The purpose of the meeting is to:
(1) Hold a press conference to release the report, Bias and Bigotry in Kentucky; (2) discuss the status of the Commission and civil rights progress/problems in Kentucky and the Nation; and (3) discuss plans for adopting a new project.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Emily C. Boone, 502-585-3430, or Bobby D. Doctor, Director of the Southern Regional Office, 404-562-7000 (TDD 404-562-7004). 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, August 21, 1997.
Carol-Lee Hurley,
Chief, Regional Programs Coordination Unit.
[FR Doc. 97-23320 Filed 9-2-97; 8:45 am]
BILLING CODE 6335-01-P

COMMISSION ON CIVIL RIGHTS
Agenda and Notice of Public Meeting of the Wisconsin 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 Wisconsin Advisory Committee to the Commission will convene at 1:00 p.m. and adjourn at 4:00 p.m. on Wednesday, September 17, 1997, at the Milwaukee Hilton, 509 W. Wisconsin Avenue, Milwaukee, Wisconsin 53203. The purpose of the meeting is to discuss civil rights issues and plan future activities.

Persons desiring additional information, or planning a presentation to the Committee, should contact Committee Chairperson Geraldine McFadden, 414-444-1952, or Constance M. Davis, Director of the Midwestern Regional Office, 312-353-8311 (TDD 312-353-8362). 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, August 21, 1997.
Carol-Lee Hurley,
Chief, Regional Programs Coordination Unit.
[FR Doc. 97-23321 Filed 9-2-97; 8:45 am]
BILLING CODE 6335-01-P

DEPARTMENT OF COMMERCE
International Trade Administration
[C-549-401]
Certain Apparel From Thailand: Preliminary Results of Countervailing Duty Administrative Review

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

ACTION: Notice of preliminary results of countervailing duty administrative review.

SUMMARY: The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty (CVD) order on certain apparel from Thailand. We preliminarily determine the net bounty or grant to be that described in the "Preliminary Results of Review" section. If the final results remain the same as these preliminary results of administrative review, we will instruct the U.S. Customs Service to assess countervailing duties as indicated above. Interested parties are invited to comment on these preliminary results.


FOR FURTHER INFORMATION CONTACT:
Robert Copyak or Kathleen Lockard, Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-2766.

SUPPLEMENTARY INFORMATION:
Background

On March 12, 1985, the Department published the Final Affirmative Countervailing Duty Determination and Countervailing Duty Order; Certain Apparel from Thailand (50 FR 9819) (Certain Apparel). On March 13, 1992, the Department published a Notice of Intent to Revoke Countervailing Duty Orders (57 FR 8860). We received a timely objection to the Department's intended revocation and a request for an administrative review of the review period January 1, 1991, through December 31, 1991, from the Amalgamated Clothing and Textile Workers Union (ACTWU). The review was initiated on April 13, 1992. See Initiation of Antidumping and Countervailing Duty Administrative Reviews (57 FR 12797).

Subsequently, the Royal Thai Government (RTG) filed comments on the ACTWU's objection to the revocation of the order, claiming that the ACTWU lacked standing under 19 U.S.C. § 1677(9)(D) to object to revocation on a number of the like products covered by the CVD order. On July 19, 1996, the Department preliminarily determined that the ACTWU had standing for 57 of the 87

1 On May 26, 1995, the Department published Opportunity to Request a Section 753 Injury Investigation (60 FR 27693). Because no domestic interested parties exercised their right under section 753(a) of the Act, as amended by the Uruguay Round Agreements Act ("URAA"), to request an injury investigation, the International Trade Commission made a negative injury determination with respect to this order, pursuant to section 753(b)(4) of the Act. As a result, the Department revoked this countervailing duty order, effective January 1, 1995, pursuant to section 753(b)(3)(B) of the Act. See Revocation of Countervailing Duty Orders (60 FR 40068, August 9, 1995).

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apparel-like products covered by the CVD order. On January 3, 1997, the Department published a Notice of Determination to Amend Revocation, in Part, of Countervailing Duty Order (62 FR 392) which amended the effective date of the revocation of the CVD order on certain apparel from Thailand from January 1, 1995 to January 1, 1991, with respect to the 30 like products for which the ACTWU was found not to have standing. In that notice, we also stated that we would continue the administrative review of the remaining products for which the ACTWU was found to have standing, covering the period January 1 through December 31, 1991. This review now covers the products identified in the Scope of Review section below.

**Applicable Statute and Regulations**

The Department is conducting this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended (the Act). Unless otherwise indicated, all citations to the statute and to the Department’s regulations are in reference to the provisions as they existed on December 31, 1994.

**Scope of the Review**

Imports covered by this review are certain apparel from Thailand. Such merchandise is described in detail in the Appendix to this notice.

**Best Information Available (BIA)**

Section 776(c) of the Act requires the Department to use BIA “whenever a party or any other person refuses or is unable to produce information requested in a timely manner and in the form required, or otherwise significantly impedes an investigation.” 19 U.S.C. § 1677(e)(1988); see also 19 CFR § 355.37(1994). In determining what rate to use as BIA, the Department follows a two-tiered methodology. The Department assigns lower BIA rates to those respondents who cooperated in an administrative review (tier two) and rates based on more adverse assumptions for respondents who did not cooperate in the review, or who significantly impeded the proceeding (tier one). See Allied Signal Aerospace Co. v. United States, 996 F.2d 1185, 1191–92 (Fed. Cir. 1993)(Allied-Signal).

In this review, Mahboonkrong Trading Co., Ltd., UMC International Co., Ltd., and Aargon (Thailand), Ltd. did not provide responses to the Department’s questionnaire. However, in its response, the RTG certified that these companies have ceased operations, and, where available, the RTG provided information from government records on their behalf. The RTG’s response indicates that these companies had gone out of business prior to the time when the Department forwarded the questionnaire for this review. Pursuant to the Department’s practice, we assign second-tier BIA to companies which have gone out of business and therefore are unable to respond to the Department’s questionnaires. See, e.g., Certain Fresh Cut Flowers from Colombia; Final Results of Antidumping Administrative Review and Notice of Revocation of Order (In Part) (56 FR 15159, 15173, March 31, 1994). Therefore, in accordance with section 776 of the Act and Allied-Signal, we are using a second-tier BIA rate for these companies based on the highest program rates calculated for responding companies.

In certain instances, individual companies had no longer retained detailed information on the use of programs. The RTG provided information from government records on behalf of these companies. To the extent that the government information was sufficient, we used this information in our calculations. If the government information was insufficient, in accordance with section 776 of the Act and Allied-Signal, we used a second-tier BIA rate for individual programs based on the highest rate found for responding companies who used that program during this review. One program, the Investment Promotion Act (IPA), provides for several different types of benefits. The responding companies all certified that they did not use any benefits under the IPA during the period of review, except for two companies which reported receiving benefits under Section 28 of the IPA. In addition, the RTG reported that one non-responding company was eligible for benefits under Section 36(4) of the IPA, but the RTG did not provide information as to whether the company received benefits under this provision. Therefore, because no IPA benefits were found to have been used in the original countervailing duty investigation and because Section 36(4) was not used by a responding company, we are basing BIA on the IPA program rate calculated for the 1994 administrative review of the countervailing duty order on certain ball bearings from Thailand, Certain Ball Bearings from Thailand: Notice of Final Results of Administrative Review (62 FR 728, January 6, 1997), which is the only proceeding in which benefits under which Section 36(4) of the IPA were examined.

**Calculation Methodology for Assessment and Cash Deposit Purposes**

In accordance with section 706 of the Act and Ceramica Regiomontana, S.A. v. United States, 853 F. Supp. 431, 439 (CIT 1994), we calculated the net bounty or grant on a country-wide basis by first calculating the rate for each company subject to the administrative review. We then weighted the rate received by each company by its share of total Thai exports to the United States of subject merchandise examined, including all companies, even those with de minimis rates and rates based on BIA. We then summed the individual companies’ weighted rates to determine the country-wide, weighted-average rate from all programs benefitting exports of subject merchandise to the United States.

Since the country-wide rate calculated using this methodology was above de minimis, as defined by 19 CFR § 355.7, we proceeded to the next step and examined the net rate calculated for each company to determine whether individual company rates differed significantly from the weighted-average country-wide rate, pursuant to 19 CFR § 355.22(d)(3). Two companies had significantly different net rates during the review period. These companies are treated separately for assessment and cash deposit purposes. All other companies are assigned the country-wide rate. See “Preliminary Results of Review” section, below.

**Analysis of Programs**

I. Programs Conferring Subsidies

A. Export Packing Credits

Export packing credits (EPCs) are short-term pre-shipment export loans, provided and recorded on a shipment-by-shipment basis. These loans are provided through commercial banks for up to 100 percent of the shipment value, and the Bank of Thailand (BOT) will rediscount up to 50 percent of the commercial bank loan. Under the “Regulations of the Bank of Thailand: The Purchasing of Promissory Notes Arising from Exports” (B.E. 2531), effective October 1, 1988, the commercial banks charged the borrower a maximum of 10 percent interest per annum for the export credit, and the BOT rediscouted these loans at 5 percent interest for large exporters and 4 percent interest for small exporters. To qualify for the repurchase arrangement, promissory notes must be supported by a letter of credit, sales contract, purchase order, or warehouse receipt. The notes are available for a maximum of 180 days and interest is payable on the due date of the loan.
due date of the promissory note does not
fall beyond the expiration date of the
letter of credit, ten days after the
delivery date indicated on the sales
contract or purchase order, or the date
when the stored goods were due to be
discharged from the warehouse in the
case of goods backed by a warehouse
receipt. The loan must be repaid within
two days of shipment, whether or not
this occurred before the due date of the
note. In addition, within 60 days of
receipt of a packing credit loan, the
exporter must submit a Purchase of
Goods Report to the BOT.
If the commercial bank does not meet
the terms of the loan, the BOT charges
the commercial bank a penalty, retroactive to the first day of the loan,
at 6.5 percent. If the exporter does not
meet the terms of the loan, the
commercial bank passes on to the
borrower the additional 6.5 percent
penalty charge. If the exporter can prove
that shipment of the goods took place
within 60 days after the due date, the
penalty is refused to the commercial
bank by the BOT and the commercial
bank credits the exporter’s account. The
purpose of the penalty charge is to
ensure that companies are using the
EPCs to finance export sales.
In the original investigation, this
program was determined to be
countervailable because the loans were
provided only to exporters and they
were provided at preferential rates (see
Certain Apparel). There has been no
new information or evidence of changed
circumstances placed on the record of
this review to warrant reconsideration
of this program’s countervailability. For
companies for which we have specific
information on EPC usage, we compared
the amount of interest paid for EPCs
during the period of review with the
amount of interest that would have been
paid at the commercial benchmark rate.
As the benchmark, we used the
weighted average of the minimum loan
rate (MLR) and the minimum overdraft
rate (MOR) as reported in the Bank of
Thai Quarterly Bulletin. In Final
Affirmative Countervailing Duty
Determination and Countervailing Duty
Order: Steel Wire Rope from Thailand
(56 FR 46299; September 11, 1991), the
Department determined that the MLR
and MOR reflected the predominant
sources of short term commercial
financing in Thailand. Use of the
weighted-average of the MLR and MOR
rates as the benchmark for EPCs was
also upheld by the United States Court
of International Trade (CIT). See Royal
Thai Government and TTU Industrial
Corp. v United States, 850 F. Supp. 44,
51 (CIT 1994).
For each of the companies for which
we have specific information on EPC
usage, we calculated the rate by
subtracting the total interest on EPCs for
shipments to the United States that the
company actually paid during the
review period from the total amount of
interest that would have been paid at
the benchmark rate, and dividing this
benefit by the company’s total exports to
the United States. For companies for
which we lack specific information on
EPC usage, we are assigning as BIA the
highest rate calculated for a responding
company as discussed in the “Best
Information Available” section above.
On this basis, we preliminarily
determine the weighted average bounty
or grant under this program to be 0.55
percent ad valorem.
B. Tax Certificates for Exports
The RTG issues, to exporters of
record, tax certificates which are
transferrable and which rebate indirect
taxes and import duties levied on inputs
used to produce exports. This rebate
program is provided for in the Tax and
Duty Compensation of Exported Goods
Produced in the Kingdom Act (Tax and
Duty Act).
The Tax Certificate program has two
rates. The “A” rate rebates both import
duties and indirect domestic taxes and
is available to companies that have not
otherwise had duties refunded. The “B”
rates only indirect domestic taxes and is
claimed by exporters who have not
paid import duties, or who participate in
Thailand’s customs duty drawback
program or duty exemption program on
imported raw materials, or who do not
import raw materials for use in
production. Companies may receive
both “A” and “B” rebates depending on
the merchandise exported. In the
original investigation, we determined
that the tax certificate for exporters
program meets the standard criteria for
indirect tax rebate programs. This
program was determined to be
countervailable because the rebates
provided were excessive in that they
were based, in part, on the tax
incidences for non-physically
incorporated items. See Certain
Apparel.
By announcement AO 4/2533 (1990)
(“AO 4/2533”), effective June 11, 1990,
MOF adopted a 46477 ad valorem
rate of 0.48 percent ad valorem. Based
on the above, we preliminarily
determine the weighted average bounty
or grant under this program to be 0.31
percent ad valorem.
C. Electricity Discounts for Exporters
Electricity discounts for exports were
terminated effective January 1, 1990.
However, because government
authorities could defer action on
company applications for up to five
years, residual benefits were possible up
to five years after termination of the
program. Under this program, the
electricity authorities in Thailand
provided discounts of 20 percent of the
cost of electricity consumed to produce
exports. The discount was calculated as
an ad valorem tax and deducted from each
compartment's electric bills.
In the original investigation, this program was determined to be countervailable. See Certain Apparel. There has been no new information or evidence of changed circumstances placed on the record of this review to warrant reconsideration of this program's countervailability. For companies for which we have specific information on receipt of electricity discounts during the period of review, we calculated the benefit attributable to these residual benefits by dividing the amount of the electricity discount by the total exports. For companies for which we do not have specific information on receipt of electricity discounts during the period of review, we are assigning as BIA the highest rate calculated for a responding company as discussed in the “Best Information Available” section above. On this basis, we preliminarily determined the net bounty or grant from this program to be 0.20 percent ad valorem for all manufacturers.

D. Investment Promotion Act (IPA)—Sections 28 and 36(4)

The Investment Promotion Act of 1977 is administered by the Board of Investment (BOI) and is designed to provide incentives to invest in Thailand. During the 1985 investigation, none of the IPA programs were utilized by the companies subject to review. In order to receive IPA benefits, each company must apply to the BOI for a Certificate of Promotion (license), which specifies goods to be produced, production and export requirements, and benefits allowed. These licenses are granted at the discretion of the BOI and are periodically amended or reissued to upgrade benefits. Each IPA section for which a company is eligible must be specifically identified in the license. This program was determined to be countervailable in previous investigations involving Thailand. See, e.g., Final Affirmative Countervailing Duty Determination and Partial Countervailing Duty Order: Ball Bearings and Parts Thereof From Thailand (54 FR 12130, May 3, 1989). There has been no new information or evidence of changed circumstances placed on the record of this review to warrant reconsideration of this program's countervailability.

As discussed above, during the period of review, several companies were eligible for various IPA benefits; however, reporting companies received benefits only under Section 28 of the IPA. Under Section 28, an exporting company is allowed a 20 percent expenditure reimbursement (fixed assets) free of import duties and business and local taxes. Nan Yang Knitting Factory Co., Ltd. and Far East Knitting Co., Ltd. are the only companies subject to the review who received IPA Section 28 benefits. We calculated the Section 28 benefit for each of these companies by dividing the total amount of taxes and duties exempted during the review period by the companies' total exports.

In addition, the RTG indicated that several companies were eligible for benefits under Section 36(4). Under Section 36(4), the company is allowed a tax deduction equal to 5 percent of the increase in export earnings over the previous year. No responding company received benefits under section 36(4). Thai Iryo Public Co., Ltd. was the only eligible company for which no specific information was provided regarding the receipt of benefits under this provision of the IPA. Therefore, we are assigning a BIA rate to Thai Iryo as discussed in the BIA section above. On this basis, we preliminarily determine the net bounty or grant from the IPA program to be 0.07 percent ad valorem for all the subject merchandise.

II. Programs Preliminarily Found Not to be Used

We examined the following programs and preliminarily find that the producers and/or exporters of the subject merchandise did not apply for or receive benefits under these programs during the period of review.

A. Rediscount of Industrial Bills
B. Assistance for Trading Companies
C. IPA (Sections 29, 30, 31, 33, and 36 (1-3))
D. Export Processing Zones
E. Financing from the Industrial Finance Corporation of Thailand

Preliminary Results of Review

For the period January 1, 1991 through December 31, 1991, we preliminarily determine the net bounty or grant to be 1.13 percent ad valorem for all companies except Thai Garment Export Co., Ltd., Fairtex Garment Co., Ltd., Fang Brothers Holding (Thailand) Co., Ltd., and East Asia Textile Ind. Co., Ltd. which have de minimis rates.

If the final results of this review remain the same as these preliminary results, the Department also intends to instruct the U.S. Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise by Thai Garment Export Co., Ltd., Fairtex Garment Co., Ltd., Fang Brothers Holding (Thailand) Co., Ltd., and East Asia Textile Ind. Co., Ltd. exported on or after January 1, 1991 and on or before December 31, 1991. This is because the company-specific rates calculated for these companies are less than 0.5 percent ad valorem, which is de minimis.

As noted above, this countervailing duty order was subject to section 753 of the Act, as amended by the URRAA. See Countervailing Duty Order; Opportunity to Request a Section 753 Injury Investigation (60 FR 27,693, May 26, 1995). Because no domestic interested parties exercised their right under section 753(a) of the Act to request an injury investigation, the International Trade Commission made a negative injury determination with respect to this order, pursuant to section 753(b)(4) of the Act. As a result, the Department revoked this countervailing duty order, effective January 1, 1995, pursuant to section 753(b)(3)(B) of the Act. See Revocation of Countervailing Duty Orders (60 FR 40568, August 9, 1995) and Notice of Determination to Amend Revocation, in Part, of Countervailing Duty Order (62 FR 392, January 3, 1997). Accordingly, the Department will not issue further instructions with respect to cash deposits of estimated countervailing duties.

Parties to the proceeding may request disclosure of the calculation methodology and interested parties may request a hearing not later than 10 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted seven days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. Any hearing, if requested, will be held seven days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR § 351.33(e).

The following parties to the proceeding may request disclosure of proprietary information under
Manufacturing Extension Partnership, National Advisory Board

ACTION: Notice of open meeting.

SUMMARY: Pursuant to the Federal Advisory Committee Act, 5 U.S.C. app. 2, notice is hereby given that the Manufacturing Extension Partnership (MEP) National Advisory Board, National Institute of Standards and Technology (NIST), will meet to hold its first meeting on Friday, September 26, 1997. The Manufacturing Extension Partnership National Advisory Board is composed of 9 members appointed by the Director of NIST who were selected for their expertise in the area of industrial extension and their work on behalf of smaller manufacturers. The Board was set up under the direction of the Director of the National Institute of Standards and Technology to fill a need for outside input and advice for MEP, a unique program consisting of centers in all 50 states and Puerto Rico which are created by a state, federal and local partnership. The Board will work closely with the Manufacturing Extension Partnership to provide input and advice on MEP's strategies, plans and policies. The purpose of this initial meeting is to provide an overview of the Manufacturing Extension Partnership,