

## INTERNATIONAL TRADE COMMISSION

[No. TA-201-64 (Provisional Relief Phase)]

### Report to the President on Investigation Fresh Winter Tomatoes<sup>1</sup>

#### Determinations<sup>2</sup>

On the basis of the statute and available information developed to date in the subject investigation—

*Chairman Watson and Commissioners Crawford and Bragg* find two full-year, national industries producing tomatoes for (1) fresh-market use and (2) processing.

*Chairman Watson and Commissioner Crawford* further determine that fresh winter tomatoes are not being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industries producing a like or directly competitive perishable product.

*Commissioner Bragg* finds that the available information in this investigation, while somewhat incomplete, suggests that fresh winter tomatoes are not being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industries producing a like or directly competitive perishable product; however, she makes a negative determination in this investigation based on a negative finding with respect to whether—

(I) serious injury is likely to be difficult to repair by reason of perishability of the like or directly competitive agricultural product; or

(II) the serious injury cannot be timely prevented through investigation under subsection (b) and action under section 203.

*Commissioners Rohr and Newquist* make a negative determination in this investigation based on a negative finding with respect to whether—

(I) serious injury or threat of serious injury is likely to be difficult to repair by reason of perishability of the like or directly competitive agricultural product; or

(II) the serious injury or threat of serious injury cannot be timely prevented through investigation under subsection (b) and action under section 203.

<sup>1</sup> Specifically, fresh or chilled tomatoes, excluding cherry tomatoes, if entered during the period from January 1 through April 30 inclusive, provided for in subheadings 0702.00.20 and 0702.00.60 of the Harmonized Tariff Schedules of the United States.

<sup>2</sup> Vice Chairman Nuzum not participating.

## Background

Following receipt of a petition filed on March 29, 1995, on behalf of the Florida Tomato Exchange, Orlando, FL, and the constituent members thereof, the Commission instituted investigation No. TA-201-64 under section 202(b) of the Trade Act of 1974 to determine whether fresh winter tomatoes are being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing an article like or directly competitive with the imported article. In addition, the petitioner sought provisional relief under section 202(d) of the Act.

Notice of the institution of the Commission's investigation and of a public conference to be held in connection with the provisional relief phase of the investigation was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of April 3, 1995 (60 FR 16883). The conference was held in Washington, DC, on April 10, 1995, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determinations in this investigation to the President on April 19, 1995. The views of the Commission are contained in USITC Publication 2881 (April 1995), entitled "Fresh Winter Tomatoes: Investigation No. TA-201-64 (Provisional Relief Phase)."

Issued: April 21, 1995.

By order of the Commission.

**Donna R. Koehnke,**  
Secretary.

[FR Doc. 95-10256 Filed 4-25-95; 8:45 am]

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## INTERSTATE COMMERCE COMMISSION

[Docket No. AB-55 (Sub-No. 505X)]

### CSX Transportation, Inc.— Abandonment Exemption—in Lee County, NC

CSX Transportation, Inc. (CSXT), has filed a notice of exemption under 49 CFR 1152 Subpart F—*Exempt Abandonments* to abandon approximately 0.46 miles of rail line extending between milepost AE-245.06 and milepost AE-244.6 in Sanford, Lee County, NC.

CSXT has certified that: (1) no local traffic has moved over the line for at

least 2 years; (2) there is no overhead traffic on the line; (3) no formal complaint filed by a user of rail service on the line (or a State or local government entity acting on behalf of such user) regarding cessation of service over the line either is pending with the Commission or with any U.S. District Court or has been decided in favor of the complainant within the 2-year period; and (4) the requirements at 49 CFR 1105.7 (service of environmental report on agencies), 49 CFR 1105.8 (service of historic report on State Historic Preservation Officer), and 49 CFR 1152.50(d)(1) (service of verified notice on governmental agencies) have been met.

As a condition to use of this exemption, any employee affected by the abandonment shall be protected under *Oregon Short Line R. Co.—Abandonment—Goshen*, 360 I.C.C. 91 (1979). To address whether this condition adequately protects affected employees, a petition for partial revocation under 49 U.S.C. 10505(d) must be filed.

Provided no formal expression of intent to file an offer of financial assistance has been received, this exemption will be effective on May 26, 1995 (unless stayed pending reconsideration). Petitions to stay that do not involve environmental issues,<sup>1</sup> formal expressions of intent to file offers of financial assistance under 49 CFR 1152.27(c)(2),<sup>2</sup> and trail use/rail banking statements under 49 CFR 1152.29 must be filed by May 8, 1995.<sup>3</sup> Petitions to reopen or requests for public use conditions under 49 CFR 1152.28 must be filed by May 16, 1995, with: Office of the Secretary, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

A copy of any petition filed with the Commission should be sent to applicant's representative: Charles M. Rosenberger, CSX Transportation, Inc., 500 Water Street J150, Jacksonville, FL 32202.

If the notice of exemption contains false or misleading information, the exemption is void *ab initio*.

<sup>1</sup> A stay will be issued routinely where an informed decision on environmental issues (whether raised by a party or by the Commission's Section of Environmental Analysis in its independent investigation) cannot be made prior to the effective date of the notice of exemption. See Exemption of Out-of-Service Rail Lines, 5 I.C.C.2d 377 (1989). Any entity seeking a stay on environmental grounds is encouraged to file promptly so that the Commission may act on the request before the effective date.

<sup>2</sup> See Exempt. of Rail Abandonment—Offers of Finan. Assist., 4 I.C.C.2d 164 (1987).

<sup>3</sup> The Commission will accept late-filed trail use statements so long as it retains jurisdiction.

CSXT has filed an environmental report which addresses the abandonment's effects, if any, on the environment and historic resources. The Section of Environmental Analysis (SEA) will issue an environmental assessment (EA) by May 1, 1995. Interested persons may obtain a copy of the EA by writing to SEA at (Room 3219, Interstate Commerce Commission, Washington, DC 20423) or by calling Elaine Kaiser at (202) 927-6248. Comments on environmental and historic preservation matters must be filed within 15 days after the EA becomes available to the public.

Environmental, historic preservation, public use, or trail use/rail banking conditions will be imposed, where appropriate, in a subsequent decision.

Decided: April 19, 1995.

By the Commission, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**

*Secretary.*

[FR Doc. 95-10209 Filed 4-25-95; 8:45 am]

BILLING CODE 7035-01-P

## DEPARTMENT OF JUSTICE

### Federal Bureau of Investigation

#### DNA Advisory Board Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, notice is hereby given that the DNA Advisory Board (DAB) will meet on May 12, 1995, from 11:00 am until 5:00 pm, at the General Services Administration Regional Office Building, Room 1909, Seventh and D Streets Southwest, Washington, D. C. 20407. Entrance to the meeting is through the 9th and D Street entrance. All attendees will be admitted only after displaying personal identification which bears a photograph of the attendee.

The DAB's objectives and scope are: To develop, and if appropriate, periodically revise, recommended standards for quality assurance to the Director of the FBI, including standards for testing the proficiency of forensic laboratories, and forensic analysts, in conducting analyses of DNA; To recommend standards to the Director of the FBI which specify criteria for quality assurance and proficiency tests to be applied to the various types of DNA analyses used by forensic laboratories; and, To make recommendations to the Director of the FBI for a system for grading proficiency testing performance to determine whether a laboratory is performing acceptably.

The topics discussed at this meeting include a review of Federal ethics and

conflict of interest laws and the role of DAB members as special government employees, the review administrative procedures and to establish by-laws and rules of order for the conduct of DAB meetings, and to review the history of forensic DNA testing and the development of quality assurance standards now in place.

The meeting is open to the public on a first-come, first seated basis. Anyone wishing to address the DAB must notify the Designated Federal Employee (DFE) in writing at least twenty-four hours before the DAB meets. The notification must include the requestor's name, organizational affiliation, a short statement describing the topic to be addressed, and the amount of time requested. Oral statements to the DAB will be limited to five minutes and limited to subject matter directly related to the DAB's agenda, unless otherwise permitted by the Chairman.

Any member of the public may file a written statement for the record concerning the DAB and its work before or after the meeting. Written statements for the record will be furnished to each DAB member for their consideration and will be included in the official minutes of a DAB meeting. Written statements must be type written on 8 xerographic weight paper, one side only, and bound only by a paper clip (not stapled). All pages must be numbered. Statements should include the Name, Organizational Affiliation, Address, and Telephone number of the author(s). Written statements for the record will be included in minutes of the meeting immediately following the receipt of the written statement, unless the statement is received within three weeks of the meeting. Under this circumstance, the written statement will be included with the minutes of the following meeting. Written statements for the record should be submitted to the DFE.

Inquiries may be addressed to the DFE, Mr. Milton E. Ahlerich, Assistant Director, Laboratory Division, Tenth Street Northwest, Washington, DC 20535, (202) 324-4410.

Dated: April 20, 1995.

**Milton E. Ahlerich.**

*Assistant Director, Federal Bureau of Investigation.*

[FR Doc. 95-10240 Filed 4-25-95; 8:45 am]

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## Immigration and Naturalization Service

[INS No. 1715-95]

RIN 1115-AE12

### Naturalization Pilot Project; Availability of Funds; Solicitation for Proposals

**AGENCY:** Immigration and Naturalization Service, Justice.

**ACTION:** Notice of availability of funds and solicitation for applications for a cooperative agreement.

**SUMMARY:** The Immigration and Naturalization Service (INS) announces the availability of up to \$500,000 for a cooperative agreement to conduct a naturalization pilot project pursuant to the funding provisions of the President's Immigration Initiative, Public Law 103-317 enacted August 26, 1994. See H.R. Conf. Rep. 103-708, 103d Cong., 2d Sess. (1994) at 23,26.

The Office of Justice Programs will award a cooperative agreement on behalf of INS to an organization demonstrating a capacity to design and successfully implement a program enhancing public awareness of naturalization in urban and rural areas of Southern California.

The INS will accept proposals from organizations with the experience, expertise and resources to prepare and disseminate information, assist in the preparation of naturalization applications, conduct or coordinate citizenship education programs and fully assist INS in the naturalization process. The INS welcomes proposals from nonprofit organizations (501(c)(3) status), such as national and local voluntary agencies, community-based organizations as well as ethnic, civic, patriotic, educational and other immigrant interest organizations.

**APPLICATION DUE DATE:** June 5, 1995.

**FOR FURTHER INFORMATION CONTACT:** E.B. Duarte, Jr., Director, Examinations Operations Facilitation Program, Immigration and Naturalization Service, 425 I Street, NW.; room 3214, Washington, DC 20536; telephone 202/307-3587.

**SUPPLEMENTARY INFORMATION:** The INS announces the availability of funds to conduct a naturalization pilot project in urban and rural areas of southern California. A cooperative agreement will be awarded to one organization which may function by itself or as a principal organization responsible for directing and coordinating a consortium of affiliated entities. The organization may conduct the pilot project in any one, two or all of the following INS jurisdictions: The district offices of Los