

Procurement List; Additions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Addition to the Procurement List

SUMMARY: This action adds to the Procurement List commodities to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

EFFECTIVE DATE: February 10, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603-7740.

SUPPLEMENTARY INFORMATION: On October 25, 1996, the Committee for Purchase From People Who Are Blind or Severely Disabled published notice (61 FR 55268) of proposed additions to the Procurement List. Comments were received from the current contractor for the Air Force women's garrison caps. That contractor described its position as precarious and attributed the reductions in its workforce over the past six years to Committee decisions to place several other military caps on its Procurement List. The contractor advised that the addition of the cap to the Procurement List would put an end to its enterprise.

The Committee is aware that substantial reductions in troop strength in all military services in recent years have decreased the requirements for these caps and other types of headgear. In fact, the nonprofit agency that would produce these caps has experienced significant reductions in orders for the Air Force men's caps, which is why it is seeking the additional work represented by the women's caps.

The Committee believes it is primarily the changes in troop strength and the current contractor's failure to secure other Federal and commercial business that have led to the decline in that firm's workforce and sales and not previous actions by the Committee. This belief is supported by the fact that the current annual value of the types of caps made under the JWOD Program that have been made in the past by the current contractor is substantially less than the decline in the current contractor's sales over the past six years.

The Committee also noted that while it has placed the Air Force men's garrison caps and a small portion of the Army men's garrison caps on its Procurement List, the current contractor will continue to have the ability to bid

on substantial other Government business. This business includes the vast majority of the Army men's garrison caps, the Army women's garrison caps, and all the Marine and Coast Guard garrison caps. The current contractor will also have the opportunity to continue to bid on all service cap covers. Moreover, the Committee will not be adding any more caps of this type or any service cap covers to the Procurement List for at least five years without the prior approval of the current contractor and another firm that makes these types of caps.

The Committee also noted that the caps in question did not represent a substantial portion of the current contractor's business during the past year and prior to August of 1996 had not been supplied by the current contractor for several years.

Since it has remained in business without sales of this cap or the Air Force men's cap for three to five years, the firm is not, in the Committee's opinion, dependent on the sales of either cap for its continued survival.

Overall, the Committee has concluded that because of the significant opportunities that will continue to be available to the current contractor to bid on other caps and cap covers and the firm's lack of dependence on this particular item, addition of these caps is not likely to result in an end to the enterprise. However, to give the current contractor additional time to adjust to the market changes, the Committee has decided to permit half of the initial FY 1997 requirement for the caps in question to be procured competitively.

After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and impact of the addition on the current or most recent contractors, the Committee has determined that the commodities listed below are suitable for procurement by the Federal Government under 41 U.S.C. 46-48c and 41 CFR 51-2.4.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the commodities to the Government.

2. The action will not have a severe economic impact on current contractors for the commodities.

3. The action will result in authorizing small entities to furnish the commodities to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the commodities proposed for addition to the Procurement List.

Accordingly, the following commodities are hereby added to the Procurement List:

Cap, Garrison, Women's (USAF)

8410-01-381-5481
8410-01-381-5559
8410-01-381-5544
8410-01-381-5566
8410-01-381-5521
8410-01-381-5536
8410-01-381-5507
8410-01-381-5612
8410-01-381-5627
8410-01-381-5647
8410-01-381-5504

This action does not affect current contracts awarded prior to the effective date of this addition or options that may be exercised under those contracts.

Beverly L. Milkman,

Executive Director.

[FR Doc. 97-660 Filed 1-9-97; 8:45 am]

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Procurement List; Proposed Addition

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled

ACTION: Proposed Addition to Procurement List.

SUMMARY: The Committee has received a proposal to add to the Procurement List a service to be furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

COMMENTS MUST BE RECEIVED ON OR BEFORE: February 10, 1997.

ADDRESSES: Committee for Purchase From People Who Are Blind or Severely Disabled, Crystal Square 3, Suite 403, 1735 Jefferson Davis Highway, Arlington, Virginia 22202-3461.

FOR FURTHER INFORMATION CONTACT: Beverly Milkman (703) 603-7740.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 47(a) (2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the possible impact of the proposed action.

If the Committee approves the proposed addition, all entities of the Federal Government (except as

otherwise indicated) will be required to procure the service listed below from nonprofit agencies employing persons who are blind or have other severe disabilities.

I certify that the following action will not have a significant impact on a substantial number of small entities. The major factors considered for this certification were:

1. The action will not result in any additional reporting, recordkeeping or other compliance requirements for small entities other than the small organizations that will furnish the service to the Government.

2. The action will result in authorizing small entities to furnish the service to the Government.

4. There are no known regulatory alternatives which would accomplish the objectives of the Javits-Wagner-O'Day Act (41 U.S.C. 46-48c) in connection with the service proposed for addition to the Procurement List.

Comments on this certification are invited. Commenters should identify the statement(s) underlying the certification on which they are providing additional information.

The following service has been proposed for addition to Procurement List for production by the nonprofit agency listed:

Duplicating/Copying of Court Documents

(GPO Program #C414-S)

NPA: Alliance, Inc., Baltimore, Maryland.

Beverly L. Milkman,

Executive Director.

[FR Doc. 97-661 Filed 1-9-97; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[A-201-805]

Certain Circular Welded Non-Alloy Steel Pipe From Mexico; Initiation of Anticircumvention Inquiry on Antidumping Duty Order

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

ACTION: Notice of initiation of anticircumvention inquiry.

SUMMARY: In response to a request from petitioners in this case¹, the Department

of Commerce (the Department) is initiating an anticircumvention inquiry to determine whether imports of (i) pipe certified to the American Petroleum Institute (API) 5L line pipe specifications (API 5L or line pipe) and (ii) pipe certified to both the API 5L line pipe specifications and the less stringent American Society for Testing and Materials (ASTM) A-53 standard pipe specifications (dual certified pipe²), falling within the physical dimensions outlined in the scope of the order, are circumventing the antidumping duty order on certain welded non-alloy carbon steel pipe from Mexico (57 FR 49453, November 2, 1992).

EFFECTIVE DATE: January 10, 1997.

FOR FURTHER INFORMATION CONTACT:

Robert M. James at (202) 482-5222 or John Kugelman at (202) 482-0649, Antidumping and Countervailing Duty Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC, 20230.

APPLICABLE STATUTE AND REGULATIONS:

Unless otherwise indicated, all citations to the Tariff Act of 1930, as amended (the Tariff Act), and to the Department's regulations are references to the provisions as they existed on December 31, 1994.

SUPPLEMENTARY INFORMATION:

Background

On April 23, 1993, petitioners requested that the Department conduct an anticircumvention inquiry pursuant to section 781(c) of the Tariff Act covering imports of API 5L line pipe and dual-certified pipe from Mexico. Petitioners alleged that, following publication of the antidumping duty order, exporters of standard pipe from Mexico began circumventing the order by having pipe intended for use as standard pipe certified as line pipe or certified for use as both line and standard pipe. Petitioners further alleged that pipe distributors were substituting pipe certified to the more stringent line and dual-certified specifications for the standard pipe subject to the order, and that end users of standard pipe began using imported line and dual-certified pipe in "standard pipe applications." According to petitioners, the "transformation of standard pipe into * * * pipe which also meets the line pipe standard is a

Conduit Co., Wheatland Tube Co., and CSI Tubular Products, Inc.

² This merchandise, sometimes referred to as "dual-stenciled," may also include "multiple-stenciled" pipe.

"minor alteration of merchandise" within the meaning of section 781(c) of the [Tariff] Act." See Anticircumvention Petition, April 23, 1993 at 1.

After examining petitioners' allegations, we instead initiated a scope inquiry under 19 CFR 353.29(i) on June 7, 1993, to determine whether both API 5L line pipe and dual-certified pipe, when actually used in standard pipe applications, are within the scope of the orders. On March 21, 1996, we determined that both line and dual-certified pipe were explicitly excluded from the orders. Final Negative Scope Determination (61 FR 11608).

On April 12, 1996, Wheatland Tube Company (Wheatland), one of the original petitioners, filed a lawsuit before the Court of International Trade (the Court) challenging the final scope determination and the fact that the Department did not initiate an anticircumvention inquiry, as petitioners originally requested. On July 12, 1996, we requested a remand from the Court in order to provide a full explanation on the record as to why we did not initiate an anticircumvention inquiry or, if appropriate, to initiate such a proceeding. On October 9, 1996, the Court denied our motion for a voluntary remand and, in response to a separate motion filed by Wheatland, also dismissed all counts of the original complaint as to Mexico.³

Initiation of Anticircumvention Proceeding

Section 353.29(b) of our regulations provides that applications for anticircumvention determinations contain (1) a detailed description of the product, including technical characteristics and uses of the product, and its current U.S. Tariff Classification number; (2) a statement of the interested party's position as to whether the product is within the scope of an antidumping order, including (i) a summary of the reasons for this conclusion, (ii) citations to any applicable statutory authority, and (iii) attachment of any factual support for this position, including applicable portions of the Secretary's or the Commission's investigation. Where all of these conditions are met, our regulations state we will evaluate the application to determine whether an inquiry is warranted.

Upon review of petitioners' application, we find that it contains a detailed description of the products and

¹ Petitioners are: Allied Tube & Conduit Corp., Sawhill Tubular Division of Tex-Tube Co., Century Tube Corp., Laclede Steel Co., LTV Tubular Products Co., Sharon Tube Co., Western Tube &

³ Based on the Court's denial of our request for voluntary remand, the Department is not initiating an anticircumvention inquiry with respect to pipe imports from Brazil and Korea.