

# Notices

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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

## DEPARTMENT OF COMMERCE

### Submission for OMB Review; Comment Request

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* Bureau of Economic Analysis (BEA).

*Title:* Annual Survey of Foreign Direct Investment in the United States.

*OMB Control Number:* 0608-0034.

*Form Number(s):* BE-15.

*Type of Request:* Regular submission.

*Number of Respondents:* 4,000 annually.

*Average Hours per Response:* 19.5 hours is the average, but may vary considerably among respondents because of differences in company size and complexity.

*Estimated Total Annual Burden Hours:* 77,825.

*Needs and Uses:* The Annual Survey of Foreign Direct Investment in the United States (Form BE-15) obtains sample data on the financial structure and operations of U.S. affiliates of foreign investors. The data are needed to provide reliable, useful, and timely measures of foreign direct investment in the United States, assess its impact on the U.S. economy, and based upon this assessment, make informed policy decisions regarding foreign direct investment in the United States. The data are used to derive annual estimates of the operations of U.S. affiliates of foreign investors, including their balance sheets; income statements; property, plant, and equipment; employment and employee compensation; merchandise trade; sales of goods and services; taxes; and research and development activity. In addition, data covering employment are collected by state. The data are also

used to update similar data for the universe of U.S. affiliates collected once every five years on the BE-12 benchmark survey.

The survey incorporates changes that were made to the 2012 BE-12, Benchmark Survey of Foreign Direct Investment in the United States. The exemption level for reporting on the survey is unchanged from the previous (2011) survey.

The BE-15 annual survey is sent to potential respondents in March of each year. A completed report covering a reporting company's fiscal year ending during the previous calendar year is due by May 31 (or by June 30 for reporting companies that use BEA's eFile system). Reports must be filed by every U.S. business enterprise that is owned 10 percent or more by a foreign investor and that has total assets, sales or gross operating revenues, or net income (or loss) of over \$40 million.

As an alternative to filing paper forms, BEA offers its electronic filing option, the eFile system, for use in reporting on Form BE-15. For more information about eFile, go to [www.bea.gov/efile](http://www.bea.gov/efile).

Potential respondents are those U.S. business enterprises that reported in the 2012 benchmark survey, along with businesses that subsequently entered the direct investment universe. The BE-15 is a sample survey, as described; universe estimates are developed from the reported sample data.

*Affected Public:* Business or other for-profit organizations.

*Frequency:* Annual.

*Respondent's Obligation:* Mandatory.

*OMB Desk Officer:* Paul Bugg, (202) 395-3093.

Copies of the above information collection proposal can be obtained by calling or writing Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230, or via email at [jjessup@doc.gov](mailto:jjessup@doc.gov).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Paul Bugg, OMB Desk Officer, FAX number (202) 395-7245, or via email at [pbugg@omb.eop.gov](mailto:pbugg@omb.eop.gov).

Dated: December 14, 2012.

**Glenna Mickelson,**  
*Management Analyst, Office of Chief Information Officer.*

[FR Doc. 2012-30583 Filed 12-19-12; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[B-90-2012]

#### Foreign-Trade Zone 26—Atlanta, GA; Notification of Proposed Production Activity; Perkins Shibaura Engines LLC, (Diesel Engines), Griffin, GA

Perkins Shibaura Engines LLC (Perkins Shibaura), an operator of FTZ 26, submitted a notification of proposed production activity for its facility in Griffin, Georgia. The notification conforming to the requirements of the regulations of the Foreign-Trade Zones Board (15 CFR 400.22) was received on November 29, 2012.

The Perkins Shibaura facility is located within Site 6 of FTZ 26. The facility is used for the production of diesel engines used in off-road vehicles. Production under FTZ procedures could exempt Perkins Shibaura from customs duty payments on the foreign status components and materials used in export production. On its domestic sales, Perkins Shibaura would be able to choose the duty rate during customs entry procedures that applies to diesel engines (free) for the foreign status inputs noted below. Customs duties also could possibly be deferred or reduced on foreign status production equipment.

Components and materials sourced from abroad include: Plastic hoses, gaskets, copper washers/gaskets, sign plates, relief valves, hose assemblies, thermostat covers/cases, valve bodies, sensors, resistors, radiators, and electronic control units (duty rate ranges from free to 5%).

Public comment is invited from interested parties. Submissions shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is January 29, 2013.

A copy of the notification will be available for public inspection at the Office of the Executive Secretary, Foreign-Trade Zones Board, Room 21013, U.S. Department of Commerce, 1401 Constitution Avenue NW.,

Washington, DC 20230-0002, and in the "Reading Room" section of the Board's Web site, which is accessible via [www.trade.gov/ftz](http://www.trade.gov/ftz).

For further information, contact Pierre Duy at [Pierre.Duy@trade.gov](mailto:Pierre.Duy@trade.gov), or (202) 482-1378.

Dated: December 13, 2012.

**Andrew McGilvray,**

*Executive Secretary.*

[FR Doc. 2012-30578 Filed 12-19-12; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### **Proposed Information Collection; Comment Request; Interim Procedures for Considering Requests From the Public for Textile and Apparel Safeguard Actions on Imports From Panama**

**AGENCY:** International Trade Administration.

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995.

**DATES:** Written comments must be submitted on or before February 19, 2013.

**ADDRESSES:** Direct all written comments to Jennifer Jessup, Departmental Paperwork Clearance Officer, Department of Commerce, Room 6616, 14th and Constitution Avenue NW., Washington, DC 20230 (or via the Internet at [jjessup@doc.gov](mailto:jjessup@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the information collection instrument and instructions should be directed to Laurie Mease, Office of Textiles and Apparel, U.S. Department of Commerce, Telephone: 202-482-3400, Fax: 202-482-0858, Email: [Laurie.Mease@trade.gov](mailto:Laurie.Mease@trade.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

Title III, Subtitle B, Section 321 through Section 328 of the United States-Panama Trade Promotion Agreement Implementation Act (the "Act") [Pub. L. 112-43] implements the textile and apparel safeguard provisions, provided for in Article 3.24 of the United States-Panama Trade Promotion

Agreement (the "Agreement"). This safeguard mechanism applies when, as a result of the elimination of a customs duty under the Agreement, a Panamanian textile or apparel article is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage or actual threat thereof to a U.S. industry producing a like or directly competitive article. In these circumstances, Article 3.24 permits the United States to increase duties on the imported article from Panama to a level that does not exceed the lesser of the prevailing U.S. normal trade relations (NTR)/most-favored-nation (MFN) duty rate for the article or the U.S. NTR/MFN duty rate in effect on the day the Agreement entered into force.

The Statement of Administrative Action accompanying the Act provides that the Committee for the Implementation of Textile Agreements (CITA) will issue procedures for requesting such safeguard measures, for making its determinations under Section 322(a) of the Act, and for providing relief under Section 322(b) of the Act.

In Proclamation No. 8894 (77 FR 66507, November 5, 2012), the President delegated to CITA his authority under Subtitle B of Title III of the Act with respect to textile and apparel safeguard measures.

CITA must collect information in order to determine whether a domestic textile or apparel industry is being adversely impacted by imports of these products from Panama, thereby allowing CITA to take corrective action to protect the viability of the domestic textile industry, subject to Section 322(b) of the Act.

Pursuant to Section 321(a) of the Act and Paragraph (7) of Presidential Proclamation 8894, an interested party in the U.S. domestic textile and apparel industry may file a request for a textile and apparel safeguard action with CITA. Consistent with longstanding CITA practice in considering textile safeguard actions, CITA will consider an interested party to be an entity (which may be a trade association, firm, certified or recognized union, or group of workers) that is representative of either: (A) A domestic producer or producers of an article that is like or directly competitive with the subject Panamanian textile or apparel article; or (B) a domestic producer or producers of a component used in the production of an article that is like or directly competitive with the subject Panamanian textile or apparel article.

In order for a request to be considered, the requestor must provide the following information in support of a claim that a textile or apparel article from Panama is being imported into the United States in such increased quantities, in absolute terms or relative to the domestic market for that article, and under such conditions as to cause serious damage or actual threat thereof, to a U.S. industry producing an article that is like, or directly competitive with, the imported article: (1) Name and description of the imported article concerned; (2) import data demonstrating that imports of an Panamanian origin textile or apparel article that are like or directly competitive with the articles produced by the domestic industry concerned are increasing in absolute terms or relative to the domestic market for that article; (3) U.S. domestic production of the like or directly competitive articles of U.S. origin indicating the nature and extent of the serious damage or actual threat thereof, along with an affirmation that to the best of the requestor's knowledge, the data represent substantially all of the domestic production of the like or directly competitive article(s) of U.S. origin; (4) imports from Panama as a percentage of the domestic market of the like or directly competitive article; and (5) all data available to the requestor showing changes in productivity, utilization of capacity, inventories, exports, wages, employment, domestic prices, profits, and investment, and any other information, relating to the existence of serious damage or actual threat thereof caused by imports from Panama to the industry producing the like or directly competitive article that is the subject of the request. To the extent that such information is not available, the requestor should provide best estimates and the basis therefore.

If CITA determines that the request provides the information necessary for it to be considered, CITA will publish a notice in the **Federal Register** seeking public comments regarding the request. The comment period shall be 30 calendar days. The notice will include a summary of the request. Any interested party may submit information to rebut, clarify, or correct public comments submitted by any interested party.

CITA will make a determination on any request it considers within 60 calendar days of the close of the comment period. If CITA is unable to make a determination within 60 calendar days, it will publish a notice in the **Federal Register**, including the date it will make a determination.