

DEPARTMENT OF AGRICULTURE**Forest Service****McNally Fire Roadless Restoration Project**

AGENCY: USDA, Forest Service.

ACTION: Cancellation of Notice of Intent to prepare an Environmental Impact Statement.

SUMMARY: The Department of Agriculture, Forest Service is canceling the Notice of Intent (NOI) to prepare an environmental impact statement (EIS) that was published in the **Federal Register** on Friday, March 28, 2003, pages 15147 to 15148, to address the impacts of the McNally fire within the Rincon, Chico, and Cannell Roadless areas. The purpose of this EIS was to address and propose restoration of the damaged ecosystem due to the McNally fire within these roadless areas. The Sequoia National Forest proposes at this time that Roadless characteristics, while degraded, will be left to recover naturally.

FOR FURTHER INFORMATION CONTACT: Tom Simonson, Ecosystem Manager, Sequoia National Forest, 900 West Grand Avenue, Porterville, CA 93257. The phone number is (559) 784-1500.

Dated: May 28, 2004.

Arthur L. Gaffrey,

Forest Supervisor, Sequoia National Forest.

[FR Doc. 04-12779 Filed 6-4-04; 8:45 am]

BILLING CODE 3410-11-M

COMMISSION ON CIVIL RIGHTS**Sunshine Act Notice**

AGENCY: U.S. Commission on Civil Rights.

Date and Time: Friday, June 11, 2004, 9:30 a.m.

Place: U.S. Commission on Civil Rights, 624 9th Street, NW., Room 540, Washington, DC 20425.

Status:

Agenda

- I. Approval of Agenda
- II. Approval of Minutes of April 9, 2004 Meeting
- III. Announcements
- IV. Staff Director's Report
- V. "Funding Federal Civil Rights Enforcement: 2005" Report
- VI. "Ten Year Check-Up: Have Federal Agencies Responded to Civil Rights Recommendations? Volume IV: An Evaluation of the Departments of Education, Health and Human Services, and Housing and Urban

Development, and the Equal Employment Opportunity Commission" Report

VII. Closing Meeting on Personnel matters

VIII. Future Agenda Items

FOR FURTHER INFORMATION CONTACT: Les Jin, Press and Communications (202) 376-7700.

Debra A. Carr,

Deputy General Counsel.

[FR Doc. 04-12956 Filed 6-3-04; 2:46 pm]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE**International Trade Administration**

[A-570-867]

Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review: Automotive Replacement Glass Windshields from the People's Republic of China

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

ACTION: Notice of Preliminary Results of Antidumping Duty Changed Circumstances Review.

SUMMARY: On March 8, 2004, the Department of Commerce ("Department") published a notice of initiation of changed circumstances review of the antidumping duty order on Automotive Replacement Glass ("ARG") Windshields from the People's Republic of China ("PRC") to determine whether Shenzhen CSG Automotive Glass Co., Ltd. ("Shenzhen CSG") is the successor-in-interest to Shenzhen Benxun AutoGlass Co., Ltd. ("Shenzhen Benxun") for purposes of determining antidumping and countervailing duty liabilities. *See Initiation of Antidumping Duty Changed Circumstances Review: Automotive Replacement Glass Windshields from the People's Republic of China*, 69 FR 10655 (March 8, 2004) ("Notice of Initiation"). We have preliminarily determined that Shenzhen CSG is the successor-in-interest to Shenzhen Benxun, for purposes of determining antidumping duty liability in this proceeding. Interested parties are invited to comment on these preliminary results.

EFFECTIVE DATE: June 7, 2004.

FOR FURTHER INFORMATION CONTACT: Jon Freed or Robert Bolling, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230;

telephone (202) 482-3818 or (202) 482-3434, respectively.

SUPPLEMENTARY INFORMATION:**Background**

On April 4, 2002, the Department of Commerce ("the Department") published in the **Federal Register** the antidumping duty order on ARG windshields from the PRC. *See Antidumping Duty Order: Automotive Replacement Glass Windshields from the People's Republic of China*, 67 FR 16087 (April 4, 2002). On April 7, 2003, the Department published a notice of opportunity to request an administrative review of the antidumping duty order on ARG windshields from the PRC for the period September 19, 2001 through March 31, 2003. *See Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 68 FR 16761 (April 7, 2003). On April 30, 2003, the Department received a letter on behalf of Shenzhen CSG Automotive Glass Co., Ltd. ("Shenzhen CSG") requesting an administrative review of its sales and entries of subject merchandise. In its request, Shenzhen CSG indicated that it had undergone a name change, and that it had formerly been known as Shenzhen Benxun. Shenzhen Benxun was a respondent in the original investigation of this case. The request for review did not include a request for a changed circumstance review to determine whether Shenzhen CSG was in fact a successor in interest to Shenzhen Benxun. On May 21, 2003, in response to timely requests from respondents subject to the order on ARG windshields from the PRC, the Department published in the **Federal Register** a notice of initiation of an antidumping duty administrative review of sales by ten respondents, including "Shenzhen CSG Automotive Glass Co., Ltd. (formerly known as Shenzhen Benxun AutoGlass Co., Ltd.)" of ARG windshields from the PRC for the period September 19, 2001 through March 31, 2003. *See Initiation of Antidumping and Countervailing Duty Administrative Reviews and Request for Revocation in Part*, 68 FR 27781 (May 21, 2003). On June 3, 2003, the Department issued antidumping duty questionnaires to the respondents, including "Shenzhen CSG Automotive Glass Co., Ltd. (formerly known as Shenzhen Benxun AutoGlass Co., Ltd.)". On July 8, 2003, the Department received a letter from "Shenzhen CSG Automotive Glass Co., Ltd. (formerly known as Shenzhen Benxun AutoGlass Co., Ltd.)" withdrawing its request for an administrative review of its sales and

entries of subject merchandise exported to the United States and covered by the antidumping duty order on ARG windshields from the PRC. On September 8, 2003, the Department published in the **Federal Register** a notice of partial rescission of the administrative review on ARG windshields from the PRC, which included a rescission of the administrative review of sales and entries from "Shenzhen CSG Automotive Glass Co., Ltd. (formerly known as Shenzhen Benxun AutoGlass Co., Ltd.)". On December 29, 2003, the Department instructed Customs and Border Protection ("Customs") to liquidate entries from Shenzhen Benxun AutoGlass Co., Ltd. at its company-specific rate, but to liquidate entries from Shenzhen CSG Automotive Glass Co., Ltd. at the PRC-wide rate because the Department never had an opportunity to determine whether Shenzhen CSG was a successor-in-interest to Shenzhen Benxun. On January 12, 2004, the Department received a letter on behalf of "Shenzhen CSG Automotive Glass Co., Ltd. (formerly known as Shenzhen Benxun AutoGlass Co., Ltd.)" requesting that the Department amend instructions sent to Customs that direct Customs to liquidate all of Shenzhen CSG's entries at the PRC-wide rate. Shenzhen CSG asserts that Shenzhen Benxun changed its name to Shenzhen CSG and that entries from Shenzhen CSG should be entitled to Shenzhen Benxun's cash deposit rate.

On March 8, 2004, the Department published a notice of initiation of changed circumstances review of the antidumping duty order on ARG Windshields from the PRC to determine whether Shenzhen CSG is the successor-in-interest to Shenzhen Benxun for purposes of determining antidumping liabilities. See *Notice of Initiation*. On March 17, 2004, the Department issued a Successorship Questionnaire to Shenzhen Benxun. Shenzhen Benxun submitted its response to the Department's Successorship questionnaire on April 6, 2004 ("Shenzhen Benxun's Response").

Scope of the Review

The products covered by this review are ARG windshields, and parts thereof, whether clear or tinted, whether coated or not, and whether or not they include antennas, ceramics, mirror buttons or VIN notches, and whether or not they are encapsulated. ARG windshields are laminated safety glass (*i.e.*, two layers of (typically float) glass with a sheet of clear or tinted plastic in between (usually polyvinyl butyral)), which are

produced and sold for use by automotive glass installation shops to replace windshields in automotive vehicles (*e.g.*, passenger cars, light trucks, vans, sport utility vehicles, *etc.*) that are cracked, broken or otherwise damaged.

ARG windshields subject to this review are currently classifiable under subheading 7007.21.10.10 of the Harmonized Tariff Schedules of the United States (HTSUS). Specifically excluded from the scope of this investigation are laminated automotive windshields sold for use in original assembly of vehicles. While HTSUS subheadings are provided for convenience and Customs purposes, our written description of the scope of this review is dispositive.

Preliminary Results of the Review

In Shenzhen Benxun's response, Shenzhen Benxun advised the Department that the firm had legally changed its name from Shenzhen Benxun AutoGlass Co., Ltd. to Shenzhen CSG Automotive Glass Co., Ltd.

In antidumping duty changed circumstances reviews involving a successor-in-interest determination, the Department typically examines several factors including, but not limited to, changes in: (1) management; (2) production facilities; (3) supplier relationships; and (4) customer base. See *Brass Sheet and Strip from Canada: Notice of Final Results of Antidumping Administrative Review* 57 FR 20460, 20462 (May 13, 1992) ("*Canada Brass*"). While no single factor or combination of factors will necessarily be dispositive, the Department generally will consider the new company to be the successor to the predecessor company if the resulting operations are essentially the same as those of the predecessor company. See *Industrial Phosphoric Acid from Israel: Final Results of Changed Circumstances Review* 59 FR 6944, 6945 (February 14, 1994), and *Canada Brass*, 57 FR 20462. Thus, if the record evidence demonstrates that, with respect to the production and sale of the subject merchandise, the new company operates as the same business entity as the predecessor company, the Department may assign the new company the cash deposit rate of its predecessor. See *Fresh and Chilled Atlantic Salmon from Norway: Final Results of Changes Circumstances Antidumping Duty Administrative Review* 64 FR 9979, 9980 (March 1, 1999).

Our review of the evidence provided by Shenzhen Benxun indicates, preliminarily, that the change in its

name has not changed the company's management, production facilities, supplier relationships, or customer base.

Shenzhen Benxun provided copies and translations of the Notification of Name Change issued by the Shenzhen City Industry and Commerce Administrative Bureau. See *Shenzhen Benxun's Response* at Exhibit 1. Shenzhen Benxun provided copies and translations of the business licenses of both Shenzhen CSG and Shenzhen Benxun issued by the Shenzhen City Industry and Commerce Administrative Bureau. See *Shenzhen Benxun's Response* at Exhibit 2. The Notification of Name Change and the business licenses establish that the Shenzhen City Industry and Commerce Administrative Bureau recognized Shenzhen Benxun's name change to Shenzhen CSG on September 29, 2002.

Shenzhen Benxun provided detailed organizational charts and lists of directors and managers both prior to and following the change of name to Shenzhen CSG. See *Shenzhen Benxun's Response* at Exhibit 4. These organizational charts and lists of directors and managers establish that the management and organizational structure of Shenzhen CSG is substantially the same as that of Shenzhen Benxun. Shenzhen Benxun explained that its production has not changed due to the name change. Shenzhen Benxun also noted that its key production managers remained the same both before and after the name change as an indication that the name change had no impact on the production of the company. See *Shenzhen Benxun's Response* at page 3. Shenzhen CSG's supplier relationships are reflective of those of Shenzhen Benxun as illustrated by the supplier lists provided. See *Shenzhen Benxun's Response* at Exhibit 5. Finally, Shenzhen Benxun provided the customer lists of both Shenzhen Benxun and Shenzhen CSG, which, while not identical, are sufficiently similar to show no significant change in the customer base. See *Shenzhen Benxun's Response* at Exhibit 6.

In sum, the evidence now presented by Shenzhen Benxun establishes that Shenzhen CSG is the successor-in-interest to Shenzhen Benxun. The change of name has resulted in minimal changes to the original corporate structure of Shenzhen Benxun as it applies to the production of subject merchandise. Shenzhen CSG's management, production facilities, supplier relationships, sales facilities and customer base are essentially unchanged from those of Shenzhen Benxun. Therefore, the record evidence demonstrates that Shenzhen CSG

operates in the same manner as the predecessor company. Consequently, we preliminarily determine that Shenzhen CSG should be given the same antidumping duty treatment as Shenzhen Benxun.

The cash deposit determination from this changed circumstances review will apply to all entries of the subject merchandise entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this changed circumstances review. See *Notice of Final Results of Antidumping Duty Changed Circumstances Review: Pressure Sensitive Plastic Tape From Italy* 69 FR 15297, 15298 (March 25, 2004), see also, *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom: Final Results of Changed-Circumstances Antidumping and Countervailing Duty Administrative Reviews* 64 FR 66880, 66881 (November 30, 1999). This deposit rate shall remain in effect until publication of the final results of the next administrative review in which Shenzhen CSG participates.

Public Comment

Interested parties are invited to comment on these preliminary results. Parties who submit argument in this proceeding are requested to submit with the argument: (1) a statement of the issue, and (2) a brief summary of the argument. Any interested party may request a hearing within 10 days of the date of publication of this notice. Any hearing, if requested, will be held no later than 25 days after the date of publication of this notice, or the first workday thereafter. Case briefs may be submitted by interested parties not later than 15 days after the date of publication of this notice. Rebuttal briefs, limited to the issues raised in the case briefs, may be filed not later than 20 days after the date of publication of this notice. All written comments shall be submitted in accordance with 19 CFR 351.303. The Department will publish the final results of this changed circumstances review, including its analysis of issues raised in any written comments.

This notice is in accordance with sections 751(b) and 777(i)(1) of the Tariff Act of 1930, as amended, and section 351.221(c)(3)(i) of the Department's regulations.

Dated: May 27, 2004.

James J. Jochum,

Assistant Secretary for Import Administration.

[FR Doc. 04-12806 Filed 6-4-04; 8:45 am]

BILLING CODE 3510-DS-S

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-007]

Barium Chloride from The People's Republic of China; Final Results of the Sunset Review of Antidumping Duty Order

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

ACTION: Expedited Sunset Review of Antidumping Duty Order on Barium Chloride from The People's Republic of China; Final Results.

SUMMARY: On February 2, 2004, the Department of Commerce ("the Department") published the notice of initiation of sunset review on barium chloride from the People's Republic of China ("China"). On the basis of the notice of intent to participate, and adequate substantive comments filed on behalf of a domestic interested party and inadequate response (in this case, no response) from respondent interested party, we determined to conduct an expedited (120-day) sunset review. As a result of this review, we find that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of dumping at the levels listed below in the section entitled "Final Results of Review."

EFFECTIVE DATE: June 7, 2004.

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

SUPPLEMENTARY INFORMATION:

Background

On February 2, 2004, the Department published the notice of initiation of sunset review of the antidumping duty order on barium chloride from China pursuant to section 751(c) of the Tariff Act of 1930, as amended (the "Act").¹ The Department received Notice of Intent to Participate on behalf of

Chemical Products Corporation ("CPC"), a domestic interested party, within the deadline specified in section 351.218(d)(1)(i) of the Department's Regulations ("Sunset Regulations"). CPC claimed interested party status under Section 771(9)(C) of the Act as a U.S. producer of barium chloride. We received a complete substantive response from CPC within the 30-day deadline specified in the *Sunset Regulations* under section 351.218(d)(3)(I).

We did not receive a substantive response from any interested party respondents in this proceeding. As a result, pursuant to section 751(c)(3)(B) of the Act and 19 CFR 351.218(e)(1)(ii)(C)(2), the Department conducted an expedited (120-day) sunset review of this antidumping duty order.

The order remains in effect for all Chinese manufacturers, producers, and exporters.

Scope of the Order

The merchandise covered by this order is barium chloride, a chemical compound having the formula BaCl₂ or BaCl₂·2H₂O, currently classifiable under item 2827.38.00 of the Harmonized Tariff Schedules (HTS). HTS items numbers are provided for convenience and for Customs purposes. The written descriptions remain dispositive.

Analysis of Comments Received

All issues raised in this case by CPC are addressed in the "Issues and Decision Memorandum" ("Decision Memo") from Ronald K. Lorentzen, Acting Director, Office of Policy, Import Administration, to James J. Jochum, Assistant Secretary for Import Administration, dated June 1, 2004, which is hereby adopted by this notice. The issues discussed in the Decision Memo include the likelihood of continuation or recurrence of dumping and the magnitude of the margin likely to prevail if the finding were to be revoked. Parties can find a complete discussion of all issues raised in this review and the corresponding recommendations in this public memorandum, which is on file in room B-099 of the main Commerce Building.

In addition, a complete version of the Decision Memo can be accessed directly on the Web at <http://ia.ita.doc.gov/frn>, under the heading "June 2004." The paper copy and electronic version of the Decision Memorandum are identical in content.

¹ Initiation of Five-Year (Sunset) Reviews, 69 FR 4921 (February 2, 2004).