

loan term to be forgiven; (3) use a benchmark interest rate of 20 percent; (4) assume there will be no extension of due dates; (5) assume any shares of Leclerc that SDI might acquire will have no value; and (6) treat the SDI loans as export subsidies.

Such measures are justified, according to petitioner, because Leclerc failed to provide the Department with pertinent information about the SDI loans prior to verification. This omission constitutes a serious material misrepresentation, in petitioner's view. Despite being requested by the Department in the questionnaire to provide such information, Leclerc failed to do so. Petitioner asserts that it is Department practice to use facts available when a party "withholds information that has been requested" (see 776(a) of the Act). Additionally, because the SDI regulations state that it can enter into agreements with distressed borrowers, any SDI loan terms are suspect and, thus, cannot be used for benefit calculations.

Leclerc argues that petitioner's insistence on the use of adverse facts available is without merit because Leclerc has cooperated fully with the Department. The Department has conducted two successful verifications with the GOQ, the GOC and Leclerc. Leclerc claims that its voluntary submission of minor additional information discovered during the course of preparing for verification substantiates its cooperation. Specifically, Leclerc states that the Department's standard questionnaire simply asks that parties report differences between what the loan agreement requires and what a party actually paid.

Additionally, Leclerc claims that there is no legal precedent or argument that would justify treating the SDI loans as grants, and that there is no evidence on the record that the loans are grants. Thus, the Department should continue to analyze the SDI financing as loans. Leclerc and the GOQ argue that Leclerc continues to have a legal obligation to repay its SDI loans, thus no forgiveness has occurred. Moreover, section 355.44(k) of the *Proposed Regulations* requires the Department to recognize loan forgiveness as a grant "at the time of the assumption or forgiveness." Leclerc asserts that petitioner's other methodological suggestions are groundless. The events subsequent to the POI affecting the SDI loans are indeed on the record and verified, but these events are irrelevant because they occurred after the POI.

DOC Position

In this instance, we do not believe that Leclerc's late submission of information concerning events subsequent to the POI requires that the Department use adverse facts available. While we have included the post-POI information in our calculations to make them more accurate, our investigation has clearly focussed on information from years prior to and including the POI.

Further, we agree with Leclerc and the GOQ that the *Proposed Regulations* state that a benefit from loan forgiveness usually occurs when the loan is forgiven. We disagree with petitioner that the loans should be treated as grants simply because SDI can renegotiate loan terms with its clients. Commercial lenders also typically have the freedom to change the terms when dealing with a distressed borrower.

Regarding treating the SDI financing as a grant, the Department's GIA at 37255 sets out the standard for determining whether an instrument should be considered a grant:

We have distinguished grants from both debt and equity by defining grants as funds provided without expectation of a: (1) Repayment of the grant amount, (2) payment of any kind stemming directly from the receipt of the grant, or (3) claim on any funds in case of company liquidation. (parenthesis omitted)

Based on the above, the SDI loans should not be considered grants because the SDI financing does not meet any of the three criteria. Moreover, in distinguishing between equity and loans, the GIA at 37255 states:

Loans typically have a specified date on which the last remaining payments will be made and the obligation of the company to the creditor is fulfilled. Even if the instrument has no pre-set repayment date, but a repayment obligation exists when the instrument is provided, the instrument has characteristics more in line with loans than equity.

While certain aspects of repayment under the SDI loans are more flexible than that of a standard commercial bank loan, as reflected in its financial statements, Leclerc had a repayment obligation to SDI during the POI. Thus, we find no basis on which to consider the SDI loans to be a grant.

Summary

Based on the four countervailable programs described above, the aggregate *ad valorem* rate is 0.57 percent. This rate is *de minimis*, pursuant to 703(b)(4) of the Act. Therefore, we determine that no benefits which constitute bounties or grants within the meaning of the

countervailing duty law are being provided to manufacturers, producers or exporters of LHF in Canada.

Verification

In accordance with section 782(i) of the Act, we verified the information used in making our final determination. We followed standard verification procedures, including meeting with government and company officials, and examination of relevant accounting records and original source documents. Our verification results are outlined in detail in the public versions of the verification reports, which are on file in the Central Records Unit (Room B-099 of the Main Commerce Building).

Return or Destruction of Proprietary Information

This notice serves as the only reminder to parties subject to Administrative Protective Order (APO) of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 355.34(d). Failure to comply is a violation of the APO.

This determination is published pursuant to section 705(d) of the Act.

Dated: January 27, 1997.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

[FR Doc. 97-2715 Filed 2-3-97; 8:45 am]

BILLING CODE 3510-DS-P

U.S. Automotive Parts Advisory Committee; Closed Meeting

AGENCY: International Trade Administration, Commerce.

ACTION: Closed meeting of U.S. Automotive Parts Advisory Committee.

SUMMARY: The U.S. Automotive Parts Advisory Committee (the "Committee") advises U.S. Government officials on matters relating to the implementation of the Fair Trade in Auto Parts Act of 1988. The Committee: (1) reports annually to the Secretary of Commerce on barriers to sales of U.S.-made auto parts and accessories in Japanese markets; (2) assists the Secretary in reporting to the Congress on the progress of sales of U.S.-made auto parts in Japanese markets, including the formation of long-term supplier relationships; (3) reviews and considers data collected on sales of U.S.-made auto parts to Japanese markets; (4) advises the Secretary during consultations with the Government of Japan on these issues; and (5) assists in establishing priorities for the

Department's initiatives to increase U.S.-made auto parts sales to Japanese markets, and otherwise provide assistance and direction to the Secretary in carrying out these initiatives. At the meeting, committee members will discuss the current status of U.S.-Japan automotive trade and APAC's future activities.

DATE AND LOCATION: The meeting will be held on February 18, 1996 from 10:00 a.m. to 3:00 p.m. at the U.S. Department of Commerce in Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Dr. Robert Reck, Office of Automotive Affairs, Trade Development, Room 4036, Washington, D.C. 20230, telephone: (202) 482-1418.

SUPPLEMENTARY INFORMATION: The Assistant Secretary for Administration, with the concurrence of the General Counsel formally determined on July 10, 1996, pursuant to Section 10(d) of the Federal Advisory Act, as amended, that the series of meetings or portions of meetings of the Committee and of any subcommittee thereof, dealing with privileged or confidential commercial information may be exempt from the provisions of the Act relating to open meeting and public participation therein because these items are concerned with matters that are within the purview of 5 U.S.C. 552b(c)(4) and (9)(B). A copy of the Notice of Determination is available for public inspection and copying in the Department of Commerce Records Inspection Facility, Room 6020, Main Commerce.

Dated: January 27, 1997.

John White,

Acting Director, Office of Automotive Affairs.

[FR Doc. 97-2671 Filed 2-3-97; 8:45 am]

BILLING CODE 3510-DR-P

Technology Administration

Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure; Meeting

AGENCY: Technology Administration, Commerce.

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure will hold a meeting on February 19-20, 1997. The Technical Advisory Committee to Develop a Federal Information

Processing Standard for the Federal Key Management Infrastructure was established by the Secretary of Commerce to provide industry advice to the Department on encryption key recovery for the federal government. All sessions will be open to the public.

DATES: The meeting will be held on February 19 and 20 from 9:00 a.m. to 6:00 p.m.

ADDRESSES: The meeting will take place at the Sheraton Hotel at 2500 Mason Street, San Francisco, California.

FOR FURTHER INFORMATION CONTACT: Edward Roback, Committee Secretary and Designated Federal Official, Computer Security Division, National Institute of Standards and Technology, Building 820, Room 426, Gaithersburg, Maryland, 20899; telephone 301-975-3696. Please do not call the conference facility regarding details of this meeting.

Agenda

February 19, 1997

Opening Remarks
Chairperson's Remarks
News Updates
Status Update of Working Group Formation and Activities
Federal Agency Requirements/
Perspectives Briefings
Foreign Government Perspectives

February 20, 1997

Intellectual Property Briefing
Federal Standards Background Briefing
Discussion of Requirements
Working Group Issues/Activities
Public Participation
Plans for Next Meeting
Closing Remarks

Note that the items in this agenda are tentative and subject to change due to logistics and speaker availability.

Public Participation

The Committee meeting will include a period of time, not to exceed thirty minutes, for oral comments from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the individual identified in the **FOR FURTHER INFORMATION** section. In addition, written statements are invited and may be submitted to the Committee at any time. Written comments should be directed to the Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure, Building 820, Room 426, National Institute of Standards and Technology, Gaithersburg, Maryland, 20899. It would be appreciated if sixty copies could be submitted for distribution to the Committee and other meeting attendees.

Additional information regarding the Committee is available at its world wide web homepage at: <http://csrc.nist.gov/tacdfipsfkm/>.

Should this meeting be canceled, a notice to that effect will be published in the Federal Register and a similar notice placed on the Committee's electronic homepage.

Mark Bohannon,

Chief Counsel for Technology.

[FR Doc. 97-2739 Filed 2-3-97; 8:45 am]

BILLING CODE 3510-13-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Pakistan

January 29, 1997.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs reducing limits.

EFFECTIVE DATE: February 4, 1997.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-6714. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

The current limits for Categories 339 and 638/639 are being reduced for carryforward applied to 1996 limits.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION:** Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 61 FR 66263, published on December 17, 1996). Also see 61 FR 68245, published on December 27, 1996.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round