

Section 4(f) of the Act, as amended in 1988, requires that a public notice and an opportunity for public review and comment be provided during recovery plan development. The Service will consider all information presented during a public comment period prior to the approval of each new or revised recovery plan. The Service and other Federal agencies will also take these comments into account in the course of implementing approved recovery plans.

The primary species considered in this draft recovery plan is *Amaranthus pumilus* (Seabeach amaranth). The areas of emphasis for recovery actions for this plant are the Atlantic coastal areas from Massachusetts to South Carolina. Initial attention will be focused on those coastal areas in New York (Suffolk, Nassau, and Queens Counties); North Carolina (Currituck, Dare, Hyde, Carteret, Onslow, Pender, New Hanover, and Brunswick Counties); and South Carolina (Horry, Georgetown, and Charleston Counties) where the species still survives. Habitat protection, reintroduction, and the preservation of genetic material are the major objectives of this recovery plan.

#### Public Comments Solicited

The Service solicits written comments on the recovery plan described. All comments received by the date specified above will be considered prior to approval of the plan.

Authority: The authority for this action is Section 4(f) of the Endangered Species Act, 16 U.S.C. 1533(f).

Dated: September 22, 1995.

Brian P. Cole,

*Field Supervisor.*

[FR Doc. 95-24092 Filed 9-27-95; 8:45 am]

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## INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

### Overseas Private Investment Corporation

#### Agency Report Form Under OMB Review

**AGENCY:** Overseas Private Investment Corporation, IDCA.

**ACTION:** Request for comments.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit information collection requests to OMB for review and approval, and to publish a notice in the Federal Register notifying the public that the Agency has made such a submission. The proposed

form under review is summarized below.

**DATES:** Comments must be received on or before October 12, 1995. If you anticipate commenting on the form but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB Reviewer and the Agency Submitting Officer of your intent as early as possible.

**ADDRESSES:** Copies of the subject form and the request for review submitted to OMB may be obtained from the Agency Submitting Officer. Comments on the form should be submitted to the Agency Submitting Officer and the OMB Reviewer.

**FOR FURTHER INFORMATION CONTACT: OPIC AGENCY SUBMITTING OFFICER:** Lena Paulson, Manager, Information Center, Overseas Private Investment Corporation, 1100 New York Avenue, NW., Washington, DC 20527; (202) 336-8565.

**OMB Reviewer:** Jeff Hill, Office of Information Regulatory Affairs, Office of Management & Budget, New Executive Office Building, Docket Library, Room 3201, Washington, DC 20503; (202) 395-7340.

#### Summary of Form Under Review

*Type of Request:* Amendment.

*Title:* Preliminary Application for Financing.

*Form Number:* OPIC 115.

*Frequency of Use:* Once per project sponsor per project.

*Type of Respondents:* Business or other institutions.

*Standard Industrial Classification Codes:* All.

*Description of Affected Public:* U.S. companies investing overseas.

*Reporting Hours:* 3 hours per application.

*Number of Responses:* 300 per year.

*Federal Cost:* \$14,796.00 per year.

*Authority for Information Collection:* Sections 231 and 234 (b) and (c) of the Foreign Assistance Act of 1961, as amended.

*Abstract (Needs and Uses):* This application is sent to U.S. companies requesting information concerning OPIC's finance program. The information provided by these companies is reviewed by OPIC finance officers to determine the soundness of the proposed project and the applicant's qualification for receiving OPIC financial assistance.

Dated: September 25, 1995.

James R. Offutt,

*Assistant General Counsel, Department of  
Legal Affairs.*

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## INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-369]

### Notice of Commission Determination Not to Review an Initial Determination Terminating the Investigation on the Basis of a Settlement Agreement

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

In the matter of: Certain Health and Beauty Aids and Identifying Marks Thereon.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review the presiding administrative law judge's (ALJ's) initial determination (ID) in the above-captioned investigation terminating the investigation on the basis of a settlement agreement.

**FOR FURTHER INFORMATION CONTACT:** Rhonda M. Hughes, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202-205-3083.

**SUPPLEMENTARY INFORMATION:** On December 2, 1994, Redmond Products, Inc. filed a complaint with the Commission alleging a violation of section 337 of the Tariff Act of 1930 in the importation, the sale for importation, and the sale within the United States after importation of health and beauty aids bearing marks that infringe Redmond's registered and common law trademarks.

The Commission instituted an investigation of the complaint, and published a notice of investigation in the Federal Register on January 19, 1995. 60 Fed. Reg. 3,875 (1995). The notice named Belvedere International, Inc. of Ontario, Canada as respondent.

On July 13, 1995, complainant and respondent filed a joint motion to terminate the investigation on the basis of a settlement agreement. On August 25, 1995, the ALJ granted the joint motion and issued an ID (Order No. 17) terminating the investigation on the basis of a settlement agreement. No petitions for review were received.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and Commission rule 210.42, 19 C.F.R. 210.42.

Copies of the ALJ's ID, and all other nonconfidential documents filed in connection with this investigation, are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

By order of the Commission.

Issued: September 19, 1995.

Donna R. Koehnke,  
Secretary.

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**[Investigation No. 337-TA-366]**

**Notice of Commission Decision Not To Review the Presiding Administrative Law Judge's Initial Determination on Remand; Denial of Motion for Oral Argument; and Schedule for the Filing of Written Submissions on Remedy, the Public Interest, and Bonding**

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

In the Matter of: Certain Microsphere Adhesives, Process for Making Same, and Products Containing Same, Including Self-Stick Repositionable Notes.

**SUMMARY:** Notice is hereby given that the Commission has determined not to review the initial determination (ID) on remand issued by the presiding administrative law judge (ALJ) on August 8, 1995, in the above-captioned investigation. The Commission also determined to deny complainant's request for oral argument.

**FOR FURTHER INFORMATION CONTACT:** Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3104.

**SUPPLEMENTARY INFORMATION:** This investigation was instituted by the Commission on June 8, 1994, based on a complaint filed by Minnesota Mining and Manufacturing Co. (3M). On March 23, 1995, then presiding ALJ (Chief Judge Janet Saxon) issued her final ID in this investigation. The ALJ determined that a violation of section 337 of the Tariff Act of 1930, as amended, has occurred by reason of infringement of certain claims of U.S. Letters Patent 4,166,152 (the '152 patent) in the

importation or sale of certain products containing microsphere adhesives by Kudos Finder Tape Industrial Ltd. and Kudos Finder Trading Co. (collectively, Kudos). The finding of violation as to Kudos was based on adverse inferences drawn from Kudos' failure to cooperate in discovery. The ID found no violation as to respondents Taiwan Hopax Chemicals Manufacturing, Co., Ltd.; Yuen Foong Paper Co., Ltd.; Beautone Specialties Co., Ltd.; and Beautone Specialties Co. (collectively, Beautone).

On April 17, 1995, 3M, Beautone, and the Commission investigative attorney (IA) filed petitions for review of the ID. On April 27, 1995, they filed responses to each other's petitions. Under Commission interim rule 210.53(h), the ID would have become the determination of the Commission on May 8, 1995, unless review were ordered or the review deadline were extended. However, on March 31, 1995, the Commission extended the review deadline until May 23, 1995.

On May 23, 1995, the Commission determined to review the issues of (1) claim interpretation, (2) patent infringement by Beautone and Kudos, (3) patent validity under 35 U.S.C. §§ 102(f), 102(g), and 112, second paragraph, and (4) domestic industry. The Commission determined not to review the remainder of the ID. The Commission also determined to remand the ID to the ALJ for additional findings and for clarification of certain findings made in the ID concerning the issues under review.

Subsequent to remand of the ID, the investigation was reassigned to Judge Paul Luckern, who, on August 8, 1995, issued his ID on remand. 3M and Beautone filed petitions for review on August 18, 1995. 3M, Beautone, and the IA filed responses to the petitions. The Commission determined not to review the remand ID, thereby resolving the issues of claim interpretation and validity under 35 U.S.C. 112. Accordingly, the violation issues remaining on review are patent validity under 35 U.S.C. 102(f), 102(g); patent infringement by Beautone and Kudos; and domestic industry.

In connection with final disposition of this investigation, the Commission may issue (1) an order that could result in the exclusion of the subject articles from entry into the United States, and/or (2) cease and desist orders that could result in respondents being required to cease and desist from engaging in unfair acts in the importation and sale of such articles. Accordingly, the Commission is interested in receiving written submissions that address the form of remedy, if any, that should be ordered.

If a party seeks exclusion of an article from entry into the United States for purposes other than entry for consumption, the party should so indicate and provide information establishing that activities involving other types of entry either are adversely affecting it or are likely to do so. For background, see the Commission Opinion, *Certain Devices for Connecting Computers via Telephone Lines, Inc.*, Inv. No. 337-TA-360.

If the Commission contemplates some form of remedy, it must consider the effects of that remedy upon the public interest. The factors the Commission will consider include the effect that an exclusion order and/or cease and desist orders would have on (1) the public health and welfare, (2) competitive conditions in the U.S. economy, (3) U.S. production of articles that are like or directly competitive with those that are subject to investigation, and (4) U.S. consumers. The Commission is therefore interested in receiving written submissions that address the aforementioned public interest factors in the context of this investigation.

If the Commission orders some form of remedy, the President has 60 days to approve or disapprove the Commission's action. During this period, the subject articles would be entitled to enter the United States under a bond, in an amount determined by the Commission and prescribed by the Secretary of the Treasury. The Commission is therefore interested in receiving submissions concerning the amount of the bond that should be imposed, if remedial orders are issued.

**WRITTEN SUBMISSIONS:** The Commission has received adequate briefing on the violation issues under review, and therefore will not accept submissions on those issues. The parties to the investigation, interested government agencies, and any other interested persons are encouraged to file written submissions on the issues of remedy, the public interest, and bonding. Complainant and the Commission investigative attorney are also requested to submit proposed remedial orders for the Commission's consideration. The written submissions and proposed remedial orders must be filed no later than the close of business on October 6, 1995. Reply submissions must be filed no later than the close of business on October 13, 1995. No further submissions will be permitted unless otherwise ordered by the Commission.

Persons filing written submissions must file the original document and 14 true copies thereof with the Office of the Secretary on or before the deadlines