

are circumventing the order by shipping Korean-origin color picture tubes, printed circuit boards, color television kits, chassis, and other materials, parts and components to plants operated by related parties in Mexico where the parts are then assembled in CTVs and shipped to the U.S. Additionally, an anticircumvention inquiry to determine whether Samsung by shipping Korean-origin color picture tubes and other CTV parts to a related party in Thailand for assembly into complete CTVs prior to exportation to the U.S.

Interested parties are invited to comment on the accuracy of the list of pending scope clarification requests. Any comments should be submitted to the Assistant Secretary for Import Administration, International Trade Administration, Room B-099, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230.

Dated: November 27, 1996.

Joseph A. Spetrini,

*Deputy Assistant Secretary Enforcement Group III.*

[FR Doc. 96-30877 Filed 12-3-96; 8:45 am]

BILLING CODE 3510-DS-P

## National Institute of Standards and Technology

[Docket No. 961121324-6324-01]

### Announcement of Availability of Funding for General Competition—Advanced Technology Program (ATP)

**AGENCY:** National Institute of Standards and Technology, Technology Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** The Technology Administration's National Institute of Standards and Technology (NIST) announces the availability of funding for General Competition 97-01 under the Advanced Technology Program (ATP) for fiscal year 1997. General Competition 97-01 is open to all areas of technology meeting the ATP selection criteria. This notice provides general information for this competition planned for fiscal year 1997.

**DATES:** The proposal due date and other specific instructions will be published in the *Commerce Business Daily* (CBD) at the time the competition is announced. Dates, times, and locations of Proposers' Conferences held for interested parties considering applying for funding will also be announced in the CBD.

**ADDRESSES:** Information on the ATP may be obtained from the following address: National Institute of Standards and Technology, Advanced Technology Program, Administration Building (Bldg. 101), Room A407, Quince Orchard & Clopper Roads, Gaithersburg, MD 20899-0001.

Additionally, information on the ATP is available on the Internet through the World Wide Web (WWW) at <http://www.atp.nist.gov>.

**FOR FURTHER INFORMATION CONTACT:** Requests for ATP information, application materials, and/or to have your name added to the ATP mailing list for future mailings may also be made by:

(a) Calling the ATP toll-free "hotline" number at 1-800-ATP-FUND or 1-800-287-3863. You will have the option of hearing recorded messages regarding the status of the ATP or speaking to one of our customer representatives who will take your name and address. If our representatives are all busy when you call, leave a message after the tone. To ensure that the information is entered correctly, please speak distinctly and slowly and spell the words that might cause confusion. Leave your phone number as well as your name and address;

(b) Sending a facsimile (fax) to 301-926-9524 or 301-590-3053; or

(c) Sending electronic mail to [atp@nist.gov](mailto:atp@nist.gov). Include your name, full mailing address, and phone number.

#### SUPPLEMENTARY INFORMATION:

##### Background

The statutory authority for the ATP is Section 5131 of the Omnibus Trade and Competitiveness Act of 1988 (Pub. L. 100-418, 15 U.S.C. 278n), as modified by Pub. L. 102-245. The ATP implementing regulations are published at 15 CFR Part 295. The Catalog of Federal Domestic Assistance (CFDA) number and program title for the ATP are 11.612, Advanced Technology Program (ATP).

The ATP is a rigorously competitive cost-sharing program designed to assist United States industry/businesses pursue high-risk, enabling technologies with significant commercial/economic potential. The ATP provides multi-year funding to single companies and to industry-led joint ventures to pursue research and development (R&D) projects with high-payoff potential for the nation. The ATP accelerates enabling technologies that, because they are risky, are unlikely to be developed in time to compete in rapidly changing world markets without such a partnership between industry and the

Federal government. The ATP challenges industry to take on projects characterized by high technical risk but commensurately high potential payoff to the nation. Proposers must provide credible arguments as to the project feasibility.

The funding instrument used in ATP awards is a "cooperative agreement." Through the cooperative agreement, the ATP fosters a government-industry partnership to accomplish a public purpose of support or stimulation. NIST plays a substantial role in these awards by providing technical assistance and monitoring the technical work and business progress.

##### Funding Availability

An estimated \$20 million to \$25 million in first year funding will be available for General Competition 97-01. The ATP reserves the right to utilize for this competition more or less funding than the amounts stated above. The actual number of proposals funded will depend on the quality of the proposals received and the amount of funding requested in the highest ranked proposals. Outyear funding beyond the first year is contingent on the approval of future Congressional appropriations and satisfactory project performance.

##### Eligibility Requirements, Selection Criteria, and Proposal Review Process

The eligibility requirements, selection criteria, and the proposal review process are discussed in detail in the ATP implementing regulations published at 15 CFR Part 295.

##### Funding Amounts, Award Period and Cost Sharing (Matching) Requirements

(a) Single companies can receive up to \$2 million of ATP funds for up to 3 years. Since companies do not have to provide matching funds, but they are reimbursed for direct costs only. Single companies are responsible for securing funding for all overhead/indirect costs.

(b) Joint ventures can receive a minority share of the total project costs for up to 5 years. Joint ventures must cost-share (matching funds) more than 50 percent of the total project costs (direct plus indirect costs) for each quarter that the ATP funds the project. Subcontractors funded under an ATP cooperative agreement may not contribute towards the matching-fund requirement.

##### Application Forms and proposal Preparation Kit

A new November 1996 version of the ATP Proposal Preparation Kit is available upon request from the ATP at the address and phone numbers noted

in this notice. Note that the ATP will be mailing the kit to all those individuals whose names are currently on the ATP mailing list. Those individuals need not contact the ATP to request the new Kit. The Kit contains proposal cover sheets, other required forms, background material and instructions for submission of proposals. All proposals must be prepared in accordance with the instructions in the Kit.

#### Submission of Revised Proposals

An applicant may submit a full proposal that is a revised version of a full proposal submitted to a previous ATP competition. NIST will examine such proposals to determine whether substantial revisions have been made. Where the revisions are determined not to be substantial, NIST reserves the right to score and rank, or where appropriate, to reject, such proposals based on reviews of the previously submitted proposal.

#### Other Requirements

(a) **Federal Policies and Procedures.** Recipients and subrecipients are subject to all Federal laws and Federal and Department of Commerce policies, regulations, and procedures applicable to federal financial assistance awards as identified in the cooperative agreement award.

(b) **Past Performance.** Unsatisfactory performance under prior Federal awards may result in proposal not being considered for funding.

(c) **Pre-award Activities.** If applicants incur any costs prior to an award being made, they do solely at their own risk of not being reimbursed by the Government. Only written authorization from the NIST Grants Officer will obligate NIST to cover pre-award costs.

(d) **No Obligation for Future Funding.** If a proposal is selected for funding, NIST has no obligation to provide any additional future funding in connection with that award. Renewal of an award to increase funding or extend the period of performance is at the total discretion of NIST.

(e) **Delinquent Federal Debts.** No award of Federal funds shall be made to an applicant or recipient who has an outstanding delinquent Federal debt until either the delinquent account is paid in full, a negotiated repayment schedule is established and at least one payment is received, or other arrangements satisfactory to NIST are made.

(f) **Name Check Review.** All for-profit and non-profit applicants are subject to a name check review process. Name checks are intended to reveal if any key individuals associated with the

applicant have been convicted of or are presently facing criminal charges such as fraud, theft, perjury, or other matters which significantly reflect on the applicant's management, honesty, or financial integrity.

(g) **Primary Applicant Certification.** All primary applicants (including all joint venture participants) must submit a completed Form CD-411, "Certifications Regarding Debarment, Suspension, and Other Responsibility Matters; Drug-Free Workplace Requirements and Lobbying," and the following explanation is hereby provided:

(1) **Nonprocurement Debarment and Suspension.** Prospective participants, as defined at 15 CFR part 26, section 105 are subject to 15 CFR part 26, "Nonprocurement Debarment and Suspension" and the related section of the certification form prescribed above applies;

(2) **Drug-Free Workplace.** Grantees (as defined at 15 CFR part 605) are subject to 15 CFR 26, subpart F, "Governmentwide Requirements for Drug-Free Workplace (Grants)" and the related section of the certification form prescribed above applies;

(3) **Anti-Lobbying.** Persons (as defined at 15 CFR part 28, section 105) are subject to the lobbying provisions of 31 U.S.C. 1352, "Limitations on use of appropriated funds to influence certain Federal contracting and financial transactions," and the lobbying section of the certification form prescribed above applies to applications/bids for grants, cooperative agreements, and contracts for more than \$100,000, and loans and loan guarantees for more than \$150,000, or the single family maximum mortgage limit for affected programs, whichever is greater; and

(4) **Anti-Lobbying Disclosures.** Any applicant that has paid or will pay for lobbying using any funds must submit an SF-LLL, "Disclosure of Lobbying Activities," as required under 15 CFR part 28, Appendix B.

(h) **Lower Tier Certification.** Recipients shall require applicants/bidders for subgrants, contracts, subcontracts, or other lower tier covered transactions at any tier under the award to submit, if applicable, a completed Form CD-512, "Certifications Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transactions and Lobbying" and Form SF-LLL, "Disclosure of Lobbying Activities." Although the CD-512 is intended for the use of primary recipients and should not be transmitted to NIST, the SF-LLL submitted by any tier recipient or subrecipient should be forwarded in accordance with the

instructions contained in the award document.

(i) **False Statements.** A false statement on any application for funding under ATP may be grounds for denial or termination of funds and grounds for possible punishment by a fine or imprisonment as provided in 18 U.S.C. 1001.

(j) **Intergovernmental Review.** The ATP does not involve the mandatory payment of any matching funds from state or local government and does not affect directly any state or local government. Accordingly, the Department of Commerce has determined that Executive Order 12372, "Intergovernmental Review of Federal Programs" is not applicable to this program.

(k) **American-Made Equipment and Products.** Applicants are hereby notified that they are encouraged, to the greatest extent practicable, to purchase American-made equipment and products with the funding provided under this program in accordance with congressional intent.

(l) **Paperwork Reduction Act.** This notice contains collection of information requirements subject to the Paperwork Reduction Act (PRA) which have been approved by the Office of Management and Budget (OMB Control No. 0693-0009). Notwithstanding any other provision of law, no person is required to respond to, nor shall any person be subject to a penalty for failure to comply with a collection of information, subject to the requirements of the PRA, unless that collection of information displays a currently valid OMB Control Number.

Dated: November 27, 1996.

Samuel Kramer,

Associate Director.

[FR Doc. 96-30858 Filed 12-3-96; 8:45 am]

BILLING CODE 3510-13-M

#### National Oceanic and Atmospheric Administration

[I.D. 022296A]

#### Small Takes of Marine Mammals Incidental to Specified Activities; Titan II and IV Launch Vehicles at Vandenberg Air Force Base, CA

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

**ACTION:** Notice of issuance of an incidental harassment authorization.

**SUMMARY:** In accordance with provisions of the Marine Mammal Protection Act