

202 720-4628, telephone: 202 720-1738.

SUPPLEMENTARY INFORMATION:

Title: Regulations and related reporting and recordkeeping requirements, Packers and Stockyards Act.

OMB Number: 0580-0015.

Expiration Date of Approval: September 30, 1997.

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

Abstract: The information is needed in order for GIPSA to carry out its responsibilities under the Packers and Stockyards Act. It is used to provide business transaction safeguards that are necessary to protect financial interests and trade practices of livestock producers and others in the livestock industry. The purpose of this notice is to solicit comments from the public concerning our information collection.

Estimate of Burden: Public reporting and recordkeeping burden for this collection of information is estimated to average 8.5 hours per response.

Respondents: Livestock auction markets, livestock dealers, packer buyers, meat packers, and live poultry dealers.

Estimated Number of Respondents: 10,950.

Estimated Number of Responses per Respondent: 3.2.

Estimated Total Annual Burden on Respondents: 301,106 hours.

Copies of this information collection can be obtained from Cathy McDuffie, the Agency Support Services Specialist, at (301) 734-5190.

Comments

Comments are invited on: (a) Whether the 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 forms of information technology. Comments may be sent to: Sharon Vassiliades, ARTS, GIPSA, USDA, STOP 3649, 1400 Independence Avenue, SW, Washington, D.C. 20250-

3649 or FAX 202 720-4628, telephone: 202 720-1738.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done at Washington, D.C. this 15th day of April 1997.

James R. Baker,

Administrator.

[FR Doc. 97-10164 Filed 4-18-97; 8:45 am]

BILLING CODE 3410-EN-P

COMMISSION ON CIVIL RIGHTS

Agenda and Notice of Public Meeting of the Nebraska Advisory Committee

Notice is hereby given, pursuant to the provisions of the rules and regulations of the U.S. Commission on Civil Rights, that a meeting of the Nebraska Advisory Committee to the Commission will convene at 6:00 p.m. and adjourn at 9:00 p.m. on May 15, 1997, at the Chamber of Commerce, 309 West 2nd Street, Grand Island, Nebraska 68801. The purpose of the meeting is to plan for future activities and provide information on filing civil rights complaints.

Persons desiring additional information, or planning a presentation to the Committee, should contact Melvin L. Jenkins, Director of the Central Regional Office, 913-551-1400 (TDD 913-551-1414). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least five (5) working days before the scheduled date of the meeting.

The meeting will be conducted pursuant to the provisions of the rules and regulations of the Commission.

Dated at Washington, DC, April 11, 1997.

Carol-Lee Hurley,

Chief, Regional Programs Coordination Unit.

[FR Doc. 97-10226 Filed 4-18-97; 8:45 am]

BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-817]

Oil Country Tubular Goods From Mexico; Notice of Termination of Antidumping Duty Administrative Review

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

ACTION: Notice of termination of antidumping duty administrative review.

EFFECTIVE DATE: April 21, 1997.

SUMMARY: On September 17, 1996, the Department of Commerce ("the Department") published in the **Federal Register** (61 FR 48882) a notice announcing the initiation of an administrative review of the antidumping duty order on Oil Country Tubular Goods ("OCTG") from Mexico. This review covered the periods August 11, 1995 through July 31, 1996 for Drill Pipe and June 28, 1995 through July 31, 1996 for OCTG Other Than Drill Pipe. This review has now been terminated as a result of the withdrawal of the request for administrative review by the petitioners and the absence of entries into the U.S. of subject merchandise during the period of review by the only remaining party requesting review.

FOR FURTHER INFORMATION CONTACT: Samantha Denenberg or Linda Ludwig, Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, D.C. 20230; telephone (202) 482-0413 or 482-3833, respectively.

SUPPLEMENTARY INFORMATION:

Background

On August 29, 1996, Hylsa S.A. de C.V. ("Hylsa") requested a review of its sales. Additionally, petitioners requested a review of Tubos de Acero de Mexico, S.H. ("TAMSA"), Tuberia Nacional S.A. de C.V. ("TUNA"), and Hylsa. On October 4, 1996 and October 16, 1996 TAMSA and TUNA respectively filed letters certifying to the Department that they did not export any subject merchandise that was entered for consumption into the United States during the period of review (POR). The Department sent no-shipment inquiries regarding TAMSA and TUNA to U.S. Customs on October 28, 1996. Customs did not indicate that there were any such entries. On December 9, 1996, Hylsa filed its response to sections B and C of the Department's questionnaire for the 1995-96 review. On December 10, 1996, petitioners withdrew their review request as to all Mexican producers of OCTG, including Hylsa. On December 18, petitioners pointed out that Hylsa's December 9 questionnaire response disclosed for the first time the fact that Hylsa had no customs entries of OCTG during the POR. Hylsa has knowledge of entry dates of subject merchandise. Petitioners requested that the

Department terminate the review as to Hylsa for this reason. On December 26, Hylsa submitted comments responding to that request.

Petitioners cite *Silicon Metal from Brazil: Final Results of Antidumping Duty Administrative Review* ("92-93 Silicon Metal Final"), 61 Fed. Reg. 46763, 46765 (September 5, 1996) as the precedent to this case. The 92-93 Silicon Metal Final findings stated that review of a margin may be based on sales during a POR, rather than the prices of entries during the POR, when there are entries during the POR. All respondents in the 92-93 Silicon Metal Final had at least one consumption entry into U.S. Customs territory during the POR (61 FR At 46765). Hylsa, in contrast, had no such entries during the POR. Without entries during the POR, there is nothing upon which duties determined in the course of the review may be assessed.

Hylsa argued that petitioners' request for termination of the review was based on a misreading of the antidumping statute and was inconsistent with the Department's regulations and the Department's past decisions. Hylsa stated that the Department was required by its statute and regulations to conduct the review which it has requested in order to determine a deposit rate based on Hylsa's own data, and suggested that the Department use, for this purpose, Hylsa's sales during the POR.

Analysis

Hylsa first argues that Section 751(a)(1) of the Tariff Act requires the Department to conduct a review whenever, as in this case, a request for review has been received. Hylsa's argument, however, ignores the context of the administrative review provision upon which it relies. Section 751(a) is entitled "Periodic Review of Amount of Duty." The other relevant portions of 751(a)(1) provide that if, during the annual anniversary opportunity to request review, "a request for such a review has been received," the Department shall, when the requested review is of an antidumping order, "review and determine, (in accordance with paragraph (2)), the amount of any antidumping duty," and (in a section applying to all administrative reviews) "shall publish in the **Federal Register** the results of such review, together with notice of any duty to be assessed, estimated duty to be deposited, or investigation to be resumed." Tariff Act of 1930, as amended, § 751(a), 19 U.S.C. § 1675(a) (emphasis added).

Thus, the request which requires the Department to conduct an administrative review, is a request for a

"review of amount of duty," not a request for a review solely of the amount of estimated duty to be deposited. Further, upon a request for "such a review," the Department is directed to conduct at section 751(a)(1)(B) is also a review of "the amount of any antidumping duty." There is no requirement here, either, that the Department independently review the amount of the estimated duty deposit. Rather, the review is to be conducted "in accordance with paragraph (2)." Section 751(a)(2) of the Act specifies that, for the purposes of a review under section 751(a)(1)(B), the Department shall determine "the normal value and export price (or constructed export price) of each entry of the subject merchandise, and * * * the dumping margin for each such entry." 19 U.S.C. § 1675(A)(2)(A)(I) (emphasis added). In addition, section 1675(a)(2)(C) requires that these determinations shall be the basis for both the assessment of antidumping duties and the deposit of estimated antidumping duties. Because Hylsa had no consumption entries during the POR, any margin which were to be calculated based upon Hylsa's sales during the POR would not be applied to any entries. Thus, there is no "amount of duty" to review, and there is no requirement under section 751(a) for the Department to grant Hylsa's request for review for the sole purpose of reviewing the rate of estimated duty deposit. We note that the Department clearly stated, in the notice of opportunity to request a review of the antidumping order on OCTG, that a review would be initiated based on "a request for review of entries covered by an order or finding listed in this notice and for the period identified above * * *" *Antidumping or Countervailing Duty Order, Finding, or Suspended Investigation; Opportunity to Request Administrative Review*, 61 FR 41,768, at 41,771 (August 12, 1996) (emphasis added).

Hylsa has entries during the 1996-1997 POR and can request a review of those entries during the appropriate anniversary month. To the extent that the "all others" cash deposit rate exceeds Hylsa's calculated margin for those 1996-1997 entries, it will receive a refund, with interest.

Hylsa also argues that the Department's regulations require that we conduct a review at this time in order to allow them to obtain a company-specific duty deposit rate. Hylsa contends that Section 353.22 of the regulations states that the Department "will" conduct a review and issue preliminary and final results whenever a timely request for review

has been made. Hylsa's regulatory argument suffers from the same flaw as its statutory argument. Section 353.22 construes the administrative review provisions of the statute; thus, the review provided for is the same review of antidumping duty referred to in the statute. The regulatory provisions of Section 353.22(c) relied on by Hylsa deal with procedural time deadlines for initiation, verification, and issuance of preliminary and final determinations in such reviews of antidumping duty, and create no new rights to reviews for other purposes.

Finally, Hylsa argues that the Department's practice of reviewing sales during the POR requires that it conduct a review of sales during the 1995-1996 POR despite the fact that it had no entries during that period. We note, however, that the Department's AD questionnaire clearly instructed respondents to report U.S. sales entered during the POR. Thus, with respect to this case the Department's intent was always to review entries rather than sales. Respondent never raised its lack of entries as an issue for the Department's consideration prior to the submission of its response.

The administrative and judicial precedents cited by Hylsa in its comments of December 26 are not on point. These cases support the proposition that Commerce can base its margin calculation on sales during the POR rather than entries during the POR; they do not address whether any review at all may proceed in the absence of any entries to which the resultant margin would be applied. In *Portable Electric Typewriters from Japan*, 56 FR 56393, 56397 (Nov. 4, 1991), Commerce analyzed sales during the POR, but applied the results to entries during the POR. *Color Picture Tubes from Japan*, 55 FR 37915, 37917-18 (September 14, 1990), *Gray Portland Cement from Mexico*, 58 FR 25803, 25807 (Apr. 28, 1993), and *Forklift Trucks from Japan*, 57 FR 3167, 3177-78 (January 28, 1992) all stand only for the principle that there need not be an exact correspondence between the sales upon which the margin calculation is based and the entries to which that margin calculation is applied for assessment purposes. As noted above, this corresponds to the Department's position regarding which sales it will review in calculating a margin for assessment purposes; these cases also do not address whether a review may proceed in the absence of any entries to which the resultant margin would be applied. Finally, *Asahi Chemical v. United States*, 548 F. Supp. 1261 (CIT 1982), does not address the question

raised by Hylsa's request for a sales-based no-entry review, because it construed an earlier version of the statute which required that the Department review every case every year. Judicial speculation as to how Congress might have dealt with the problem of conducting a statutorily required review in a case in which there were no entries is no longer relevant, now that such reviews are no longer required by law.

Because petitioners have withdrawn their request for review of all parties for which review was requested for the 95-96 POR, and because the only remaining firm requesting review (Hylsa) made no entries into the customs territory of the United States during that POR, the Department is therefore terminating this review.

Notification of Interested Parties

This notice also serves as a 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 § 353.34(d). Timely written 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. Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested.

This administrative review and notice are in accordance with Section 751 (a)(1) of the Tariff Act (19 U.S.C. § 1675(a)(1)) and 19 CFR § 353.22.

Dated: April 14, 1997.

Joseph A. Spetrini,

Deputy Assistant Secretary, Enforcement Group III.

[FR Doc. 97-10243 Filed 4-18-97; 8:45 am]

BILLING CODE 3510-DS-P

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., Monday, May 5, 1997.

PLACE: 1155 21st St., N.W., Washington, D.C., 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Adjudicatory Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, (202) 418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10346 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., Monday, May 12, 1997.

PLACE: 1155 21st St., N.W., Washington, D.C., 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Adjudicatory Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, 202-418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10347 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., Monday, May 19, 1997.

PLACE: 1155 21st St., N.W., Washington, D.C., 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Adjudicatory Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, 202-418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10348 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 2:00 p.m., Tuesday, May 27, 1997.

PLACE: 1155 21st St., NW., Washington, DC, 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED:
Adjudicatory Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, 202-418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10349 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 11:00 a.m., Friday, May 2, 1997.

PLACE: 1155 21st St., NW., Washington, DC 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, 202-418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10350 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 11:00 a.m., Friday, May 9, 1997.

PLACE: 1155 21st St., NW., Washington, DC, 9th Fl. Conference Room.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Matters.

CONTACT PERSON FOR MORE INFORMATION:
Jean A. Webb, 202-418-5100.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97-10351 Filed 4-17-97; 1:18 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

AGENCY HOLDING THE MEETING:
Commodity Futures Trading Commission.

TIME AND DATE: 11:00 a.m., Friday, May 16, 1997.

PLACE: 1155 21st St., NW., Washington, DC, 9th Fl. Conference Room.