

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF AGRICULTURE

### Food and Nutrition Service

#### Agency Information Collection Activities: Proposed Collection; Comment Request—Food Stamp Program Repayment Demand and Program Disqualification

**AGENCY:** Food and Nutrition Service, USDA.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this Notice invites the general public and other public agencies to comment on proposed information collections. This Notice of Proposed Information Collection announces the intent of the Food and Nutrition Service to request an extension of OMB approval for the information collection requirements associated with initiating collection actions against households who have received an overissuance in the Food Stamp Program. In addition, this Notice announces the Food and Nutrition Service's intent to request an extension of OMB approval for the information collection requirements associated with intentional Program violation determinations.

**DATES:** Written comments must be submitted on or before January 3, 2005, to be assured consideration.

**ADDRESSES:** Send comments to Jane Duffield, Chief, Payment Accuracy Branch, Food and Nutrition Service, USDA, 3101 Park Center Drive, Room 822, Alexandria, Virginia 22302.

Pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), 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 will have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information,

including the validity of the methodology and assumptions used; (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 those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology.

All comments will be summarized and included in the request for Office of Management and Budget approval of the information collection. All comments will become a matter of public record.

**FOR FURTHER INFORMATION CONTACT:** For initiating collection action, contact Leslie Byrd. For intentional Program violation (IPV) determination, contact Greg Fortine. Both may be reached at (703) 305-2383.

#### SUPPLEMENTARY INFORMATION:

*Title:* Repayment Demand and Program Disqualification.

*OMB Number:* 0584-0492.

*Form Number:* None.

*Expiration Date:* November 30, 2004.

*Type of Request:* Revision of a currently approved collection.

*Abstract:* Section 13(b) of the Food Stamp Act of 1977, as amended (7 U.S.C. 2022(b)), and Food Stamp Program (FSP) regulations at 7 CFR 273.18 require State agencies to initiate collection action against households that have been overissued benefits. To initiate collection action, State agencies must provide an affected household with written notification informing the household of the claim and demanding repayment. This process is automated in most State agencies. For initiating collection action on an overissuance, we are increasing the estimated annual reporting and recordkeeping burden for State agencies and households from 116,400 hours to 132,199 hours. The reason for the increase is to reflect the higher number of claims that were established in fiscal year (FY) 2003.

Note that for recipient claims, this **Federal Register** notice only covers the reporting and recordkeeping burden for initiating collection action. The burden associated with reporting collections and other claims management information on the FNS-209 report is covered under currently approved OMB number 0584-0069. The burden associated with referring delinquent

claims and receiving collections through the Treasury Offset Program is covered under currently approved OMB number 0584-0446.

FSP regulations at 7 CFR 273.16 require State agencies to investigate any case of suspected fraud and, where applicable, make an IPV determination either administratively or judicially. Notifications and activity involved in the IPV process include:

- The State agency providing written notification informing an individual suspected of committing an IPV of an impending administrative disqualification hearing or court action.

- An individual opting to accept the disqualification and waiving the right to an administrative disqualification hearing or court action by signing either a waiver to an administrative disqualification hearing or a disqualification consent agreement in cases of deferred adjudication.

- Once a determination is made regarding an IPV, the State agency sends notification to the affected individual of the action taken on the administrative disqualification hearing or court decision.

Despite an increase in FSP participation, IPV activity has experienced a slight decline. Therefore, we are decreasing the State agency and household annual reporting and recordkeeping burden for the activities related to IPV disqualifications from 34,254 hours to 26,712 hours.

One of the factors used by a State agency to determine the appropriate disqualification penalty to assign to an individual is whether or not the individual was found to have committed any prior IPV's. The way that State agencies make this determination is by accessing and checking the Disqualified Recipient Subsystem (DRS). DRS is an automated system developed by the Food and Nutrition Service to improve Program efficiency. DRS contains records of disqualifications in every State. State agencies are responsible for updating the system and checking it to determine the appropriate length of each disqualification. An estimate of the annual burden associated with the DRS process reflects a decrease from 11,907 to 7,418 hours per year.

#### Summary of Estimated Burden

The net aggregate change from the existing to the proposed annual burden

for this entire Proposed Collection is an increase of 3,769 hours. For initiating collection action on an overissuance, we are increasing the estimated annual burden for State agencies and households from 116,400 hours to 132,199 hours to reflect the higher number of claims established in FY 2003. The IPV—related State agency and household annual burden, is decreased from 34,254 hours to 26,712 hours to

reflect the lower number of disqualifications. An estimate of the annual burden associated with the DRS process reflects a total decrease from 11,907 to 7,418 hours per year.

*Affected Public:* State and local government, and food stamp households.

*Estimated Number of Respondents:* 818,668.

*Number of Responses per Respondent:* From 1 to 5.

*Total Number of Annual Responses:* 1,600,981.

*Estimated Time per Response:* 0.1074 hours.

*Estimated Total Annual Burden:* 166,329 hours.

Dated: October 27, 2004.

**Roberto Salazar,**

*Administrator, Food and Nutrition Service.*

**BILLING CODE 3410-30-P**

## Attachment D - pg 1

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# Repayment Demand and Program Disqualification Cost Computation for Information Collection Burden

0584-0492	Number of Respondents	(Revisions in Bold)			Annual Burden Hours	Cost to Public	Hours Attributed to an Adjustment	Hours Attributed to Pgm Change
		Average Annual Responses	Total Annual Responses	Time per Response (in minutes)				
Demand Letter for Overissuance								
Existing Proposed	State agencies 53 53	10,981 12,472	582,000 661,000	8 8	77,600 88,133	\$ 465,600 \$ 528,800	10,533	0
	Households							
Existing Proposed	582,000 661,000	1 1	582,000 661,000	2 2	19,400 22,033	\$ 99,910 \$ 113,472	2,633	0
	Notice for Hearing or Prosecution							
Existing Proposed	State agencies 53 53	1,560 1,145	82,694 60,683	8 8	11,026 8,091	\$ 66,155 \$ 48,546	-2,935	0
	Households							
Existing Proposed	94,000 60,683	1 1	82,694 60,683	1 1	1,378 1,011	\$ 7,098 \$ 5,209	-367	0
	Administrative Disqualification Hearing Waiver							
Existing Proposed	Households 26,091 26,571	1 1	26,091 26,571	2 2	870 886	\$ 4,479 \$ 4,561	16	0
	Disqualification Consent Agreement							
Existing Proposed	Households 15,262 9,678	1 1	15,262 9,678	2 2	509 323	\$ 2,620 \$ 1,661	-186	0

## Attachment D - pg 2

	Number of Respondents	Average Annual Responses	Total Annual Responses (in minutes)	Time per Response	Annual Burden Hours	Cost to Public	Hours Attributed to an Adjustment	Hours Attributed to Pgm Change
<b>Action taken on Hearing or Court Decision</b>								
<i>For IPV Finding</i>								
Existing	53	1,528	80,964	10	13,494	\$ 80,964		
Proposed	53	1,116	59,176	10	9,863	\$ 59,176	-3,631	0
Households								
Existing	80,964	1	80,964	1	1,349	\$ 6,949		
Proposed	59,176	1	59,176	1	986	\$ 5,079	-363	0
<i>For No Finding of IPV</i>								
Existing	53	33	1,730	5	144	\$ 865		
Proposed	53	28	1,507	5	126	\$ 754	-18	126
Households								
Existing	1,730	1	1,730	1	29	\$ 148		
Proposed	1,507	1	1,507	1	25	\$ 129	-4	25
<b>Disqualified Recipient Subsystem (DRS)</b> (See next Page for Details)								
Existing					11,907	\$ 71,437		
Proposed					7,418	\$ 44,509	0	7,418
<b>Total Recordkeeping Burden</b> (See next Page for Details)								
Existing					24,855	\$ 149,132		
Proposed					27,434	\$ 164,605	2,579	0
<b>TOTAL BURDEN</b>								
Total Existing	676,053	2.27	1,536,129	6.3	162,561	\$ 955,358		
Total Proposed	818,668		1,600,981		166,329	\$ 976,502	8,257	7,569
DIFFERENCE	142,615		64,852		3,769	\$ 21,144		
<b>Summary Material</b>								
<i>For line 13 of OMB 83-1</i>								
a. Number of respondents	818,668							
b. Total annual responses	1,600,981							
c. Total hours requested	166,329							
d. Current OMB Inventory	162,561							
e. Difference	3,768							
f. (1) Program Change	7,569							
(2) Adjustment	8,257							

Total Proposed Household Costs	\$ 130,112
Total Proposed State Costs	\$ 846,390
Total Proposed Fed. Costs	\$ 846,390

The number of responses are determined using FY 2003 data.

## Attachment D -- pg 3

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	Number of Respondents	Average Annual Responses	Total Annual Responses	Time per Response (in minutes)	Annual Burden Hours	Cost to Public	Hours Attributed to an Adjustment	Hours Attributed to Pgm Change
<b>Disqualified Recipient Subsystem Breakout</b>								
<i>For DRS Reporting</i>								
Existing	53	1,560	82,694	5	6,891 \$	41,347		
Proposed	53	1,001	53,073	5	4,423 \$	26,537		4,423
<i>For Editing and Resubmission</i>								
Existing	53	31	1,654	10	276 \$	1,654		
Proposed	53	20	1,061	10	177 \$	1,061		177
<i>For Penalty Checks using VRU</i>								
Existing	22	1,411	31,050	5	2,588 \$	15,525		
Proposed	22	767	14,571	5	1,214 \$	7,286		1,214
<i>For Penalty Checks using Mainframe</i>								
Existing	31	1,666	51,644	2.5	2,152 \$	12,912		
Proposed	31	1,132	38,502	2.5	1,604 \$	9,626		1,604
			<b>TOTAL DRS BURDEN</b>		<b>7,418 \$</b>	<b>44,509</b>	<b>0</b>	<b>7,418</b>
<b>RECORDKEEPING BURDEN</b>								
<i>For Initiating Collection Action</i>								
Existing	53	10,981	582,000	2	19,400 \$	116,400		
Proposed	53	12,472	661,000	2	22,033 \$	132,200	2,633	
<i>For IPVs</i>								
Existing	53	3,088	163,658	2	5,455 \$	32,732		
Proposed	53	3,057	162,024	2	5,401 \$	32,405	-54	
			<b>TOTAL RECORDKEEPING BURDEN</b>					
			Existing		24,855 \$	149,132		
			Proposed		27,434 \$	164,605	2,579	0

**For item 15:**

Please note: Respondents consist of 53 State agencies and the households that receive either repayment demand or disqualification notices.

**DEPARTMENT OF COMMERCE****International Trade Administration  
A-428-801****Ball Bearings and Parts Thereof From Germany; Amended Final Results of Antidumping Duty Administrative Review**

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

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

**SUMMARY:** On September 15, 2004, the Department of Commerce published in the **Federal Register** the final results of the administrative reviews of the antidumping duty orders on ball bearings and parts thereof from France, Germany, Italy, Japan, Singapore and the United Kingdom. The period of review is May 1, 2002, through April 30, 2003. Based on the correction of certain ministerial errors, we have changed the antidumping margin for Paul Mueller Industrie GmbH & Co. KG and we are amending our final results of the administrative review of ball bearings and parts thereof from Germany.

**FOR FURTHER INFORMATION CONTACT:** Please Contact David Dirstine at (202) 482-4033 or Richard Rimlinger at (202) 482-4477; AD/CVD Operations, Office 5, Import Administration, International Trade Administration, U.S. Department of Commerce, Washington, DC 20230.

**SUPPLEMENTARY INFORMATION:****Background**

On September 15, 2004, the Department of Commerce (the Department) published in the **Federal Register** the final results of the administrative reviews of the antidumping duty orders on ball bearings and parts thereof (ball bearings) from France, Germany, Italy, Japan, Singapore and the United Kingdom (69 FR 55574) (*Final Results*).

On September 27, 2004, we received timely allegations of ministerial errors from Timken U.S. Corporation (Timken). Specifically, Timken asserted that the Department erred when it included amounts for Paul Mueller Industrie GmbH & Co. KG's (Paul Mueller's) home-market credit expenses and inventory carrying costs in the calculation of selling expenses for use in the calculation of the constructed-export-price (CEP) profit ratio. Furthermore, Timken alleged that there was an irregularity in the margin calculation that resulted in an improper

match for certain models of ball bearings.

On September 29, 2004, Paul Mueller submitted its response to Timken's September 27, 2004, clerical-error submission. In response to Timken's allegation that a clerical error resulted in an incorrect calculation of the CEP profit ratio, Paul Mueller suggested that the alleged error raises a methodological issue. Paul Mueller argues that Timken's clerical error claim regarding the calculation of the CEP profit ratio should be rejected and any dispute relating to this issue should be subject to judicial review. Finally, Paul Mueller agrees that a clerical error resulted in an improper match for certain models of ball bearings.

We agree with Timken that the items in question are ministerial errors and we have amended the final results to correct these errors. See the Paul Mueller Amended Final Results Analysis Memorandum dated October 19, 2004.

**Amended Final Results of Review**

As a result of the correction of the ministerial errors, the weighted-average margin for Paul Mueller for the period May 1, 2002, through April 30, 2003, changed from 0.36 percent to 0.44 percent.

We revoked the order in part with respect to all subject merchandise manufactured and exported by Paul Mueller in the *Final Results* based in part on the *de minimis* margin we calculated for Paul Mueller in this review. Since the revised margin based on these corrections is still *de minimis* our decision to revoke is not affected by the amended final results of review. While the dumping margin we calculated for Paul Mueller remains *de minimis*, the assessment rate we calculated for Paul Mueller based on entered customs value is not *de minimis*. Therefore, in accordance with 19 CFR 351.106(c)(2), we will direct U.S. Customs and Border Protection to assess the resulting percentage margin against the entered customs value of Paul Mueller's entries (all of which were constructed export-price sales) during the review period. See 19 CFR 351.212(b)(1).

We are issuing and publishing this determination and notice in accordance with sections 751(a)(1) and 777(i) of the Act and 19 CFR 351.224(e).

Dated: October 27, 2004.

**James J. Jochum,**

*Assistant Secretary for Import Administration.*

[FR Doc. E4-2982 Filed 11-1-04; 8:45 am]

BILLING CODE 3510-DS-S

**DEPARTMENT OF COMMERCE****International Trade Administration  
[A-552-801]****Certain Frozen Fish Fillets From the Socialist Republic of Vietnam: Initiation of Anticircumvention Inquiry and Scope Inquiry**

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

**ACTION:** Notice of initiation of anticircumvention inquiry and scope inquiry: certain frozen fish fillets from the Socialist Republic of Vietnam.

**SUMMARY:** In response to a request from the Catfish Farmers of America and certain individual U.S. catfish processors, (collectively, "petitioners"), the Department of Commerce ("the Department") is initiating an anticircumvention inquiry to determine whether certain imports of frozen fish fillets from Cambodia are circumventing the antidumping duty order on certain frozen fish fillets from the Socialist Republic of Vietnam ("Vietnam") See *Notice of Antidumping Duty Order: Certain Frozen Fish Fillets from the Socialist Republic of Vietnam*, 68 FR 47909 (August 12, 2003) ("FFF Duty Order"). In addition, in response to a scope ruling request filed by Piazza Seafood World LLC ("Piazza") on May 12, 2004, the Department is initiating a scope inquiry.

**EFFECTIVE DATE:** November 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Kit L. Rudd or Alex Villanueva, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1385 and (202) 482-3208, respectively.

**SUPPLEMENTARY INFORMATION:****Background**

On May 12, 2004, pursuant to 19 CFR 351.225(c), the Department received a request from Piazza Seafood World LLC ("Piazza"), for a scope ruling on certain basa and tra fillets from Cambodia confirming that fillets made from live basa and tra fish which are a product of Vietnam are excluded from the antidumping duty order on certain