

board member simultaneously owned Company B and held equity interest in Ta Chen. Petitioners have supplied a Dun & Bradstreet report on Company B and a supporting affidavit which indicates that while Company B was incorporated in 1993, the board member actually founded the company and made sales in 1992.

Based on this evidence of Ta Chen's connections with Company A and Company B, in particular its control over operational functions such as disbursements, sales personnel, and Ta Chen's involvement in Company A's and Company B's sales activities, we preliminarily determine that Ta Chen had a substantial interest in Company A and Company B during the 1992-1993 and 1993-1994 periods of review. Therefore, Ta Chen was related to Company A and Company B within the meaning of section 771(13) of the Tariff Act. Because Ta Chen reported U.S. sales to Company A and Company B instead of the first sale to an unrelated party, the use of best information otherwise available is warranted.

In selecting BIA, the Department has established a "two-tier" hierarchy:

1. When a company refuses to cooperate with the Department or otherwise significantly impedes the proceedings we use as BIA the higher of (a) the highest of the rates found for any firm for the same class or kind of merchandise in the same country of origin in the LTFV investigation or a prior administrative review, or (b) the highest rate found in this review for any firm for the same class or kind of merchandise in the same country of origin.

2. When a company substantially cooperated with our requests for information, but failed to provide the information in a timely manner or in the form required, we use as BIA the higher of (a) the highest rate (including the "all others" rate) ever applicable to the firm for the same class or kind of merchandise from either the LTFV investigation or a prior administrative review, or (b) the highest rate calculated in this review for any firm for the class or kind of merchandise in the same country of origin. See *Antifriction Bearings (Other Than Tapered Roller Bearings) and Parts Thereof From France, et al.*; *Final Results of Antidumping Duty Administrative Reviews* 57 FR 28360, 28379 (June 24, 1992); see also *Allied Signal v. United States*, 996 F.2d 1195 (Fed. Cir. 1993).

We find that because Ta Chen failed to provide accurate information on its relationships to other companies and misreported its sales in both the first and second administrative reviews, Ta

Chen failed to cooperate with the Department and has significantly impeded these proceedings. Accordingly, we are assigning Ta Chen a margin based on "first-tier," or uncooperative, BIA.

#### Preliminary Results of Review

As a result of our review, we preliminarily determine the weighted-average margin for Ta Chen for the periods June 22, 1992 through November 30, 1993 and December 1, 1993 through November 30, 1993 to be 31.90 percent, *i.e.*, the highest margin found for any respondent in the LTFV investigation. See Amended Final Determination and Antidumping Duty Order; *Certain Welded Stainless Steel Pipe From Taiwan*, 57 FR 62300, 62301 (December 30, 1992).

Parties to these proceedings may request disclosure within five days of publication of this notice and may request a hearing within ten days of publication. Any hearing, if requested, will be held 44 days after the date of publication, or the first business day thereafter. Interested parties may submit case briefs or written comments, or both, no later than 30 days after the date of publication. Rebuttal briefs and rebuttals to written comments, limited to issues raised in the case briefs and comments, may be submitted no later than 37 days after the date of publication of this notice. Parties who submit arguments in these proceedings are requested to submit with the argument (1) a statement of the issues and (2) a brief summary of the argument. The Department will issue final results of these administrative reviews, including the results of our analysis of the issues in any such written comments or at a hearing.

The Department shall determine, and the U.S. Customs Service shall assess, antidumping duties on all appropriate entries. Individual differences between U.S. price and FMV may vary from the percentage stated above. The Department will issue appraisal instructions directly to the Customs Service.

Furthermore, the following deposit requirements will be effective upon completion of the final results of these administrative reviews for all shipments of WSSP from Taiwan entered, or withdrawn from warehouse, for consumption on or after the publication of the final results of these administrative reviews, as provided in section 751(a)(1) of the Tariff Act:

(1) The cash deposit rate for Ta Chen will be the rate established in the final results of these administrative reviews;

(2) For previously reviewed or investigated companies other than Ta Chen, the cash deposit rate will continue to be the company-specific rate published for the most recent period;

(3) If the exporter is not a firm covered in these reviews, or the LTFV 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 these or any other 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).

This notice serves as a 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 each 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. These administrative reviews 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: May 8, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Computer System Security and Privacy Advisory Board; Meeting

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

**ACTION:** Notice of meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act, 5 U.S.C. App., notice is hereby given that the Computer System Security and Privacy Advisory Board will meet Wednesday, June 4, Thursday, June 5, and Friday, June 6, 1997, from 9:00 a.m. to 5:00 p.m. The Advisory Board was established by the Computer Security Act of 1987 (Pub. L. 100-235) to advise the Secretary of Commerce and the Director of NIST on security and privacy issues pertaining to

Federal computer systems. All sessions will be open to the public.

**DATES:** The meeting will be held on June 4, 5 and 6, 1997, from 9:00 a.m. to 5:00 p.m.

**ADDRESSES:** The meeting will take place at the National Institute of Standards and Technology, Gaithersburg, Maryland in the Administration Building, in Lecture Room A on June 4 and 5 and Lecture Room D on June 6.

**AGENDA:**

- Welcome and Overview
- Issues Update
- Federal Cryptographic Standards Update
- Computer Security Act of 1987—Overview and Perspectives
- Discussion and Recommendation Formulation
- Computer Security Training Guidelines
- Pending Business
- Public Participation
- Agenda Development for September Meeting
- Wrap-Up

**PUBLIC PARTICIPATION:** The Board agenda will include a period of time, not to exceed thirty minutes, for oral comments and questions from the public. Each speaker will be limited to five minutes. Members of the public who are interested in speaking are asked to contact the Board Secretariat at the telephone number indicated below. In addition, written statements are invited and may be submitted to the Board at any time. Written statements should be directed to the Information Technology Laboratory, Building 820, Room 426, National Institute of Standards and Technology, Gaithersburg, MD 20899-0001. It would be appreciated if fifteen copies of written material were submitted for distribution to the Board by June 9, 1997. Approximately 20 seats will be available for the public and media.

At its March, 1997 meeting, the Board agreed to examine issues involving the Computer Security Act of 1987 and whether to make recommendations to the Secretary of Commerce and the Director of NIST regarding the Act and improving the security and privacy of Federal systems. The Board is interested in hearing a wide variety of perspectives on the effectiveness of the Act, as input to its deliberations on what changes or modifications to recommend. The Board believes this to be appropriate given the advances in information technology over the past decade and the age of the Act. Public input regarding the Act is therefore particularly encouraged.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Edward Roback, Board Secretariat, Information Technology Laboratory,

National Institute of Standards and Technology, Building 820, Room 426, Gaithersburg, MD 20899-0001, telephone: (301) 975-3696.

Dated: May 8, 1997.

**Elaine Buntin-Mines,**

*Acting Associate Director.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 043097B]

**Small Takes of Marine Mammals Incidental to Specified Activities; Lockheed Launch Vehicles at Vandenberg Air Force Base, CA**

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

**ACTION:** Notice of receipt of application and proposed authorization for a small take exemption; request for comments.

**SUMMARY:** NMFS has received a request from the U.S. Air Force for continuation of an authorization to take small numbers of harbor seals by harassment incidental to launches of Lockheed Martin launch vehicles (LMLVs) at Space Launch Complex 6 (SLC-6), Vandenberg Air Force Base, CA (Vandenberg). Under the Marine Mammal Protection Act (MMPA), NMFS is requesting comments on its proposal to continue to authorize the incidental take, by harassment, of small numbers of harbor seals in the vicinity of Vandenberg for a period of 1 year.

**DATES:** Comments and information must be received no later than June 16, 1997.

**ADDRESSES:** Comments on the application should be addressed to Michael Payne, Chief, Marine Mammal Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. A copy of the application and previous **Federal Register** notices on this action may be obtained by writing to this address or by telephoning the contact listed below.

**FOR FURTHER INFORMATION CONTACT:** Kenneth Hollingshead, Office of Protected Resources at 301-713-2055.

**SUPPLEMENTARY INFORMATION:**

**Background**

Section 101(a)(5)(A) of the MMPA (16 U.S.C. 1361 *et seq.*) directs the Secretary of Commerce to allow, upon request, the incidental, but not intentional, taking of marine mammals by U.S. citizens who engage in a specified activity (other than

commercial fishing) within a specified geographical region if certain findings are made and regulations are issued.

Permission may be granted if NMFS finds that the taking will have a negligible impact on the species or stock(s); will not have an unmitigable adverse impact on the availability of the species or stock(s) for subsistence uses; and the permissible methods of taking and requirements pertaining to the monitoring and reporting of such taking are set forth.

Subsection 101(a)(5)(D) of the MMPA established an expedited process by which U.S. citizens can apply for an authorization to incidentally take small numbers of marine mammals by harassment for a period of up to one year. The MMPA defines "harassment" as:

\*\*\*any act of pursuit, torment, or annoyance which (a) has the potential to injure a marine mammal or marine mammal stock in the wild; or (b) has the potential to disturb a marine mammal or marine mammal stock in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

New subsection 101(a)(5)(D) establishes a 45-day time limit for NMFS review of an application followed by a 30-day public notice and comment period on any proposed authorizations for the incidental harassment of small numbers of marine mammals. Within 45 days of the close of the comment period, NMFS must either issue or deny issuance of the authorization.

**Summary of Request**

On March 21, 1997, NMFS received an application from the U.S. Air Force, Vandenberg, requesting continuation of an authorization for the harassment of small numbers of harbor seals incidental to launches of LMLVs at SLC-6, Vandenberg. These launches would place commercial payloads into low earth orbit using its family of vehicles (LMLV-1, LMLV-2 and LMLV-3). Because of the requirements for circumpolar trajectories of the LMLV and its payloads, the use of SLC-6 is the only feasible alternative within the United States. As a result of the noise associated with the launch itself and the resultant sonic boom, these noises have the potential to cause a startle response to those harbor seals that haul out on the coastline south and southwest of Vandenberg and may be detectable to marine mammals west of the Channel Islands. Launch noise would be