

MESSAGE NO: 5334205 MESSAGE DATE: 11/30/2005
MESSAGE STATUS: Active CATEGORY: Countervailing
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5318204
MESSAGE #
(s):

CASE #(s): C-223-222, C-412-222, C-427-222,
C-428-222, C-549-222, C-580-851

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 01/01/2004 TO 12/31/2004

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION INSTRUCTIONS FOR DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA (C-580-851)(C-549-222 C-412-222,C-223-222,C-428-222 AND C-427-222)

MESSAGE NO: 5334205

DATE: 11 30 2005

CATEGORY: CVD

TYPE: LIQ

REFERENCE: 5318204

REFERENCE DATE: 11 14 2005

CASES: C - 580 - 851

C - 549 - 222

C - 412 - 222

C - 223 - 222

C - 428 - 222

C - 427 - 222

PERIOD COVERED: 01 01 2004 TO 12 31 2004

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INSTRUCTIONS FOR DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA (C-580-851)(C-549-222 C-412-222,C-223-222,C-428-222 AND C-427-222)

1. THIS MESSAGE IS BEING SENT TO SUPPLEMENT MESSAGE NUMBER 5318204, DATED 11/14/2005. AS A RESULT OF THIS MESSAGE, CUSTOMS SHOULD ALSO LIQUIDATE ENTRIES OF MERCHANDISE COVERED BY THE COUNTERVAILING DUTY ORDER ON DRAMS FROM KOREA FOR THE CASE NUMBERS LISTED IN PARAGRAPH 4.

2. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT

ADMINISTRATIVE REVIEWS OF COUNTERVAILING DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213(B) OF THE COMMERCE DEPARTMENT REGULATIONS.

3. THE DEPARTMENT OF COMMERCE DID NOT RECEIVE A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE COUNTERVAILING DUTY ORDER ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA (C-580-851) FOR THE REVIEW PERIOD 01/01/2004 THROUGH 12/31/2004, EXCEPT FOR THE COMPANY LISTED BELOW. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(C) OF THE COMMERCE REGULATIONS, YOU ARE TO ASSESS COUNTERVAILING DUTIES ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THE PERIOD JANUARY 1, 2004, THROUGH DECEMBER 31, 2004, AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY, EXCEPT FOR ENTRIES FROM THE COMPANY LISTED BELOW.

4. FOR FURTHER REPORTING PURPOSES THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: C-580-851. FOR CUSTOMS PURPOSES, FOR ALL ASSEMBLED DRAMS FROM THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED) AND FOR ALL MEMORY MODULES FROM THIRD COUNTRIES THAT CONTAIN KOREAN DRAMS (UNASSEMBLED OR ASSEMBLED), THE FOLLOWING COUNTRIES HAVE BEEN ASSIGNED THEIR OWN CASE NUMBER. THE FIRST THREE DIGITS REPRESENT THE COUNTRY IN QUESTION, THE NEXT THREE DIGITS WILL BE 222, AND THE LAST THREE DIGITS WILL BE THE SAME AS IN THE COMMERCE CASE FOR EACH RESPECTIVE MANUFACTURER. THE FIRST SIX DIGITS ARE GIVEN BELOW:

| | |
|----------------|-----------|
| THAILAND | C-549-222 |
| UNITED KINGDOM | C-412-222 |
| COSTA RICA | C-223-222 |
| GERMANY | C-428-222 |
| FRANCE | C-427-222 |

THIS LIST IS FOR CONVENIENCE AND CUSTOMS PURPOSES AND MAY BE AMENDED, DEPENDING ON CHANGES IN PATTERNS OF TRADE. IF AN IMPORT SPECIALIST SHOULD BECOME AWARE OF SHIPMENTS WITHIN THE SCOPE OF THIS COUNTERVAILING DUTY INVESTIGATION FROM THIRD COUNTRIES NOT IN THE AD/CVD MODULE, THEY SHOULD CONTACT CUSTOMS HEADQUARTERS IMMEDIATELY. CUSTOMS HEADQUARTERS SHOULD NOTIFY THE DEPARTMENT OF COMMERCE ABOUT SUCH SHIPMENTS.

5. YOU SHOULD LIQUIDATE ALL ENTRIES DURING THE PERIOD 01/01/2004 THROUGH 12/31/2004 FROM ALL FIRMS EXCEPT FOR THE FOLLOWING:

| COMPANY NAME | ID NUMBER |
|---|---------------|
| HYNIX SEMICONDUCTOR INC. (FORMERLY, HYUNDAI ELECTRONICS INDUSTRIES CO., LTD.) | C-580-851-001 |

6. ENTRIES OF MERCHANDISE OF THE ABOVE-MENTIONED FIRM SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE COUNTERVAILING DUTY REVIEW. CONTINUE TO SUSPEND LIQUIDATION OF ALL ENTRIES OF DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA EXPORTED OR PRODUCED BY THIS FIRM AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION DURING THIS PERIOD.

7. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF THE SUSPENSION OF LIQUIDATION OF ENTRIES EXCEPT FOR ENTRIES FROM THE COMPANY LISTED ABOVE FOR DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA DURING THE PERIOD 01/01/2004 THROUGH 12/31/2004.

8. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED

COUNTERVAILING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

9. THE ASSESSMENT OF COUNTERVAILING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED COUNTERVAILING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED COUNTERVAILING DUTIES BEFORE AUGUST 11, 2003, THE DATE OF PUBLICATION OF THE COUNTERVAILING DUTY ORDER ON DYNAMIC RANDOM ACCESS MEMORY SEMICONDUCTORS FROM KOREA . INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED COUNTERVAILING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

10. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O1:MR).

11. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party