Register notice, we are republishing the notice in its entirety. Specifically, there were errors in the title, the listed period of review (''POR'') and two misspellings in the ''Amended Final Results'' section.

This matter arose from a challenge to the *Final Results* issued by the Department of Commerce (''Department'') for the period of review (''POR'') April 1, 2004, through March 31, 2005.[1] *See Brake Rotors from the People's Republic of China: Final Results and Partial Rescission of the 2004/2005 Administrative Review and Notice of Rescission of 2004/2005 New Shipper Review*, 71 FR 66304 (November 14, 2006) (''*Final Results*''). Following publication of the Final Results, the Respondents[2] filed a lawsuit with the Court of International Trade (''CIT'') challenging the Department's *Final Results*. The Respondents contested several aspects of the *Final Results*, including the Department's surrogate valuation for steel scrap.

On June 26, 2008, the CIT directed the Department to: 1) explain whether the rejected rotors, casting strands/handles, *etc.*, reintroduced into the production process should be properly accounted for in the factor of production ''STLSCRAP''; 2) address the issue of the composition of the predominant scrap used in the production process; 3) address respondents' argument that the Department should be solely focusing on the type of scrap the Respondents reported in the factor field ''STLSCRAP''; and 4) explain whether the Department has in fact reassessed its position in subsequent reviews as to the proper harmonized tariff schedule (''HTS'') classification of the Respondents' scrap. *See Laizhou Auto Brake Equipment Company, et. al. v. United States*, Court No. 06–00430, Slip Op. 08–71 (CIT June 26, 2008) (''*Laizhou I*''), at 17–18. Pursuant to the CIT's remand instructions, we reexamined the record and determined that the best available information on the record with which to value steel scrap is HTS 7204.49.00 (other ferrous waste and scrap (''ferrous scrap'')), rather than HTS 7204.10.00 (waste and scrap of cast iron (''cast iron scrap'')) which was used in the *Final Results*.

The Department released the *Draft Results of Redetermination Pursuant to Court Remand* to interested parties on September 8, 2008. No party submitted comments. On September 24, 2008, the Department filed its final results of redetermination pursuant to *Laizhou I* with the CIT. *See Final Results of Redetermination Pursuant to Court Remand*, Court No. 06–00430 (September 24, 2008) (''*Final Redetermination*''). In responding to the CIT's questions and reassessing the record evidence, we have determined it appropriate to value steel scrap using HTS 7204.49.00 (ferrous scrap), instead of the previously selected value, HTS 7204.10.00 (cast iron scrap). We note that respondents reported purchasing steel scrap that is captured under HTS 7204.49.00, and there is no record evidence which contradicts this assertion. The Department valued HTS 7204.49.00 using publicly available Indian import statistics for the POR from the *World Trade Atlas* (''WTA'').[3] Thus, the Department revised, as appropriate, the remanded steel scrap surrogate value selection components of the margin calculations of Longkou Haimeng Machinery Co., Ltd. and Hongfa Machinery (Dalian) Co., Ltd. The Department also revised the ''sample rate'' applicable to the non–mandatory respondents separate from the PRC–wide entity who are parties to this litigation: Laizhou Auto Brake Equipment Co., Ltd.; Laizhou City Luqi Machinery Co., Ltd.; Laizhou Hongda Auto Replacement Parts Co., Ltd.; and Qingdao Gren (Group) Co.[4] On November 5, 2008, the CIT sustained all aspects of the remand redetermination made by the Department pursuant to the CIT's remand of the *Final Results*. *See Laizhou II*.

On November 21, 2008, consistent with the decision in *Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990), the Department notified the public that the Court's decision was not in harmony with the Department's final results. See Brake Rotors Timken Notice. *See Brake Rotors from the People's Republic of China: Notice of Court Decision Not In Harmony With Final Results of Administrative Review*, 73 FR 70618 (November 21, 2008) . No party appealed the CIT's decision. As there is now a final and conclusive court decision in this case, we are amending our *Final Results*.

Amended Final Results

As the litigation in this case has concluded, the Department is amending the *Final Results* to reflect the results of our remand determination. The revised dumping margins for the order on brake rotors in the amended final results are as follows:

Exporter	Margin
Hongfa Machinery (Dalian) Co.	0.01% (*de minimis*)
Laizhou Auto Brake Equipment Company	6.20%
Laizhou Luqi Machinery Co., Ltd.	6.20%
Laizhou Hongda Auto Replacement Parts Co., Ltd.	6.20%
Longkou Haimeng Machinery Co., Ltd.	0.01% (*de minimis*)
Qingdao Gren (Group) Co.	6.20%

The Department intends to issue instructions to U.S. Customs and Border Protection (''CBP'') fifteen days after publication of this notice, to revise the cash deposit rates for the companies listed above, effective as of the publication date of this notice. In addition, we will also instruct CBP to liquidate all entries at the appropriate rates.

This notice is published in accordance with sections 751(a)(1) and 777(i) of the Tariff Act of 1930, as amended.

Dated: March 27, 2009.

Ronald K. Lorentzen,

Acting Assistant Secretary for Import Administration.

[FR Doc. E9–7522 Filed 4–2–09; 8:45 am]

BILLING CODE 3510–DS–S

DEPARTMENT OF COMMERCE

International Trade Administration

Request for Public Comment on the Wholly Formed Requirement for Qualifying Woven Fabric Under the Dominican Republic Earned Import Allowance Program

AGENCY: Department of Commerce, International Trade Administration, Office of Textiles and Apparel.

ACTION: Request for public comment on the wholly formed requirement for

[1] We note that the Court of International Trade cited an incorrect POR of April 1, 2005, through May 31, 2006 in its decision. *See Laizhou Auto Brake Equipment Company, et. al. v. United States*, Court No. 06–00430, Slip Op. 08–120 (CIT November 5, 2008) (''*Laizhou II*''). The CIT corrected this error on February 20, 2009. *See Laizhou II Errata*, dated February 20, 2009.

[2] The Respondents referenced here are Longkou Haimeng Machinery Co., Ltd., Hongfa Machinery (Dalian) Co., Ltd., Laizhou Auto Brake Equipment Co., Ltd., Laizhou City Luqi Machinery Co., Ltd., Laizhou Hongda Auto Replacement Parts Co., Ltd., and Qingdao Gren (Group) Co.

[3] *WTA* is published by Global Trade Information Services, Inc., which is a secondary electronic source based upon the publication, *Monthly Statistics of the Foreign Trade of India, Volume II: Imports. See* http://www.gtis.com/wta.htm.

[4] For the sample rate calculation which includes other mandatory respondents, please *see* Memo to the File, through Scot T. Fullerton, Program Manager, Office 9, from Toni Dach, International Trade Compliance Analyst, Office 9, Regarding ''Calculation of the 'Sample Rate' for the Draft Redetermination of the 2004/2005 Administrative Review of Brake Rotors from the People's Republic of China,'' dated September 8, 2008.

qualifying woven fabric under the Dominican Republic Earned Import Allowance Program.

SUMMARY: The Office of Textiles and Apparel (''OTEXA'') requests public comment on the wholly formed requirement of qualifying woven fabric under the Dominican Republic Earned Import Allowance Program.

DATES: Commerce will consider comments received by 5:00pm on May 4, 2009.

ADDRESSES: Comments should be addressed to: Janet Heinzen, Director, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Robert Carrigg, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2573.

SUPPLEMENTARY INFORMATION:

Authority: Section 2(a) of the Andean Trade Preference Extension Act of 2008(''ATPEA''); Section 404(b)(2)(H) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act, as amended; Imports of Certain Apparel Articles: Interim Procedures for the Implementation of the Earned Import Allowance Program Established Under the Andean Trade Preference Act of 2008 (74 FR 3563, published January 21, 2009) (''Interim Procedures'').

BACKGROUND:

On December 1, 2008 the Department of Commerce implemented provisions under the Andean Trade Preference Extension Act of 2008 (Public Law 110-436, 122 Stat. 4976) (''ATPEA''). Section 2 of the ATPEA amends Title IV of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 119 Stat. 495). Specifically, Title IV of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act is amended by adding Section 404 creating a benefit for eligible apparel articles wholly assembled in the Dominican Republic that meet the requirements for a ''2 for 1'' earned import allowance. Section 2 of the ATPEA requires the Secretary of Commerce to establish a program to provide earned import allowance certificates to any producer or entity controlling production of eligible apparel articles in the Dominican Republic, such that apparel wholly assembled in the Dominican Republic from fabric or yarns, regardless of their source, and imported directly from the Dominican Republic, may enter the United States duty-free, pursuant to the satisfaction of the terms governing issuance of the earned import allowance certificate. The Secretary of Commerce has delegated his authority under the Act to implement and administer the Earned Import Allowance Program to the International Trade Administration's Office of Textiles and Apparel (''OTEXA'').

On January 21, 2009, OTEXA published interim procedures, 74 FR 3563, implementing Section 2 of the ATPEA. These procedures set forth the provisions OTEXA will follow in implementing the Earned Import Allowance Program. In accordance with these procedures, OTEXA will issue certificates to qualifying apparel producers to accompany imports of eligible apparel articles wholly formed in the Dominican Republic and exported from the Dominican Republic. Such certificates will be issued as long as there is a sufficient balance of square meter equivalents available as a result of the purchase of qualifying woven fabric. ''Qualifying woven fabric'' is defined in Section 2 of the ATPEA and in OTEXA's interim procedures as ''woven fabric of cotton wholly formed in the United States from yarns wholly formed in the United States'' and intended for production of apparel in the Dominican Republic. See Section 2(e) of the Interim Procedures; Section 404(c)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act, as amended by Section 2 of the Andean Trade Preference Extension Act of 2008. Neither the ATPEA nor the interim procedures define the term ''wholly formed– as it is used in the definition of ''qualifying woven fabric.''

OTEXA has received inquiries regarding the interpretation of ''wholly formed'' as a requirement under the definition of ''qualifying woven fabric.'' OTEXA currently interprets ''wholly formed'' within the definition of ''qualifying woven fabric'' to require that all production processes and finishing operations, starting with weaving and ending with a fabric ready for cutting or assembly without further processing, took place in the United States. OTEXA believes this interpretation to be consistent with similar definitions and interpretations of the term ''wholly formed.''

Pursuant to the ATPEA, these procedures may be modified to address concerns that may arise as OTEXA gains experience in implementing them. See Section 2(b)(2)(H) of the ATPEA. OTEXA requests public comment on the ''wholly formed'' requirement in the definition of ''qualifying woven fabric'' for the purposes of the Dominican Republic Earned Import Allowance Program.

Comments must be in English, and must be received no later than May 4, 2009. Comments should be addressed to: Janet Heinzen, Director, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

Comments may be submitted in writing or electronically.

(1) An electronic mail (''email'') version of the comments must be either in PDF, Word, or WordPerfect format, and sent to the following email address: **OTEXA__DR2for1@mail.doc.gov**.

(2) All comments submitted will be made available for public review on the Office of Textile and Apparel (''OTEXA''), Dominican Republic 2 x 1 website at **http://otexa.ita.doc.gov/**.

Dated: March 31, 2009.

Janet E. Heinzen,

Director, Office of Textiles and Apparel.

[FR Doc. E9–7525 Filed 4–2–09; 8:45 am]

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No.: 090306279–9290–01]

Proposed Revision to Voluntary Product Standard (PS) 20–05 ''American Softwood Lumber Standard''

AGENCY: National Institute of Standards and Technology, Commerce.

ACTION: Notice and request for comments.

SUMMARY: This notice advises the public that the National Institute of Standards and Technology (NIST) is seeking comments for the proposed revision of Voluntary Product Standard (PS) 20–05, ''American Softwood Lumber Standard.'' This standard, prepared by the American Lumber Standard Committee, serves the procurement and regulatory needs of numerous federal, state, and local government agencies by providing for uniform, industry-wide grade-marking and inspection requirements for softwood lumber. The implementation of the standard also allows for uniform labeling and auditing of treated wood and, through a Memorandum of Understanding with the U.S. Department of Agriculture, labeling and auditing of wood packaging materials for international trade. As part of a five-year review process, NIST is seeking public comment and invites