

perforator represents is below the level which the Committee normally considers to constitute severe adverse impact. The contractor will continue to have the opportunity to produce the other perforator for the Government, so the equipment and workers on its dedicated production line will not be idle.

Addition of this perforator to the Procurement List will create employment for several persons with severe disabilities. These persons as a group have a very high unemployment rate, so it is likely that any of the contractor's workers who may be displaced by the Committee's action will have a better chance of finding other work than these persons with severe disabilities.

#### **The Following Comments Pertain to Linen Management Service, Norfolk, Virginia**

Comments were received from the current contractor for this service. The contractor claimed that the proposed addition to the Procurement List does not meet the Committee's regulatory requirements on contractor impact and nonprofit agency capability, and cited court decisions on these points.

The contractor claimed that the proposed addition will have a severe adverse impact on the sales of the local plant which is performing the service. However, the Committee's regulation on contractor impact requires the Committee to look at the entire corporate structure of a contractor, including parent and affiliated companies, in making a determination. This addition to the Procurement List represents a very small percentage of the total sales of the corporate structure of this contractor, which is a very large business, even when the impact of other Procurement List additions on the contractor and its long record as a contractor for this service are taken into account.

The contractor also claimed that the addition would require it to discharge a number of workers and would result in a loss in annualized projected revenue. The number of workers and the anticipated loss far exceeds the number of jobs the service is expected to create for people with severe disabilities, and the anticipated revenue loss is well above the annual contract value for the service. Accordingly, the Committee does not believe the contractor's figures to be credible. Any actual loss suffered by the contractor in these areas is outweighed by the creation of jobs for people with severe disabilities, who experience very high unemployment rates.

The contractor cited a 1970 court decision to the effect that the Committee's program was not intended to have any impact on commercial businesses. That decision construed an earlier version of the Committee's statute. The statute was substantially amended in 1971, and the same court in a 1978 decision noted the legislative intent of the new statute was to allow impact on commercial entities. The contractor impact for this Procurement List addition is far below the figure allowed by that court decision.

The contractor also claimed that the nonprofit agency could not be deemed capable of providing the service in compliance with strict requirements applicable to it, such as local water quality and discharge standards. The contractor cited another court decision which requires the Committee to have evidence that the particular nonprofit agency has the capability to provide the service, rather than relying on generalized statements about the capability of people with severe disabilities. The nonprofit agency is currently successfully providing the same service to another Federal installation in the same area, and the Government contracting activity which is responsible for the service now being added to the Procurement List has informed the Committee that it has inspected the nonprofit agency and found it capable of providing this service. After consideration of the material presented to it concerning capability of qualified nonprofit agencies to provide the commodities and services and impact of the additions on the current or most recent contractors, the Committee has determined that the commodities and services 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 and services to the Government.
2. The action will not have a severe economic impact on current contractors for the commodities and services.
3. The action will result in authorizing small entities to furnish the commodities and services 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 and services proposed for addition to the Procurement List.

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

#### *Commodities*

Office and Miscellaneous Supplies  
(Requirements for Lackland Air Force Base, Texas)

Cross "Solo" Pen and Refill

7520-01-424-4846

7520-01-424-4881

7520-01-424-4860

7520-01-424-4848

7520-01-424-4871

7510-01-425-6802

Perforator, Paper, Desk

7520-00-224-7589

#### *Services*

Janitorial/Custodial, Plains High School/  
Visitor Center, Jimmy Carter National  
Historic Site, Plains, Georgia

Laundry Service, Evans U.S. Army  
Community Hospital, (all general  
laundry excluding uniforms), Fort  
Carson, Colorado

Linen Management Service, Fleet and  
Industrial Supply Center, (standard  
grade linen), Norfolk, Virginia

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. 97-25609 Filed 9-25-97; 8:45 am]

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## **DEPARTMENT OF COMMERCE**

### **Foreign-Trade Zones Board**

[Docket 72-97]

#### **Foreign-Trade Zone 32—Miami, Florida Application for Foreign-Trade Subzone Status; Hewlett-Packard Company (Computer and Related Electronic Products) Miami, FL**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Greater Miami Foreign-Trade Zone Inc., grantee of FTZ 32, requesting special-purpose subzone status for the manufacturing and distribution facilities (computers, printers, measurement devices, medical products and related products) of the Hewlett-Packard Company (Hewlett-Packard), located in Miami, Florida. The application was submitted pursuant to the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the

regulations of the Board (15 CFR part 400). It was formally filed on September 17, 1997.

The Hewlett-Packard facilities are located at two sites (765,438 square feet on 45 acres) in Miami, Florida: Site 1 (21 acres, 313,438 sq.ft.)—located at 6701/6703 Northwest 7th Street; Site 2 (23 acres, 452,000 sq.ft. (including a proposed building))—located at 10205 NW 19th Street and 10200 NW 21st Street.

The facilities (240 employees) are used for storage, manufacture, and distribution for import and export of computers and related devices, printers, electronic test and measurement devices, electronic medical products, and related electronic products and components. A number of components are purchased from abroad (an estimated 40% of value on manufactured products), including printed circuit boards, silicon wafers, rectifiers, integrated circuits, memory modules, CD-ROM drives, disk drives, scanners, hard drives, keyboards, monitors/displays (CRT and LCD type), LEDs, speakers, microphones, belts, valves, bearings, plastic materials, industrial chemicals, sensors, filters, resistors, transducers, fuses, plugs, relays, ink cartridges, toner cartridges, switches, fasteners, cards, transformers, DC/electric motors, magnets, modems, batteries, cabinets, power supplies, cables, copper wire, power cords, optical fiber, casters, cases, labels, and packaging materials (1997 duty range: free-14.2%). (Full zone procedures are not being sought for certain linear motion bearings, display tubes and parts, optical fiber, or photonic components.)

Zone procedures would exempt Hewlett-Packard from Customs duty payments on foreign components used in export production. On its domestic sales, Hewlett-Packard would be able to choose the lower duty rate that applies to the finished products (free-13.2%) for the foreign components noted above. The application indicates that the savings from zone procedures would help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment on the application is invited from interested parties. Submissions (original and three copies) shall be addressed to the Board's Executive Secretary at the address below. The closing period for their receipt is November 25, 1997. Rebuttal comments in response to material

submitted during the foregoing period may be submitted during the subsequent 15-day period to December 10, 1997.

A copy of the application and the accompanying exhibits will be available for public inspection at each of the following locations:

Office of the Executive Secretary,  
Foreign-Trade Zones Board, U.S.  
Department of Commerce, Room  
3716, 14th and Pennsylvania Avenue,  
NW., Washington, DC 20230.

U.S. Department of Commerce Export  
Assistance Center, 5600 Northwest  
36th St., Suite 617, Miami, Florida  
33166.

Dated: September 18, 1997.

**John J. DaPonte, Jr.,**

*Executive Secretary.*

[FR Doc. 97-25645 Filed 9-25-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-580-807]

#### **Polyethylene Terephthalate Film, Sheet, and Strip From the Republic of Korea; Notice of Final Court Decision and Amended Final Determination of Antidumping Duty Investigation**

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

**SUMMARY:** On February 5, 1997, in the case of *E.I. DuPont de Nemours & Co., Inc., v. United States*, 954 F. Supp. 263 (CIT 1997), the United States Court of International Trade affirmed the Department of Commerce's second redetermination on remand arising out of the final determination of sales at less than fair value in the antidumping duty investigation of polyethylene terephthalate film, sheet and strip from the Republic of Korea. As there is now a final and conclusive court decision in this action, we are amending the final determination in this matter and will instruct the U.S. Customs Service to change the "all others" cash deposit rate.

**EFFECTIVE DATE:** September 26, 1997.

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

Magd A. Zalok or Kris Campbell at (202) 482-4162 or (202) 482-3813, respectively, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

## SUPPLEMENTARY INFORMATION:

### **Background**

On June 5, 1991, the Department of Commerce ("the Department") published the antidumping duty order and amended final determination of sales at less than fair value for polyethylene terephthalate film, sheet, and strip from the Republic of Korea. See Final Determination of Sales at Less Than Fair Value: Polyethylene Terephthalate Film, Sheet, and Strip from the Republic of Korea (56 FR 16305, April 22, 1991), as amended (56 FR 25669, June 5, 1991). E.I. DuPont de Nemours & Company, Inc. Hoechst Celanese Corp., and ICI Americas, Inc., ("petitioners"), filed an action challenging the final determination. On December 6, 1993, the Court of International Trade (CIT) remanded certain of the challenged issues to the Department. The CIT directed the Department to re-examine the following issues in light of the Federal Circuit's decision in *IPSCO, Inc. v. United States*, 965 F.2d 1056 (Fed. Cir. 1992) ("IPSCO Appeal"): (1) Methodology for calculating costs of production of off-grade PET film reported by Cheil Synthetics, Inc. ("Cheil") and SKC Limited ("SKC"); (2) methodology for calculating Cheil's costs of recycled scrap film; and (3) SKC's product-specific cost accounting methodology. The CIT also directed the Department to reconsider its methodology for adjustments to United States price ("USP") for value-added taxes ("VATs"). See *E.I. DuPont de Nemours & Co., Inc. v. United States*, 841 F. Supp. 1237 (CIT 1993).

On April 7, 1994, pursuant to the remand order, the Department announced its remand results. (See Final Remand Determination Pursuant to Court Order, *E.I. DuPont de Nemours & Co., Inc. v. United States*, Court No. 91-07-00487.) For calculating Cheil's cost of production of off-grade PET film, the Department adjusted Cheil's submitted costs to reflect actual, product-specific costs. In the case of SKC, the Department revised its methodology consistent with the *IPSCO Appeal* decision and recalculated SKC's costs of production of off-grade PET film based on quantity rather than value. The Department did not adjust its cost methodology for Cheil's recycled PET film because it reasoned that the recycled film was not a co-product, and therefore, the rationale of the *IPSCO Appeal* decision was not applicable. The Department also accepted SKC's submitted costs adjusted to reflect actual product-specific costs because it determined that SKC's verified cost