

## Analysis of Comments Received

**Comment 1:** The U.S. Customs Service recommends that we delete the following HTS numbers from the proposed conversion: 6306.1100 and 6306.2100.

**Department's Position:** We agree and accept this recommendation because these subheadings cover products that were not included in the TSUSA-defined scope of the countervailing duty order on certain textile mill products from Sri Lanka.

**Comment 2:** The U.S. Customs Service recommends that we delete subheading 6307.1020 and insert subheadings 6307.10.2005, 6307.10.2015, and 6307.10.2020.

**Department's Position:** We agree and accept this recommendation in order to be more precise in coverage of products included in the scope of the countervailing duty order on certain textile mill products from Sri Lanka.

In addition to the changes we are making in response to comments submitted by the U.S. Customs Service, we are also deleting subheading 4202.2245 from the proposed conversion because this subheading covers products that were originally covered by the scope of the countervailing duty order on certain apparel from Sri Lanka which was revoked effective May 18, 1992 (59 FR 43814; August 25, 1994).

All of these changes are reflected in the new Amended Conversion. The attached Appendix incorporates all of these amendments.

## Instructions to Customs

The Department will instruct the U.S. Customs Service to liquidate without regard to countervailing duties all unliquidated entries of certain textile mill products from Sri Lanka not covered by the attached Appendix that were exported from Sri Lanka on or after May 18, 1992.

In addition, we are instructing the Customs Service to terminate the suspension of liquidation for all entries of certain textile mill products from Sri Lanka not covered in the attached Appendix, that are entered or withdrawn from the warehouse on or after the date of publication of this notice. The Department will also instruct the U.S. Customs Service to continue to suspend liquidation and collect the appropriate cash deposit of estimated countervailing duties for the subject merchandise listed in the attached Appendix, entered or withdrawn from the warehouse, on or after the date of publication of this notice.

Dated: January 4, 1995.

**Joseph A. Spetrini,**  
Deputy Assistant Secretary for Compliance.

## Appendix: Amended HTS List for Certain Textile Mill Products From Sri Lanka (C-542-401)

6305.3100  
6305.3900  
6307.10.2005  
6307.10.2015  
6307.10.2020

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## Export Trade Certificate of Review

**ACTION:** Notice of Issuance of an Export Trade Certificate of Review, Application No. 94-0006.

**SUMMARY:** The Department of Commerce has issued an Export Trade Certificate of Review to P & B International ("P & B"). This notice summarizes the conduct for which certification has been granted.

**FOR FURTHER INFORMATION CONTACT:** W. Dawn Busby, Director, Office of Export Trading Company Affairs, International Trade Administration, 202-482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. The regulations implementing Title III are found at 15 CFR Part 325 (1994).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305 (a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

## Description of Certified Conduct

### Export Trade

#### 1. Products

All products

#### 2. Services

All services

#### 3. Export Trade Facilitation Services (as they Relate to the Export of Products and Services)

Export Trade Facilitation Services including, but not limited to, consulting; foreign market research; marketing and trade promotion; financing; insurance; licensing; services

related to compliance with customs documentation and procedures; transportation and shipping; warehousing and other services to facilitate the transfer of ownership and/or distribution; and communication and processing of export orders.

## Export Markets

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands.)

## Export Trade Activities and Methods of Operation

To engage in Export Trade in the Export Markets, as an Export Intermediary, P & B may:

1. Provide and/or arrange for the provision of Export Trade Facilitation Services;
2. Engage in promotional and marketing activities as they relate to exporting Products and/or Services to the Export Markets;
3. Enter into exclusive export sales agreements with Suppliers regarding sales of Products and/or Services in the Export Markets; such agreement may prohibit Suppliers from exporting independently of P & B;
4. Enter into exclusive sales and/or territorial agreements with distributors in Export Markets;
5. Establish the price of Products and/or Services for sale in the Export Markets;
6. Allocate export orders among its Suppliers; and,
7. Exchange information on a one-on-one basis with individual Suppliers regarding inventories and near-term production schedules for the purpose of determining the availability of Products for export and coordinating export with distributors.

## Members (Within the Meaning of Section 325.2(1) of the Regulations)

Peter T. Peterson  
Oliver L. Brown

## Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operation, P & B and its Members will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. P & B and its Members will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities, and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of Section 303(a) of the Act.

#### *Definitions*

1. *Export Intermediary* means a person who acts as a distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions, including providing or arranging for the provision of Export Trade Facilitation Services.

2. *Supplier* means a person, including each Member, who produces, provides, or sells a Product, Service, or Export Trade Facilitation Services.

#### *Protection Provided by the Certificate*

This Certificate protects P & B, its Members, and their employees acting on their behalf from private treble damage actions and government criminal and civil suits under U.S. federal and state antitrust laws for the export conduct specified in the Certificate and carried out during its effective period in compliance with its terms and conditions.

#### *Effective Period of Certificate*

This Certificate continues in effect from the effective date indicated below until it is relinquished, modified, or revoked as provided in the Act and the Regulations.

#### *Other Conduct*

Nothing in this Certificate prohibits P & B and its Members from engaging in conduct not specified in this Certificate, but such conduct is subject to the normal application of the antitrust laws.

#### *Disclaimer*

The issuance of this Certificate of Review to P & B by the Secretary of Commerce with the concurrence of the Attorney General under the provisions of the Act does not constitute, explicitly or implicitly, an endorsement or opinion by the Secretary or by the Attorney General concerning either (a) the viability or quality of the business plans of P & B or (b) the legality of such business plans of P & B under the laws

of the United States (other than as provided in the Act) or under the laws of any foreign country. The application of this Certificate to conduct in export trade where the United States Government is the buyer or where the United States Government bears more than half the cost of the transaction is subject to the limitations set forth in Section V. (D.) of the "Guidelines for the Issuance of Export Trade Certificates of Review (Second Edition)", 50 Fed. Reg. 1786 (January 11, 1985).

A copy of this certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230.

Dated: January 4, 1995.

**W. Dawn Busby,**

Director, Office of Export Trading Company Affairs.

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## CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

### AmeriCorps State and Direct Grant Program, Learn and Serve America K-12 Grant Program, and Learn and Serve America Higher Ed Grant Program 1995 Policies and Preferences

**ACTION:** Notice.

**SUMMARY:** The Corporation for National and Community Service (the Corporation) in the **Federal Register** of October 27, 1994 (59 FR 53963) proposed changes and invited comments with regard to three of its main programs: AmeriCorps\*USA, Learn & Serve America K-12, and Learn & Serve America Higher Education. The Corporation is now proposing additional policy changes and program preferences for funding for these three programs. This notice addresses previously established rules concerning the percentage of time a program must commit to direct service activity and a new policy issue focusing on fee-for-service. Moreover, the Corporation has decided to give special consideration for programs that have received funding from the Corporation in the past. The Corporation invites all interested parties to comment on the issues discussed in this notice. Any comments received will be given careful consideration in the development of final FY 1995 policies and grant applications.

**DATES:** Comments on the Corporation's proposal for Direct Service Time and

Special Consideration for Past Corporation Funded Programs must be received no later than January 25, 1995. Comments specifically addressing the Corporation's proposal for Fee-for-service must be received no later than March 13, 1995.

**ADDRESSES:** Responses to this notice may be mailed to Ethan Kline of the Office of General Counsel, Corporation for National Service, 1201 New York Avenue, NW., Washington, DC 20525.

**FOR FURTHER INFORMATION CONTACT:** Ethan Kline at (202) 606-5000 x. 467 between the hours of 9 a.m. and 6 p.m. Eastern Standard Time. For individuals with disabilities, information will be made available in alternative formats, upon request.

### I. Policies and Guidelines

#### *A. Direct Service Time*

The Corporation's position has been that in order for programs to have direct and demonstrable results in communities, at least 80% of each AmeriCorps Members required 1700 hours of service (1360 hours) must be spent in direct service activities, with no more than 20% of the required service time (340 hours) spent in training, education, and other non-direct service activities. In general, eligible direct service activities are those service activities that directly relate to a program's Community Service Objectives and may include on-site training, specific instructions related to a service project, developing relevant lesson plans, and imparting specific knowledge through workshops and presentations. Eligible non-direct service activities, including training and education, are those that relate to the fulfillment of a program's Community Building and Participant Development Objectives, and may include meeting with a community-based organization in order to develop a relationship with that organization or having Members attend GED preparation classes.

The Corporation now proposes to refine this policy and apply the "80/20" Rule to the general design of the AmeriCorps program, not to each individual Member. This change allows for variances among the individual Members (some of whom will spend more time performing direct service while others will spend more time in education, training, or other non-direct service activities) and for variances throughout the course of the year (a program may choose to spend more time in training sessions at the beginning of the year rather than at the end of the year). The 80/20 Rule will apply only to the required minimum of 1700 hours,