

continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in this review, a prior review, or the less-than-fair-value investigation, but the manufacturer is, the cash deposit rate will be the rate established for the most recent period for the manufacturer of the merchandise; and

(4) If neither the exporter nor the manufacturer is a firm covered in this or any previous review conducted by the Department, the cash deposit rate will be 19.84 percent. See Amended Final Determination and Antidumping Duty Order; Certain Welded Stainless Steel Pipe From Taiwan, 57 FR 62300 (December 30, 1992).

All U.S. sales by the respondent Ta Chen will be subject to one deposit rate according to the proceeding. The cash deposit rate has been determined on the basis of the selling price to the first unrelated customer in the United States. For appraisal purposes, where information is available, we will use the entered value of the subject merchandise to determine the appraisal rate.

This notice serves as preliminary reminder to importers of their responsibility to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of the antidumping duties occurred and the subsequent assessment of double antidumping duties. This administrative review and this notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and 19 CFR 353.22.

Dated: December 30, 1996.

Robert S. LaRussa,

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 97-633 Filed 1-9-97; 8:45 am]

BILLING CODE 3510-DS-P

#### **North American Free-Trade Agreement (NAFTA), Article 1904 Binational Panel Reviews; Decision of Binational Panel**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of decision of Binational Panel.

**SUMMARY:** On December 16, 1996, the Binational Panel issued its decision in the matter of Fresh Cut Flowers from Mexico, Secretariat File No. USA-95-1904-05.

#### **FOR FURTHER INFORMATION CONTACT:**

James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904 Binational Panel Reviews* ("Rules"). These Rules were published in the Federal Register on February 23, 1994 (59 FR 8686). The panel review in this matter was conducted in accordance with these Rules.

#### **Background Information**

On October 26, 1995, Rancho El Aguaje, Rancho El Toro and Rancho Guacatay filed a First Request for Panel Review with the U.S. Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the Final Results of Antidumping Duty Administrative Review made by the International Trade Administration respecting Fresh Cut Flowers from Mexico. This determination was published in the Federal Register on September 26, 1995 (60 FR 49569). The request was assigned File No. USA-95-1904-05.

#### **Panel Decision**

The Panel decided that the Department properly determined that the Complainants provided misleading and evasive statements concerning their respective tax statuses and that the Department properly invoked BIA given the substantial evidence on the record in this action. However, the first-tier BIA rate imposed by the Department was not justified by substantial evidence on the record and was not otherwise in accordance with law. Based upon the substantial evidence on the record, the Panel remanded the action with instructions to assign a second-tier rate

of 18.20 percent, which is taken from the Department's original investigation and takes into account the substantial cooperation provided by the Ranches.

The Panel ordered the Department to issue a determination on remand consistent with the instructions and findings set forth in the Panel's decision. The determination on remand shall be issued within forty-five (45) days of the date of the Order (not later than January 30, 1997).

Dated: December 18, 1996.

James R. Holbein,

*U.S. Secretary, NAFTA Secretariat.*

[FR Doc. 97-509 Filed 1-9-97; 8:45 am]

BILLING CODE 3510-GT-M

#### **National Oceanic and Atmospheric Administration**

#### **Federal Approval of the Texas Coastal Management Program**

**AGENCY:** National Oceanic and Atmospheric Administration, National Ocean Service.

**ACTION:** Notice of the National Oceanic and Atmospheric Administration, National Ocean Services's approval of the Texas Coastal Management Program pursuant to the Coastal Zone Management Act of 1972, as amended 16 U.S.C. 1451 *et seq.*

**SUMMARY:** Notice is hereby given that the National Oceanic and Atmospheric Administration (NOAA) approved the Texas Coastal Management Program (TCMP) on December 23, 1996, pursuant to the provisions of section 306 of the Federal Coastal Zone Management Act of 1972, as amended, 16 U.S.C. 1455 (CZMA). The TCMP is described in the Texas Coastal Management Program and Final Environmental Impact Statement (P/FEIS) published in August 1996.

Texas is the 30th state to receive federal approval of its coastal management program and the first state program to be approved by NOAA in ten years. Texas submitted a proposed coastal program to NOAA in October 1995. Upon reaching a preliminary decision that the program met the requirements of the CZMA, and in order to meet its responsibilities under the National Environmental Policy Act, NOAA published the Texas Coastal Management Program and Draft Environmental Impact Statement (P/DEIS) for public review on June 23, 1996. NOAA published the P/FEIS including public comments on the P/DEIS and responses to those comments on August 23, 1996. NOAA has also fulfilled its responsibilities under the Endangered Species Act through

consultations with the U.S. Fish and Wildlife Service and National Marine Fisheries Service.

The TCMP is the culmination of several years of development by the State of Texas, interest groups, the general public, federal agencies, and in consultation with NOAA. The TCMP consists of numerous state policies on diverse coastal management issues which are prescribed by statute and other legal mechanisms and made enforceable under state law. The TCMP will improve the decision making process for determining appropriate coastal land and water uses in light of resource consideration and increase public awareness of coastal resources and processes. The TCMP will increase long term protection of the state's coastal resources, while providing for sustainable economic development.

NOAA approval of the TCMP makes the state eligible for federal financial assistance for program administration and enhancement under sections 306, 306A, 308 and 309 of the CZMA (16 U.S.C. §§ 1455, 1455a, 1456a, and 1456b). Texas has submitted an application for \$800,000 in FY 1996 Federal CZMA funds which are available to Texas. These funds will generally be used to assist the state administer the various state and local authorities included in the TCMP as well as be used to fund local management efforts to increase public access, restore damaged resources and manage coastal erosion.

NOAA approval of the TCMP also makes operational, as of the date of this Federal Register notice, the CZMA federal consistency requirement with respect to the TCMP (16 U.S.C. 1456; 15 CFR part 930). Therefore, as of today, direct federal activities occurring within or outside the Texas Coastal Zone that are reasonably likely to affect any land or water use or natural resources of the Texas Coastal Zone must be consistent to the maximum extent practicable with the enforceable policies of the TCMP. In addition, activities within or outside the Texas Coastal Zone requiring a federal license or permit listed in the P/FEIS, and federal financial assistance to state agencies and local governments that are reasonably likely to affect any land or water use or natural resource of the Texas Coastal Zone must be consistent with the enforceable policies of the TCMP.

Chapter 4 and Appendix C1 of the P/FEIS identify the enforceable policies of the Texas program. Chapter 5 and Appendix C4 of the P/FEIS identify federally licensed or permitted activities subject to the federal consistency requirements. Chapter 5 and Appendix

C4 of the P/FEIS, as well as the CZMA regulations at 15 CFR part 930, provide specific procedures to be used in the Federal/State coordination process.

For further information please contact Bill O'Beirne at (301) 713-3109, ext. 160; or via fax at (301) 713-4367; or via the Internet at <bobeirne@coasts.nos.noaa.gov>.

(Federal Domestic Assistance Catalog 11.419 Coastal Zone Management Program Administration)

David L. Evans,

*Deputy Assistant Administrator for Ocean Service and Coastal Zone Management.*

[FR Doc. 97-457 Filed 1-9-97; 8:45 am]

BILLING CODE 3510-08-M

[I.D. 123096A]

### **Marine Mammals; Permit No. 738 (P77#51)**

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Issuance of amendment.

**SUMMARY:** Notice is hereby given that permit no. 738, issued to The Southeast Fisheries Science Center, National Marine Fisheries Service, 75 Virginia Beach Drive, Miami, Florida 33149, was amended to extend the expiration date until June 30, 1997.

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130 Silver Spring, MD 20910 (301/713-2289); and

Regional Administrator, Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432.

**SUPPLEMENTARY INFORMATION:** The subject amendment has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the provisions of § 216.39 of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the provisions of § 222.25 of the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR part 222).

Issuance of this permit as required by the ESA was based on a finding that such permit: (1) Was applied for in good faith; (2) will not operate to the disadvantage of the endangered species which is the subject of this permit; and

(3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: December 26, 1996.

Ann D. Terbush,

*Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 97-589 Filed 1-9-97; 8:45 am]

BILLING CODE 3510-22-F

## **DEPARTMENT OF DEFENSE**

### **Office of the Secretary of Defense**

#### **Department of Defense Wage Committee; Notice of Closed Meetings**

Pursuant to the provisions of section 10 of Public Law 92-463, the Federal Advisory Committee Act, notice is hereby given that closed meetings of the Department of Defense Wage Committee will be held on February 4, 1997; February 11, 1997; February 18, 1997; and February 25, 1997; at 10:00 a.m. in Room A105, The Nash Building, 1400 Key Boulevard, Rosslyn, Virginia.

Under the provisions of section 10(d) of Public Law 92-463, the Department of Defense has determined that the meetings meet the criteria to close meetings to the public because the matters to be considered are related to internal rules and practices of the Department of Defense and the detailed wage data to be considered were obtained from officials of private establishments with a guarantee that the date will be held in confidence.

However, members of the public who may wish to do so are invited to submit material in writing to the chairman concerning matters believed to be deserving of the Committee's attention.

Additional information concerning the meetings may be obtained by writing to the Chairman, Department of Defense Wage Committee, 4000 Defense Pentagon, Washington, DC 20301-4000.

Dated: January 6, 1997.

L.M. Bynum,

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 97-533 Filed 1-9-97; 8:45 am]

BILLING CODE 5000-04-M

## **Department of the Air Force**

#### **Active Duty Service Determination for Civilian or Contractual Groups**

On December 24, 1996, the Secretary of the Air Force determined that the service of the group known as "All U.S. Civilians of the American Field Service, who served Overseas Operationally