

Dated: May 12, 1995.

**Anthony F. Ingrassia,**

*Chairman, Federal Prevailing Rate Advisory Committee.*

[FR Doc. 95-12273 Filed 5-17-95; 8:45 am]

BILLING CODE 6325-01-M

### Federal Prevailing Rate Advisory Committee; Cancellation of Open Committee Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the meeting of the Federal Prevailing Rate Advisory Committee scheduled for Thursday, May 25, 1995, has been canceled.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 1340, 1900 E Street, NW., Washington, DC 20415, (202) 606-1500.

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### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. 301-93]

#### Notice of Determination and Request for Public Comment Concerning Proposed Determination of Action Pursuant to Section 301: Barriers to Access to the Auto Parts Replacement Market in Japan

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice of determination under section 304(a)(1)(A) of the Trade Act of 1974, as amended (Trade Act) (19 U.S.C. 2414(a)(1)(A)); notice of proposed determination of action to be taken under section 304(a)(1)(B) of the Trade Act and notice of public hearing and request for public comment pursuant to section 304(b) of the Trade Act.

**SUMMARY:** The United States Trade Representative (USTR) has determined pursuant to section 304(a)(1)(A)(ii) of the Trade Act that certain Acts, policies and practices of Japan that restrict or deny suppliers of U.S. auto parts access to the auto parts replacement and accessories market ("after-market") in Japan are unreasonable and discriminatory and burden or restrict U.S. commerce. The USTR is seeking

public comment and will hold a public hearing on June 8 and 9, 1995, regarding the proposed determination pursuant to section 304(a)(1)(B) on the appropriate action under section 301 being considered in response to these acts, policies and practices.

**DATES:** Written comments on the determination are due by noon, Monday, June 19, 1995. Requests to testify at the hearing must be submitted by noon, Thursday, May 25, 1995. Written testimony is due by noon, Friday, June 2, 1995, and written rebuttals are due by noon, Wednesday, June 21, 1995.

**ADDRESSES:** Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20506.

**FOR FURTHER INFORMATION CONTACT:** David Burns, Senior Advisor for Japan, (202) 395-5050, or James Southwick, Assistant General Counsel, (202) 395-7203. Questions about the public hearing, written testimony and written comments should be directed to Sybia Harrison, Staff Assistant to Section 301 Committee, (202) 395-3432.

**SUPPLEMENTARY INFORMATION:** On October 1, 1994, the USTR initiated an investigation pursuant to section 302(b) of the Trade Act to determine whether specific barriers to access to the after-market for auto parts in Japan are unreasonable or discriminatory and burden or restrict U.S. commerce. By **Federal Register** notice dated October 13, 1994 (59 FR 52034), the USTR requested public comment on the issues raised in the investigation. The comment period was subsequently extended by a **Federal Register** notice dated November 10, 1994 (59 FR 56099).

Officials of the Office of the USTR and other United States agencies have conducted extensive consultations with Japanese government officials concerning these market access barriers, but negotiations have failed to resolve the issues under investigation. Consequently, on May 10, 1995, the USTR pursuant to section 304(a)(1)(A)(ii) of the Trade Act determined that certain acts, policies and practices of Japan that restrict or deny suppliers of U.S. auto parts access to the auto parts replacement and accessories market ("after-market") in Japan are unreasonable and discriminatory and burden or restrict U.S. commerce.

#### Reasons for Determination

The Japanese market for replacement auto parts is restricted by a complex system that is not reasonable or justifiable. This system channels most repair work to government-certified

garages that use very few foreign parts, and the system restricts the development of other garages more likely to carry and use foreign parts. In addition, even minor additions of accessories to motor vehicles require a full vehicle inspection and tax payment, which severely limits opportunities for U.S. automotive accessories suppliers.

The United States pressed Japan for broad reform in the aftermarket. The U.S. proposals did not ask for reduction of safety or environmental standards, but for measures that would allow for substantially more repair work to be performed outside the certified garages, and therefore would open up opportunities for foreign suppliers. The Government of Japan was unwilling to make changes to key elements of the system which restricts opportunities for U.S. and other foreign parts suppliers.

#### Proposed Determination on Appropriate Action

If the USTR makes an affirmative determination pursuant to section 304(a)(1)(A)(ii) of the Trade Act, pursuant to section 304(a)(1)(B) the USTR also must determine what action, if any, by the United States is appropriate. If the USTR determines that action is appropriate, section 301(b) of the Trade Act directs the USTR to take all appropriate and feasible action to obtain the elimination of the unreasonable or discriminatory act, policy or practice.

Therefore, the USTR proposes to take the following action, pursuant to the authority provided by section 301(c)(1)(B) of the Trade Act:

To impose prohibitive (100 percent *ad valorem*) duties upon luxury-type motor vehicles from Japan. The increased tariffs will apply to the following motor cars and other motor vehicles principally designed for the transport of persons provided for in heading 8703 of the Harmonized Tariff Schedule of the United States (HTS):

(1) Motor vehicles having 4 doors, a wheelbase more than 260 cm (102.4 inches) but not more than 263 cm (103.6 inches), a curb weight more than 1,495 kg (3,295.9 pounds), a height not more than 138 cm (54.3 inches), and a spark-ignition internal combustion reciprocating piston engine with 6 or more cylinders, having a total cylinder capacity exceeding 2,900 cc or a rotary piston engine (provided for in HTS subheadings 8703.23, 8703.24 or 8703.90); and

(2) Motor vehicles having a wheelbase exceeding 266 cm (104.7 inches), a curb weight more than 1,365 kg (3009.3 pounds), a height not more than 145 cm (57 inches), and either a spark-ignition

internal combustion reciprocating piston engine having a total cylinder capacity exceeding 2,900 cc or a rotary piston engine (provided for in HTS subheadings 8703.23, 8703.24 or 8703.90).

The USTR has asked the Customs Service to withhold liquidation of the entries of the goods identified above which are entered, or withdrawn from warehouse for consumption, on or after May 20, 1995. If the proposed duty increases enter into effect, the USTR intends to make these increases effective as of May 20, 1995.

In making this determination, the USTR will consider public comments submitted in accordance with the requirements set forth below.

#### **Public Comment on Proposed Determination; Hearing Participation**

In accordance with section 304(b) of the Trade Act, the USTR invites all interested persons to provide written comments on the proposed determination. Comments may address: (1) The appropriateness of subjecting the motor vehicles described above to an increase in duties; (2) the levels at which duties should be set; and (3) the degree to which an increase in duties might have an adverse effect on U.S. consumers. Written comments are due by noon, Monday, June 19, 1995.

The USTR also will consider the written, oral, and rebuttal comments submitted in the context of public hearings held pursuant to section 304(b) of the Trade Act and in accordance with 15 CFR 2006.7 through 2006.9. The hearings will commence at 10 a.m. on Thursday, June 8, 1995, and continue on Friday, June 9, 1995, if necessary. The hearings will be held in Room 100 at the U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

*Request to Testify:* Interested persons wishing to testify orally at the hearings must provide a written request to do so by noon, Thursday, May 25, 1995, to Sybia Harrison, Staff Assistant to the Section 301 Committee, Office of the U.S. Trade Representative, 600 17th Street NW., Washington, DC 20506. Requests to testify must include the following information: (1) Name, address, telephone number, and firm or affiliation of the person wishing to testify; and (2) a brief summary of the comments to be presented. Requests to testify must conform to the requirements of 15 CFR 2006.8(a). After the Chairman of the Section 301 Committee considers the request to present oral testimony, Ms. Harrison will notify the applicant of the time of

his or her testimony. Remarks at the hearing will be limited to 5 minutes.

*Written Testimony and Rebuttal Briefs:* In addition, persons presenting oral testimony must submit their complete written testimony by noon, Friday, June 2, 1995. In order to assure each party an opportunity to contest the information provided by other parties, USTR will entertain rebuttal briefs filed by any party by noon, Wednesday June 21, 1995. In accordance with 15 CFR 2006.8(c), rebuttal briefs should be strictly limited to demonstrating errors of fact or analysis not pointed out in the briefs or hearing and should be as concise as possible.

*Requirements for Submissions:* Written comments on the proposed determination, written testimony, and rebuttal briefs must be filed in accordance with the requirements set forth in 15 CFR 2006.8(b). Comments must state clearly the position taken and describe with particularity the supporting rationale, be in English, and be provided in twenty copies to: Chairman, Section 301 Committee, Attn: Auto Parts Investigation, Room 223, USTR, 600 17th St NW., Washington, DC 20506.

Written comments, testimony, and briefs will be placed in a file (Docket 301-93) open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Persons wishing to submit confidential business information must certify in writing that such information is confidential in accordance with 15 CFR 2006.15(b), and such information must be clearly marked "Business Confidential" in a contrasting color ink at the top of each page on each of the twenty copies and must be accompanied by a nonconfidential summary of the confidential information. The nonconfidential summary will be placed in the Docket open to public inspection. An appointment to review the docket may be made by calling Brenda Webb (202) 395-6186. The USTR Reading room is open to the public from 10 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday, and is located in: Room 101, Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20506.

**Irving A. Williamson,**

*Chairman, Section 301 Committee.*

[FR Doc. 95-12344 Filed 5-16-95; 8:45 am]

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## **SECURITIES AND EXCHANGE COMMISSION**

### **Requests Under Review by Office of Management and Budget**

*Agency Clearance Officer:* Michael E. Bartell, (202) 942-8800.

*Upon written request copy available from:* Securities and Exchange Commission, Office of Filings and Information Services, 450 Fifth Street, NW., Washington, D.C. 20549.

#### *Extension*

Rule 19d-1; File No. 270-242

Form 10-SB; File No. 270-367

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission has submitted for OMB approval extensions for the following rule and form:

Rule 19d-1 prescribes the form and content of notices required to be filed with the Commission by self-regulatory organizations for which the Commission is the appropriate regulatory agency concerning all final disciplinary sanctions, denial of membership and participation or association with a member. It is estimated that 25 respondents will incur a total annual burden of 2,500 hours to comply with this rule.

Form 10-SB may be used by small business issuers for registration pursuant to Section 12 (b) or (g) of the Securities Exchange Act of 1934. It is estimated that 65 respondents will file Form 10-SB annually at a total annual burden of 5,980 hours.

Direct general comments to the Clearance Officer for the Securities and Exchange Commission at the address below. Direct any comments concerning the accuracy of the estimated average burden hours for compliance with the Commission rules and forms to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549 and the Clearance Officer for the Securities and Exchange Commission, Office of Management and Budget, Project Number 3235-0206 (Rule 19d-1) and 3235-0419 (Form 10-SB), Room 3208, New Executive Office Building, Washington, DC 20503.

Dated: May 9, 1995.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 95-12257 Filed 5-17-95; 8:45 am]

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