

**COMMISSION ON CIVIL RIGHTS****Agenda and Notice of Public Meeting  
of the New Jersey 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 New Jersey Advisory Committee to the Commission will convene at 10:00 a.m. and adjourn at 4:00 p.m. on August 13, 1999, at the Delaware River Port Authority, Board Room, One Port Center, 2 River Drive, Camden, New Jersey 08103. The Committee will receive a preliminary briefing as part of its project, "An Evaluation of State Civil Rights Enforcement in New Jersey," covering policy, practices, and obstacles facing the State Division of Civil Rights. Speakers will represent the division, the National Association of Human Rights Officials, and community interests. There will also be followup discussion on racial profiling in New Jersey. The topic for discussion will be the State Attorney General's "Final Report of the State Police Review Team," with comments by State officials and civil rights advocates.

Persons desiring additional information, or planning a presentation to the Committee, should contact Ki-Taek Chun, Director of the Eastern Regional Office, 202-376-7533 (TDD 202-376-8116). Hearing-impaired persons who will attend the meeting and require the services of a sign language interpreter should contact the Regional Office at least ten (10) 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, July 15, 1999.  
**Carol-Lee Hurley,**  
*Chief, Regional Programs Coordination Unit.*  
[FR Doc. 99-18508 Filed 7-20-99; 8:45 am]  
BILLING CODE 6335-01-P

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-331-602]

**Certain Fresh Cut Flowers From  
Ecuador: Extension of Time Limit for  
Final Results of Antidumping Duty  
Administrative Review**

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

**ACTION:** Notice of extension of time limit for final results of antidumping duty administrative review.

**EFFECTIVE DATE:** July 21, 1999.

**FOR FURTHER INFORMATION CONTACT:**  
Suzanne Flood, AD/CVD Enforcement,  
Import Administration, International  
Trade Administration, U.S. Department  
of Commerce, 14th Street and  
Constitution Avenue, NW, Washington,  
DC 20230; telephone: (202) 482-0665.

**The Applicable Statute**

Unless otherwise indicated, all citations to the statute are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act.

**Extension of Time Limits for Final  
Results**

The Department of Commerce (the Department) received a request to conduct an administrative review of the antidumping duty order on certain fresh cut flowers from Ecuador for the period March 1, 1997 through February 28, 1998. On April 16, 1999, the Department published preliminary results of this administrative review (64 FR 18878).

Because of the complexity of certain issues in this case, it is not practicable to complete this review within the time limits mandated by section 751(a)(3)(A) of the Act. Therefore, in accordance with that section, the Department is extending the time limits for the final results to October 13, 1999 (see Memorandum from Richard W. Moreland to Robert S. LaRussa, Extension of Final Results), which is 180 days after the publication of the preliminary results.

This extension of the time limit is in accordance with section 751(a)(3)(A) of the Act.

Dated: July 15, 1999.

**Richard W. Moreland,**  
*Deputy Assistant Secretary for Import  
Administration.*  
[FR Doc. 99-18645 Filed 7-20-99; 8:45 am]  
BILLING CODE 3510-DS-P

**DEPARTMENT OF COMMERCE****International Trade Administration**

[A-570-831]

**Fresh Garlic From the People's  
Republic of China: Preliminary Results  
of Antidumping Duty Administrative  
Review**

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

**ACTION:** Notice of preliminary results of  
antidumping duty administrative  
review.

**SUMMARY:** In response to a request from the petitioner, the Fresh Garlic Producers Association and its individual members, the Department of Commerce is conducting an administrative review of the antidumping duty order on fresh garlic from the People's Republic of China. The period of review is November 1, 1997, through October 31, 1998. The petitioner requested a review of Comercial Peregrin, S.A., Rizhao Hanxi Fisheries & Comprehensive Development Co., Ltd., and Fook Huat Tong Kee PTE. Ltd. Initially, Fook Huat Tong Kee PTE. Ltd. also requested a review of its own sales on November 13, 1998, but withdrew its request for review on May 7, 1999. Because we have determined that Fook Huat Tong Kee PTE. Ltd. has failed to submit a complete response to our questionnaires and the remaining named respondents did not respond at all to our questionnaire, we have preliminarily determined to use facts otherwise available for cash deposit and assessment purposes for all producers/exporters of the subject merchandise.

We invite interested parties to comment on these preliminary results. Parties who submit comments are requested to submit with each argument (1) a statement of the issue and (2) a brief summary of the argument.

**EFFECTIVE DATE:** July 21, 1999.

**FOR FURTHER INFORMATION CONTACT:**  
Davina Hashmi or Farah Naim, Office of  
Antidumping/Countervailing Duty  
Enforcement, Import Administration,  
International Trade Administration,  
U.S. Department of Commerce, 14th  
Street and Constitution Avenue, NW,  
Washington, DC 20230; telephone (202)  
482-5760 or (202) 482-3174,  
respectively.

**SUPPLEMENTARY INFORMATION:****The Applicable Statute and Regulations**

Unless otherwise indicated, all citations to the Tariff Act of 1930, as

amended (the Act), are references to the provisions effective January 1, 1995, the effective date of the amendments made to the Act by the Uruguay Round Agreements Act (URAA). In addition, unless otherwise indicated, all citations to the Department of Commerce's (the Department's) regulations are to the regulations codified at 19 CFR Part 351 (1998).

### Background

On November 12, 1998, the Department published in the **Federal Register** (63 FR 63287) a notice of "Opportunity to Request Administrative Review" with respect to the antidumping duty order on fresh garlic from the People's Republic of China (PRC) (59 FR 59209, November 16, 1994). On November 30, 1998, the petitioner requested an administrative review of three producers/exporters of this merchandise to the United States. One of those three companies, Fook Huat Tong Kee PTE. Ltd. (FHTK), an exporter of garlic from the PRC, also requested a review of its own sales on November 13, 1998, but withdrew its request on May 7, 1999. In response to the petitioner's request, the Department published a notice of initiation of an administrative review on December 23, 1998 (63 FR 71091), in accordance with 19 CFR 351.213(b). On December 29, 1998, we sent questionnaires to the three respondent firms named in the initiation notice.

### Scope of Review

The products subject to this antidumping duty order are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay.

The scope of this order does not include the following: (a) Garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.<sup>1</sup>

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0000, 0710.80.7060,

0710.80.9750, 0711.90.6000, and 2005.90.9500 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, our written description of the scope of this proceeding is dispositive. In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to the Customs Service to that effect.

### Use of Facts Otherwise Available

On December 29, 1998, we issued questionnaires to Comercial Peregrin, S.A. (Comercial), Rizhao Hanxi Fisheries & Comprehensive Development Co., Ltd. (Rizhao), and FHTK. Neither Comercial nor Rizhao responded. Although FHTK responded to our original questionnaire, it did not respond to our supplemental questionnaire, issued April 14, 1999. Section 776(a)(2) of the Act provides that, if an interested party withholds information that has been requested by the Department, thereby precluding it from conducting an analysis of its sales made during the instant POR, the Department may make its determination on the basis of the facts available. Accordingly, because Comercial and Rizhao did not respond to our original questionnaire and because FHTK did not respond to our supplemental request for information, we must resort to the facts available to determine the dumping margin for each of these respondents.

Section 776(b) of the Act permits us to draw an adverse inference where a party has not cooperated to the best of its ability in a proceeding. This section of the Act deems a respondent uncooperative where the party " \* \* \* has not acted to the best of its ability to comply with requests for necessary information." See the Statement of Administrative Action accompanying the URAA, H.R. Doc. 316, Vol. 1, 103d Cong. (1994) (SAA) at 870. We find that, in not responding to our requests for information, these respondents were not cooperative. Since these respondents did not act to the best of their ability to comply with our requests for information, we have used an inference that is adverse to the interests of these respondents in selecting from among the facts otherwise available. The statute provides that an adverse inference may include reliance on information derived

from (1) the petition, (2) the final determination in the investigation segment of the proceeding, (3) a previous review under section 751 of the Act or a determination under section 753 of the Act, or (4) any other information placed on the record. In addition, the SAA establishes that the Department may employ an adverse inference "to ensure that the party does not obtain a more favorable result by failing to cooperate than if it had cooperated fully." SAA at 870. In employing adverse inferences, the Department is instructed to consider "the extent to which a party may benefit from its own lack of cooperation." *Id.* As none of the named respondents cooperated by complying with our requests for information and to ensure that they do not benefit from their lack of cooperation, we are employing an adverse inference in selecting from the facts available.

The Department's practice when selecting an adverse rate from among the possible sources of information is to ensure that the margin is sufficiently adverse "as to effectuate the purpose of the facts available role to induce respondents to provide the Department with complete and accurate information in a timely manner." See *Static Random Access Memory Semiconductors from Taiwan; Final Determination of Sales at Less than Fair Value*, 63 FR 8909, 8932 (February 23, 1998). The Department also considers the extent to which a party may benefit from its own lack of cooperation in selecting a rate. See *Roller Chain, Other than Bicycle, from Japan; Notice of Final Results and Partial Rescission of Antidumping Duty Administrative Review*, 62 FR 60472, 60477 (November 10, 1997).

Accordingly, in order to ensure that the rate is sufficiently adverse so as to induce cooperation by the named respondents, we have assigned each of these companies the petition rate of 376.67 percent, the highest dumping margin used in any segment of this proceeding. Although that rate constitutes secondary information, the information has already been corroborated in a prior review. See *Final Results of Administrative Review: Fresh Garlic from the People's Republic of China*, 61 FR 68229 (December 27, 1996). We have determined that there is no evidence on the administrative record that would warrant revisiting that issue in this review.

Interested parties may request a hearing not later than 30 days after publication of this notice. Interested parties may also submit written arguments in case briefs on these preliminary results within 30 days of

<sup>1</sup> Fresh Garlic from the People's Republic of China, Inv. No. 731-TA-683 (Final), USITC Pub. 2825 (November 1994).

the date of publication of this notice. Rebuttal briefs, limited to issues raised in case briefs, may be filed no later than five days after the time limit for filing case briefs. Parties who submit arguments are requested to submit with each argument a statement of the issue and a brief summary of the argument. Any hearing, if requested, will be held three days after the scheduled date for submission of rebuttal briefs.

The Department will publish the final results of this administrative review, including a discussion of its analysis of issues raised in any case or rebuttal brief or at a hearing. The Department will issue final results of this review within 120 days of publication of these preliminary results.

Upon completion of the final results in this review, the Department shall determine, and the Customs Service shall assess, antidumping duties on all appropriate entries. Furthermore, the following deposit rate will be effective upon publication of the final results of this administrative review for all shipments of fresh garlic from the PRC entered, or withdrawn from warehouse, for consumption on or after the publication date, as provided for by section 751(a)(2)(c) of the Act: for all PRC exporters and for all non-PRC exporters of subject merchandise from the PRC, the cash deposit rate will be the PRC-wide rate established in the final results of this review. This deposit rate, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a preliminary reminder to importers of their responsibility under 19 CFR 351.402(f)(2) 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 antidumping duties occurred and the subsequent assessment of double antidumping duties.

We are issuing this determination and notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: July 13, 1999.

**Richard W. Moreland,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 99-18646 Filed 7-20-99; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Energy Trade Mission; Notice

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

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce invites U.S. companies to participate in the following overseas trade mission: Energy Trade Mission. Location: Czech Republic, Hungary and Poland. Date: December 2-9, 1999.

The Assistant Secretary for Trade Development, Michael Copps, will lead an energy and environment trade mission to the Czech Republic, Hungary and Poland, December 2-9, 1999. Focusing on the energy sector, the mission will include representatives from 8-12 U.S. services and equipment firms interested in gaining access to the Eastern and Central European energy and environmental markets.

Time frame for applications: Applications may be submitted immediately to Andy Collier, Office of Energy, Infrastructure and Machineries, U.S. Department of Commerce, Room H4056 Washington, DC 20230; Telephone: (202) 482-0680; facsimile: (202) 482-3954; Internet: andrew\_collier@ita.doc.gov.

All applications must be received by October 8, 1999. Applications received after the date will be considered only if space and scheduling constraints permit.

**FOR FURTHER INFORMATION CONTACT:** Andy Collier, Department of Commerce Tel: 202-482-0680 Fax: 202-482-3954.

Dated: July 15, 1999.

**Tom Nisbet,**

*Director, Promotion Planning and Support Division, Office of Export Promotion Coordination.*

[FR Doc. 99-18647 Filed 7-20-99; 8:45 am]

BILLING CODE 3510-DR-M

## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 071299B]

#### Pacific Fishery Management Council; Public Meeting

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

**ACTION:** Notice of public meeting.

**SUMMARY:** The Pacific Fishery Management Council's (Council) Scientific and Statistical Committee Groundfish Subcommittee (subcommittee) will hold a working meeting which is open to the public.

**DATES:** The meeting will begin Monday, August 2, 1999 at 8 a.m. and may go into the evening until business for the day is completed. The meeting will reconvene at 8 a.m. on Tuesday, August 3 and continue throughout the day until business for the day is completed.

**ADDRESSES:** The meeting will be held at the Pacific Fishery Management Council Conference Room, 2130 SW Fifth Avenue, Suite 224, Portland, OR; telephone: (503) 326-6352.

*Council address:* Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

**FOR FURTHER INFORMATION CONTACT:** Julie Walker, Fishery Management Analyst; telephone: (503) 326-6352.

**SUPPLEMENTARY INFORMATION:** The primary purpose of the meeting is to review rebuilding projections for lingcod, bocaccio, and Pacific ocean perch. The subcommittee plans to work with the stock assessment authors to develop consistent methods for arriving at rebuilding projections for the three species. As time allows, the subcommittee may also discuss a framework for future rebuilding projections.

Although other issues not contained in this agenda may come before this group for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues specifically identified in this notice.

#### Special Accommodations

The meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. John Rhoton at (503) 326-6352 at least 5 days prior to the meeting date.

Dated: July 15, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 99-18640 Filed 7-20-99; 8:45 am]

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