonetheless, Ekinciler argues that the value of scrap used as an offset should be valued when the scrap is generated, not when it is used. Ekinciler further notes that, had it understated the value of billet ends as the petitioners assert, the result would have been to overstate (not understate) costs, because the offset would have been too low.

Moreover, Ekinciler asserts that the Department should also accept its reported offset for slag. Ekinciler asserts that it is irrelevant whether the slag is used internally by Ekdemir or sold to outside purchasers for use in roadbeds. According to Ekinciler, because the petitioners admit that slag has value, there is no question that Ekinciler properly reported a value for the scrap that it recovered.

Finally, Ekinciler asserts that it provided a detailed description of the various types of scrap and the means that it used to value them in its supplemental questionnaire response. Ekinciler further asserts that it based its reported scrap recovery on the company's monthly records maintained in the ordinary course of business. Therefore, Ekinciler asserts that the petitioners' comments should be disregarded.

DOC Position. Ekinciler's methodology for valuing scrap recovered during the production process is reasonable. Specifically, Ekinciler valued each month's recovered scrap at the average of the purchase prices for scrap during the month. (*See* pages 21 and 22 of its March 16, 1999, supplemental response.) We do not agree with the petitioners that Ekinciler valued certain types of recovered scrap at the weighted average of the monthly domestic scrap purchases. This is the method by which Ekinciler valued recovered scrap in its accounting system, not the method by which it reported the value of such scrap to the Department. Consequently, we have accepted Ekinciler's data as reported.

Comment 7: Revaluation of Raw Materials Inventories. According to the petitioners, Ekinciler's failure to revalue its monthly raw materials inventories misstated the company's costs by failing to take into account the impact of inflation.

Ekinciler contends that it reported the usage of raw materials at the current monthly acquisition prices, as instructed in the questionnaire. According to Ekinciler, because the petitioners submitted no evidence to the contrary, the Department should disregard the petitioners' unfounded assertion.

DOC Position. In cases involving significant inflation, it is the Department's practice to require respondents to value raw materials using the purchase prices obtained in the month of production. *See, e.g., Rebar from Turkey, Notice of Final Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube from Turkey,* 62 FR 51629, 51631(Oct. 2, 1997), and *Ferrosilicon from Brazil; Final Results of Antidumping Duty Administrative Review,* 61 FR 59407, 59408 (Nov. 22, 1996). Because Ekinciler did so, we find that its costs appropriately account for the effects of inflation. Consequently, we have accepted these costs for purposes of the final results.

Comment 8: Value of Billets Purchased from an Affiliated Company. The petitioners allege that Ekinciler may have understated the value of certain billets purchased from an affiliated party in the home market. According to the petitioners, the Department cannot find that the transfer prices included a profit margin merely based on the fact that the price paid to the affiliate exceeded the price that the affiliate paid to its supplier. The petitioners note that the higher transfer prices may account for all, or part of, the inflation that occurred during the months between the affiliate's purchase and resale. The petitioners do not suggest a method by which the Department should adjust Ekinciler's billet costs.

Ekinciler maintains that it properly valued the billets in question. Ekinciler notes that, in its questionnaire response, it provided invoices showing that the transfer prices paid to the affiliated party exceeded the affiliate's acquisition cost for the same billet, and that the lag time between the purchase and resale was only a few days. According to Ekinciler, not only is this entirely consistent with the Department's practice, but it was not challenged by the petitioners prior to the briefing stage. Consequently, Ekinciler contends that the Department should accept its billet costs as reported.

DOC Position. In determining whether a transaction occurred at an arm's-length price, the Department compares the transfer price between the affiliated parties and the market price between unaffiliated parties. *See, e.g., Final Results of Antidumping Administrative Review: Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof from France, Germany, Italy, Japan, Singapore, and the United Kingdom,* 62 FR 2081, 2115 (Jan. 15, 1997).

In its questionnaire response, Ekinciler was able to demonstrate adequately that the transfer price exceeded the affiliate's acquisition price, paid to an unaffiliated supplier, for reasons unrelated to inflation. Accordingly, we find that the transfer price is at arm's length, and we have used the transfer price to value the billet purchased from the affiliated party.

Comment 9: Billet Production Costs. According to the petitioners, Ekinciler

inappropriately allocated fabrication costs in the melt shop using total tonnage produced each month. The petitioners contend that the Department should base Ekinciler's melt shop fabrication costs on facts available because these costs should have been allocated based on processing times. The petitioners provide no suggestions regarding the appropriate source of facts available.

Ekinciler maintains that the Department should accept its costs as reported. According to Ekinciler, because there is only one product produced in the melt shop (*i.e.*, billet), allocating total fabrication costs over total production tonnage is reasonable.

DOC Position. Unlike in the rolling mill, production costs in the melt shop do not vary by processing times. Rather, these costs vary according to the number of tons produced. For example, the same amount of electricity is consumed to produce a billet used in the production of 14 mm rebar as for a billet used to make 32 mm rebar. Consequently, we find that allocating fabrication costs using production quantity is not only reasonable but appropriate, and we have continued to accept Ekinciler's costs as reported for purposes of the final results.

Comment 10: Work-in-Process. According to the petitioners, Ekinciler failed to report work-in-process at the end of its accounting period. The petitioners assert that, although Ekinciler stated that there are no unfinished units at the end of the accounting period, this statement is contradicted by the fact that Ekinciler valued raw materials using the weighted-average purchase price from the previous month (adjusted for inflation) in cases where Ekinciler did not make any purchases in the month when production occurred.

According to Ekinciler, it had no work-in-process at the end of the accounting period. Ekinciler asserts that steel mills do not close their accounting periods in mid-cast or in half-rolled bar, and that the production cycle is so short that the production process is completed by the end of the accounting period. Ekinciler further contends that the statements referenced by the petitioners are not contradictory because the petitioners confused several statements in Ekinciler's response. Specifically, Ekinciler notes that the petitioners appeared to confuse work-in-process (which was referenced in the statement regarding unfinished units) and raw materials (which was referenced in the statement regarding purchases). Accordingly, Ekinciler asserts that the Department should disregard the petitioners' comments.

DOC Position. We find that Ekinciler consistently described its production process and valuation methodologies in its response. Moreover, we find that Ekinciler appropriately valued the cost of materials, because it based these costs on the company's purchases in each month of the POR. Contrary to the petitioners' implication, the Department's practice in cases involving high inflation is to base COP on the current production costs incurred during each month of the POR. *See Rebar from Turkey*, 62 FR at 9739 and *Notice of Final Determination of Sales at Less Than Fair Value: Certain Pasta from Turkey*, 61 FR 30309, 30314 (June 14, 1996). For this reason, the valuation of work-in-process is irrelevant to the dumping analysis in this case. Accordingly, we have based our final results on the data in Ekinciler's response.

Comment 11: General and Administrative Expenses (G&A). The petitioners contend that Ekinciler improperly calculated G&A. Specifically, the petitioners maintain that Ekinciler divided the G&A of the group's rebar producer (i.e., Ekdemir) over the cost of sales of all companies in the Ekinciler group. In addition, the petitioners assert that Ekinciler improperly included Ekdemir's real estate taxes and factory administrative costs in G&A. According to the petitioners, these actions result in an allocation of rebar-related expenses to non-subject merchandise.

Ekinciler contends that it did, in fact, allocate G&A over Ekdemir's (and not Ekinciler's) cost of sales. According to Ekinciler, the petitioners misread the headings in Ekinciler's G&A worksheets. Ekinciler further contends that, contrary to the petitioners' assertion, it classified factory administrative labor as part of factory overhead. Regarding real estate taxes, Ekinciler asserts that Ekdemir's corporate administrative offices are located at its mill, and, therefore, these costs were properly reported as part of G&A. In any event, Ekinciler notes that the amount of these taxes represents less than 0.001 percent of Ekdemir's rolling mill costs, and, consequently, any reallocation between G&A and COM would result in a *de minimis* adjustment.

DOC Position. We have continued to accept Ekinciler's G&A as reported for purposes of the final results. Ekinciler's G&A worksheets clearly show that Ekdemir's G&A were allocated over Ekdemir's cost of sales. *See* Exhibit 15 of the July 28, 1998, section A response and Exhibit 30 of the March 16, 1999, supplemental response. Moreover, Ekinciler's COM worksheets show that Ekinciler included supervisory labor (the largest component of factory administrative costs) as part of COM. *See* Exhibits 15 and 16 of the August 28, 1998, section D response and Exhibit 25 of the March 16, 1999, supplemental response.

Regarding real estate taxes, while we agree with the petitioners that the portion of the tax related to the rebar production facility should have been included in fixed overhead (rather than G&A), we find that reallocating these taxes in this case would have no material impact on COM. According to section 777A(a)(2) of the Act, the Department may decline to take into account adjustments which are insignificant in relation to the price or value of the merchandise. Consequently, in accordance with section 777A(a)(2) of the Act and 19 CFR 351.413, we have not included these taxes in fixed overhead.

Comment 12: Financing Expenses. According to the petitioners, all interest expenses incurred by Ekinciler should be included in COM. The petitioners reason that the expenses incurred by Ekdemir and Ekdis (*i.e.*, the group trading company) constitute a large portion of the interest expense reported by the Ekinciler Group for 1997 and in that regard resemble a foreign exchange expense incurred by Ekdemir and Ekdis in 1997. The petitioners speculate that these interest expenses relate to the acquisition of raw material outside Turkey and, thus, are associated with the purchase of raw materials. Moreover, the petitioners assert that Ekinciler failed to include gains and losses related to accounts payable transactions in COM, despite the Department's explicit instructions to do so. Therefore, the petitioners argue that the Department should also include all foreign exchange gains and losses in COM.

In addition, the petitioners contend that the Department should disallow offsets to financing expenses for financing income and foreign exchange income because Ekinciler failed to show why the former offset was appropriate and the latter was earned by entities which have no relationship to rebar.

Ekinciler contends that it properly included in COM all costs incurred on the purchase of materials, including bank fees and exchange losses on the purchase of materials. Ekinciler asserts that any other interest costs or exchange losses on payables are classified in the normal course of business as part of financing expenses and were treated as

such for purposes of Ekinciler's responses.

Regarding the offset for short-term interest income, Ekinciler asserts that the Department's practice is to allow offsets to financing expenses for financial income earned on short-term investments of working capital. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value; Stainless Steel Sheet and Strip in Coils from the United Kingdom*, 64 FR 30688, 30710 (June 8, 1999) (*Sheet and Strip from the UK*). Ekinciler asserts that it submitted substantial evidence that its financial income was earned on short-term uses of working capital. Therefore, Ekinciler asserts that its interest expense factor properly included an offset for this income.

Regarding the offset for foreign exchange gains, Ekinciler asserts that the Department's long-standing treatment of financing expenses is to base the calculation of such expenses on the consolidated corporate entity, due to the fungible nature of financing. Ekinciler notes that, in accordance with this policy, the Department specifically instructed Ekinciler to base its financing expenses on the combined expenses of all companies in the Ekinciler Group. Accordingly, Ekinciler asserts that the petitioners are misguided in contending that exchange gains earned by other entities in the group are irrelevant.

DOC Position. We agree with Ekinciler that it is the Department's practice to classify interest expenses incurred by a company as financing expenses and to calculate the expenses on a consolidated basis. *See, e.g., Notice of Final Determination of Sales at Less Than Fair Value: Stainless Steel Sheet and Strip in Coils From Japan*, 64 FR 30574, 30592 (June 8, 1999). It is also the Department's practice to grant offsets to financing expenses when respondents are able to demonstrate that such offsets are related to short-term interest income. *See, e.g., Sheet and Strip from the UK.* Because Ekinciler calculated its financing expenses in accordance with the Department's practice, we have accepted it for purposes of the final results.

Regarding the petitioners' allegation that Ekinciler improperly excluded exchange losses related to accounts payable transactions from COM, we find no evidence that this has occurred. Accordingly, we have made no adjustment to COM for exchange losses for purposes of the final results.

B. ICDAS

Comment 13: Currency Conversion. The Federal Reserve Bank does not track or publish exchange rates for Turkish Lira. Consequently, for purposes of the preliminary results, the Department made currency conversions using exchange rates published by the Dow Jones News/Retrieval Service. ICDAS argues that the Department should use the exchange rates published by the Central Bank of the Republic of Turkey for purposes of the final results because these rates better reflect commercial reality in Turkey.

ICDAS acknowledges that the Department generally uses the Dow Jones News/Retrieval Service rates in cases where Federal Reserve Bank rates are not available, including currency conversions in Turkish cases. However, ICDAS argues that the Department has the discretion to use a source other than the Dow Jones News/Retrieval Service when the rates in question are not published by the Federal Reserve Bank, since neither section 773A of the Act nor 19 CFR 351.415 prescribes the precise source to be used in currency conversions.

ICDAS asserts that the Department is not precluded from using the Central Bank rates, despite the fact that it did not raise this exchange rate issue in previous filings, since the rates consist of publicly available data which the Department may add to the record at any time during the proceeding. As support for this position, ICDAS cites the Notice of *Final Results of Antidumping Duty Administrative Review and Determination Not to Revoke Order in Part: Dynamic Random Access Memory Semiconductors of One Megabyte or Above From the Republic of Korea*, 62 FR 39809, 39810 (July 24, 1997) (*DRAMS from Korea); Certain Cased Pencils From The People's Republic of China; Amended Final Results Of Antidumping Duty Administrative Review;* 62 FR 36491, 36492 (July 8, 1997) (*Pencils from China*); and *Live Swine From Canada; Final Results of Countervailing Duty Administrative Review*, 59 FR 12243, 12250 (Mar. 16, 1994) (*Live Swine from Canada*).

The petitioners argue that the Department should continue to use the rates published by the Dow Jones News/Retrieval Service because it is a well-established, reliable source of commercially available exchange rates and ICDAS has provided no evidence to show that the Central Bank rates are more reflective of commercial reality. Moreover, the petitioners assert that the use of the Dow Jones News/Retrieval Service rates would be consistent with Department practice. As support for their position, the petitioners cite to *Steel Wire Rod from Trinidad & Tobago*, where the Department rejected the respondent's argument to use a source other than the Dow Jones News/Retrieval Service in the absence of rates published by the Federal Reserve Bank.

The petitioners further argue that the Department is prohibited from using the Central Bank rates because they constitute new factual information. The petitioners maintain that ICDAS' reliance on the cases cited above is misplaced, because the facts in those cases are not analogous to the facts in the instant review. Specifically, the petitioners note that in *DRAMS from Korea*, the Department reviewed current market conditions at the time of the final results, which could not have been incorporated into the parties' filings prior to that time, while in *Pencils from China* the Department re-opened the administrative record to accept new factual information in conjunction with a remand, not a new shipper review. The petitioners assert that *Live Swine from Canada* makes clear that it is exceptional for the Department to accept new factual information after the date of the preliminary results of review.

DOC Position. In our exchange rate model, it is the Department's normal practice to use exchange rates provided by the Federal Reserve Bank. When the Federal Reserve does not provide exchange rates, the Department uses exchange rates obtained from the Dow Jones News/Retrieval Service because this service is a well-established, reliable source of commercially available exchange rates. *See, e.g., Notice of Final Results and Partial Recission of Antidumping Duty Administrative Review: Certain Pasta from Turkey*, 63 FR 68429 (Dec. 11, 1998) (affirming *Notice of Preliminary Results and Partial Recission of Antidumping Duty Administrative Review: Certain Pasta From Turkey*, 63 FR 42373 (Aug. 7, 1998)), *Steel Wire Rod from Trinidad & Tobago, Notice of Final Results of Antidumping Duty Administrative Review: Certain Welded Carbon Steel Pipe and Tube From Turkey*, 61 FR 69067 (Dec. 31, 1996), and *Rebar from Turkey.* For this reason, we find that the exchange rates obtained from the Dow Jones News/Retrieval Service are a reasonable alternative to those obtained from the Federal Reserve.

In this case, although ICDAS has asserted that the Turkish Central Bank rates are more reflective of commercial reality in Turkey, it has provided no evidence to support this assertion. Consequently, we find that ICDAS has provided inadequate reasons for the Department to depart from its established practice of using the Dow Jones rates, and we have continued to

use these rates for purposes of the final results.

Comment 14: Calculation of the Home Market Short-Term Interest Rate. For purposes of the preliminary results, the Department adjusted the calculation of ICDAS'' short-term home market interest rate to exclude bank commissions. ICDAS argues that the Department should include these bank commissions in the calculation of the home market short-term interest rate, because the commissions are part of the total cost of borrowing. In support of its position, ICDAS cites the following cases in which the Department included bank fees/charges in its calculation of the short-term borrowing rate: *Certain Corrosion Resistant Carbon Steel Flat Products and Certain Cut-To-Length Carbon Steel Plate From Canada; Final Results of Antidumping Duty Administrative Reviews and Determination To Revoke in Part,* 64 FR 2173, 2178–79 (Jan. 13, 1999) (*Corrosion Resistant Carbon Steel Flat Products from Canada); Certain Cold-Rolled Carbon Steel Flat Products From Korea; Final Results of Antidumping Duty Administrative Review,* 62 FR 781, 801 (Jan. 7, 1998) (*Cold-Rolled Carbon Steel Flat Products from Korea)*; and *Final Results of Antidumping Duty Administrative Review; Large Power Transformers From Italy*, 52 FR 46806, 46811 (Dec. 10, 1987) (*LPTs from Italy*).

The petitioners argue that the Department should continue to exclude the bank commissions in question from the calculation of the home market short-term interest rate because there is no evidence on the record to indicate that these bank commissions were related to the loan in question or that they were part of the total costs to ICDAS of home market short-term borrowing.

DOC Position. According to the information gathered at verification, the commissions in question are directly related to the amount that the bank charged ICDAS for borrowing money. *See* Exhibit 16 to the ICDAS sales verification report. Therefore, because we find that these commissions are part of the total cost borrowing of ICDAS, we have revised our calculation of ICDAS' short-term home market borrowing rate to include bank commissions. *See Corrosion Resistant Carbon Steel Flat Products from Canada; Cold Rolled Carbon Steel Flat Products from Korea;* and *LPTs from Italy*.

Final Results of Review

As a result of comments received, we have revised our analysis and determine that the following margins exist for the respondents during the period October 10, 1996, through March 31, 1998 (for Ekinciler), and October 10, 1996, through July 31, 1998 (for ICDAS):

Manufacturer/producer/exporter	Margin percentage
Ekinciler Holding A.S./ Ekinciler Demir Celik A.S	0.30
ICDAS Celik Enerji Tersane ve Ulasim Sanayi A.S	9.67

The Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. 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. These rates will be assessed uniformly on all entries of that particular importer made during the POR. Pursuant to 19 CFR 351.106(c)(2), we will instruct the Customs Service to liquidate without regard to antidumping duties all entries for any importer for whom the assessment rate is *de minimis* (*i.e.*, less than 0.50 percent). The Department will issue appraisement instructions directly to the Customs Service.

Further, the following deposit requirements will be effective for all shipments of certain steel concrete reinforcing bars from Turkey entered, or withdrawn from warehouse, for consumption on or after the publication date of the final results of these administrative and new shipper reviews, as provided for by section 751(a)(1) of the Act: (1) The cash deposit rate for the ICDAS will be the rate stated above, and the cash deposit rate for Ekinciler will be zero; (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 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 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 double 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). *See Antidumping and Countervailing Duty Proceedings: Administrative Protective Order Procedures; Procedures for Imposting Sanction for Violation of a Protective Order,* 63 FR 24391, 24402 (May 4, 1998). 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.

These administrative and new shipper reviews are issued and published in accordance with sections 751(a)(1) and 777(i) of the Act.

Dated: September 3, 1999.

Richard W. Moreland,

Acting Assistant Secretary for Import Administration.

[FR Doc. 99–23630 Filed 9–9–99; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

International Trade Administration

Closed Meeting of the U.S. Automotive Parts Advisory Committee (APAC)

AGENCY: International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: The APAC will have a closed meeting on September 24, 1999 at the U.S. Department of Commerce to discuss U.S.-made automotive parts sales in Japanese and other Asian markets.

DATES: September 24, 1999.

FOR FURTHER INFORMATION CONTACT: Dr. Robert Reck, U.S. Department of Commerce, Room 4036, Washington, D.C. 20230, telephone: 202–482–1418.

SUPPLEMENTARY INFORMATION: The U.S. Automotive Parts Advisory Committee (the ''Committee'') advises U.S. Government officials on matters relating to the implementation of the Fair Trade in Automotive Parts Act of 1998 (Public Law 105–261). The Committee: (1) Reports to the Secretary of Commerce on barriers to sales of U.S.-made automotive parts and accessories in Japanese and other Asian markets; (2) reviews and considers data collected on