DEPARTMENT OF COMMERCE

International Trade Administration

Opportunity to Apply for Membership on the U.S.-Korea Committee on Business Cooperation

AGENCY: International Trade Administration, Commerce.

ACTION: Notice of Opportunity to Apply for Membership on the U.S.-Korea Committee on Business Cooperation.

SUMMARY: The Department of Commerce is currently seeking applications for membership on the U.S. side of the U.S.-Korea Committee on Business Cooperation (CBC). The purpose of the CBC is to facilitate stronger commercial ties between U.S. and Korean private sector businesses. The CBC is chaired by the U.S. Secretary of Commerce and the Korean Minister of Commerce, Industry and Energy. Its activities are coordinated by an equal number of private sector representatives from the United States and Korea. The work of the CBC is currently focused through eight sector-specific subgroups: (1) Government procurement, (2) environmental technologies, (3) venture capital, (4) automobiles, (5) filmed entertainment, (6) electronic commerce, (7) a business opportunity network on the Internet, and (8) telecommunications. Additional subgroups can be formed if members desire.

FURTHER INFORMATION CONTACT: Private sector representatives will be members until the CBC goes out of existence on October 1, 1999. If the CBC is extended by mutual consent of the U.S. Department of Commerce and the Korean Ministry of Commerce, Industry and Energy, a new recruitment process for CBC members will be initiated. Applications are now being sought for private sector members to serve beginning immediately. Private sector members will serve at the discretion of the Secretary. They are expected to participate fully in defining and implementing in CBC work programs. It is expected that private sector individuals chosen for the CBC will attend at least 75% of CBC meetings which will be held in the U.S. and Korea. The next full CBC meeting is expected to be held in Korea in the fall of 1998.

Private sector members are fully responsible for travel, living and personal expenses associated with their participation in the CBC. The private sector members will serve in a representative capacity presenting the views and interests of the particular business sector in which they operate; private sector members are not special government employees.

The goals of the CBC are as follows:

- Identifying commercial opportunities, impediments, and issues of concern to the respective business communities;
- Improving the dissemination of appropriate commercial information on both markets;
- Adopting sectoral or project-oriented approaches to expand business opportunities, addressing specific problems, and making recommendations to decision-makers where appropriate;
- Promoting trade/business development and promotion programs to assist the respective business communities in accessing each market, including trade missions, exhibits, seminars, and other events;
- Facilitating appropriate technical cooperation; and
- Considering other steps that may be taken to foster growth and enhance commercial relations.

Selection: This notice is seeking applications for private sector members.

Eligibility criteria. Applicants must be:

- A U.S. citizen residing in the United States; and
- Not a registered foreign agent under the Foreign Agents Registration Act of 1938 (FARA).

In reviewing eligible applicants, the Commerce Department will consider:

- Expertise in one of the business sectors noted above in which the CBC will be active;
- Readiness to initiate and be responsible for activities in one or more of the business sectors in which the CBC will be active; and
- Prospective member contributes to membership diversity of company size, type, location, demographics and/or traditional under-representation in business.

To be considered for membership, please provide the following: name and title of the individual requesting consideration; name and address of the company or organization sponsoring each individual; company's product or service line; size of the company; export experience and major markets; a brief statement of why each candidate should be considered for membership on the CBC; the particular segment of the business community each candidate would represent; a personal resume; and a statement that the applicant is a U.S. citizen and not a registered foreign agent under FARA.

DEADLINE: In order to receive full consideration, requests must be received no later than: June 1, 1998.

ADDRESSES: Please send your requests for consideration to Susan M. Blackman, Director, Office of Korea and Southeast Asia, U.S. Department of Commerce, Room 3203, 14th St. and Constitution Ave., NW, Washington, DC 20230, fax (202) 482–4760.

FOR FURTHER INFORMATION CONTACT: Susan M. Blackman, Director, Office of Korea and Southeast Asia, U.S. Department of Commerce, Room 3203, 14th St. and Constitution Ave., NW, Washington, DC 20230, telephone (202) 482–1695, fax (202) 482–4760.

Authority: 15 U.S.C. 1512.

Dated: April 9, 1998.

Peter B. Hale,

Acting Deputy Assistant Secretary for Asia and the Pacific.

[FR Doc. 98–9908 Filed 4–14–98; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

[C–412–811]

Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom; Final Results of Countervailing Duty Administrative Review

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

ACTION: Notice of final results of countervailing duty administrative review.

SUMMARY: On December 8, 1997, the Department of Commerce published in the **Federal Register** its preliminary results of administrative review of the countervailing duty order on certain hot-rolled lead and bismuth carbon steel products from the United Kingdom for the period January 1, 1996 through December 31, 1996. The Department has now completed this administrative review in accordance with section 751(a) of the Tariff Act of 1930, as amended. For information on the net subsidy for each reviewed company, and for all non-reviewed companies, please see the *Final Results of Review* section of this notice. We will instruct the Customs Service to assess countervailing duties as detailed in the *Final Results of Review* section of this notice.

EFFECTIVE DATE: April 15, 1998.

FOR FURTHER INFORMATION CONTACT: Christopher Cassel or Richard Herring,

Office of CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482–2786.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 CFR 355.22(a), this review covers only those producers or exporters of the subject merchandise for which a review was specifically requested. Accordingly, this review covers British Steel Engineering Steels Holdings, British Steel Engineering Steels Limited, and British Steel plc. This review also covers the period January 1, 1996 through December 31, 1996 and 16 programs.

Since the publication of the preliminary results on December 8, 1997 (62 FR 64568) (*Lead Bar 96 Preliminary Results*), the following events have occurred. We invited interested parties to comment on the preliminary results. On January 7, 1998 case briefs were submitted by British Steel Engineering Steels Limited (BSES), which exported to the United States during the review period (the respondent), and Inland Steel Bar Co. (petitioner). On January 12, 1998 and January 14, 1998 rebuttal briefs were submitted by BSES and Inland Steel Bar Co., respectively.

Applicable Statute

Unless otherwise indicated, all citations to the statute are references to the provisions of the Tariff Act of 1930, as amended by the Uruguay Round Agreements Act (URAA) effective January 1, 1995 (the Act). In addition, unless otherwise indicated, all citations to the Department's regulations are to the regulations codified at 19 CFR Part 355 (1997). The Department is conducting this administrative review in accordance with section 751(a) of the Act.

Scope of the Review

Imports covered by this review are hot-rolled bars and rods of non-alloy or other alloy steel, whether or not descaled, containing by weight 0.03 percent or more of lead or 0.05 percent or more of bismuth, in coils or cut lengths, and in numerous shapes and sizes. Excluded from the scope of this review are other alloy steels (as defined by the *Harmonized Tariff Schedule of the United States* (HTSUS) Chapter 72, note 1 (f)), except steels classified as other alloy steels by reason of containing by weight 0.4 percent or more of lead or 0.1 percent or more of bismuth, tellarium, or selenium. Also excluded are semi-finished steels and flat-rolled products. Most of the products covered in this review are provided for under subheadings 7213.20.00.00 and 7214.30.00.00 of the HTSUS. Small quantities of these products may also enter the United States under the following HTSUS subheadings: 7213.31.30.00, 60.00; 7213.39.00.30, 00.60, 00.90; 7214.40.00.10, 00.30, 00.50; 7214.50.00.10, 00.30, 00.50; 7214.60.00.10, 00.30, 00.50; and 7228.30.80. Although the HTSUS subheadings are provided for convenience and for Customs purposes, our written description of the scope of this proceeding is dispositive.

Change in Ownership

(I) Background

On March 21, 1995, British Steel plc (BS plc) acquired all of Guest, Keen & Nettlefolds' (GKN) shares in United Engineering Steels (UES), the company which produced and exported the subject merchandise to the United States during the original investigation. Thus, UES became a wholly-owned subsidiary of BS plc and was renamed British Steel Engineering Steels (BSES).

Prior to this change in ownership, UES was a joint venture company formed in 1986 by British Steel Corporation (BSC), a government-owned company, and GKN, a privately-owned company. In return for shares in UES, BSC contributed a major portion of its Special Steels Business, the productive unit which produced the subject merchandise. GKN contributed its Brymbo Steel Works and its forging business to the joint venture. BSC was privatized in 1988 and now bears the name BS plc.

In the investigation of this case, the Department found that BSC had received a number of nonrecurring subsidies prior to the 1986 transfer of its Special Steels Business to UES. *See Final Affirmative Countervailing Duty Determination: Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom*, 58 FR 6237, 6243 (January 27, 1993) (*Lead Bar*). Further, the Department determined that the sale to UES did not alter these previously bestowed subsidies, and thus the portion of BSC's pre-1986 subsidies attributable to its Special Steels Business transferred to UES. *Lead Bar* at 6240.

In the 1993 certain steel products investigations, the Department modified the allocation methodology developed for *Lead Bar*. Specifically, the Department stated that it would no longer assume that all subsidies allocated to a productive unit follow it when it is sold. Rather, when a productive unit is spun-off or acquired, a portion of the sales price of the productive unit represents the reallocation of prior subsidies. *See* the General Issues Appendix (*GIA*), appended to the *Final Countervailing Duty Determination; Certain Steel Products From Austria*, 58 FR 37217, 37269 (July 9, 1993) (*Certain Steel*). In a subsequent Remand Determination, the Department aligned *Lead Bar* with the methodology set forth in the ''Privatization'' and ''Restructuring'' sections of the *GIA*. *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products from the United Kingdom: Remand Determination* (October 12, 1993) (*Remand*).

(II) Analysis of BS plc's Acquisition of UES

On March 21, 1995, BS plc acquired 100 percent of UES. In determining how this change in ownership affects the attribution of subsidies to the subject merchandise, we relied on Section 771(5)(F) of the Act, which states that a change in ownership does not require a determination that past subsidies received by an enterprise are no longer countervailable, even if the transaction is accomplished at arm's length. The Statement of Administrative Action, H.R. Doc. No. 316, Vol. 1, 103d Cong., 2d Sess. 928 (1994) (SAA), explains that the aim of this provision is to prevent the extreme interpretation that the arm's length sale of a firm automatically, and in all cases, extinguishes any prior subsidies conferred. While the SAA indicates that the Department retains the discretion to determine whether and to what extent a change in ownership eliminates past subsidies, it also indicates that this discretion must be exercised carefully by considering the facts of each case. *Id*.

In accordance with the Act and the SAA, we examined the facts of BS plc's acquisition of GKN's shares of UES, and we determined that the change in ownership does not render previously bestowed subsidies attributable to UES no longer countervailable. However, we also determined that a portion of the purchase price paid for UES is attributable to its prior subsidies. Therefore, we reduced the amount of the subsidies that ''traveled'' with UES to BS plc, taking into account the allocation of subsidies to GKN, the former joint-owner of UES. *See Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom; Final Results of Countervailing Duty Administrative Review*, 62 FR 53306 (October 14, 1997) (*Lead Bar 95 Final Results*); *see also* the

discussion in *Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom; Preliminary Results of Countervailing Duty Administrative Review,* 62 FR 16555 (April 7, 1997) (*Lead Bar 95 Preliminary Results*). To calculate the amount of UES's subsidies that passed through to BS plc as a result of the acquisition, we applied the methodology described in the ''Restructuring'' section of the *GIA. See GIA,* 58 FR at 37268–37269. This determination is in accordance with our changes in ownership finding in *Final Affirmative Countervailing Duty Determination; Pasta From Italy,* 61 FR 30288, 30289-30290 (June 14, 1996), and our finding in the 1994 administrative review of this case, in which we determined that ''[t]he URAA is not inconsistent with and does not overturn the Department's *General Issues Appendix* methodology or its findings in the *Lead Bar Remand Determination.'' Certain Hot-Rolled Lead and Bismuth Carbon Steel Products From the United Kingdom; Final Results of Countervailing Duty Administrative Review,* 61 FR 58377, 58379 (November 14, 1996).

With the acquisition of UES, we also determined that BS plc's remaining subsidies are attributable to the subject merchandise, now produced by BS plc's wholly-owned subsidiary, BSES. Where the Department finds that a company has received untied countervailable subsidies, to determine the countervailing duty rate, the Department attributes those subsidies to that company's total sales of domestically produced merchandise, including the sales of 100-percent-owned domestic subsidiaries. If the subject merchandise is produced by a subsidiary company, and the only subsidies in question are the untied subsidies received by the parent company, the countervailing duty rate calculation for the subject merchandise is the same as described above. Similarly, if such a company purchases another company, as was the case with BS plc's purchase of UES, then the current benefit from the parent company's allocable untied subsidies is attributed to total sales, including the sales of the newly acquired company. *See, e.g., GIA,* 58 FR at 3762 (''the Department often treats the parent entity and its subsidiaries as one when determining who ultimately benefits from a subsidy''). Accordingly, in the *Lead Bar 95 Final Results,* we determined that it was appropriate to collapse BSES with BS plc for purposes of calculating the countervailing duty for the subject merchandise. BSES, as a wholly-owned subsidiary of BS plc, continues to benefit from the remaining benefit stream of BS plc's untied subsidies.

In collapsing UES with BS plc, we also determined that UES's untied subsidies ''rejoined'' BS plc's pool of subsidies with the company's 1995 acquisition. All of these subsidies were untied subsidies originally bestowed upon BSC (BS plc). After the formation of UES in 1986, the subsidies that ''traveled'' with the Special Steels Business were also untied, and were found to benefit UES as a whole. *See Lead Bar 95 Final Results.*

(III) Calculation of Benefit

To calculate the countervailing duty rate for the subject merchandise in 1996, we first determined BS plc's benefits in 1996, taking into account all spin-offs of productive units (including the Special Steel Business) and BSC's full privatization in 1988. *See Final Affirmative Countervailing Duty Determination; Certain Steel Products from the United Kingdom,* 58 FR 37393 (July 9, 1993) (*UK Certain Steel*). We then calculated the amount of UES's subsidies that ''rejoined'' BS plc after the 1995 acquisition, taking into account the reallocation of subsidies to GKN. *See Lead Bar 95 Final Results.* As indicated above, in determining both these amounts, we followed the methodology outlined in the *GIA.* After adding BS plc's and UES's benefits for each program, we then divided that amount by BS plc's total sales of merchandise produced in the United Kingdom in 1996.

Allocation Methodology

In *British Steel plc* v. *United States,* 879 F. Supp. 1254 (CIT 1995) (*British Steel*), the U.S. Court of International Trade ruled against the Department's allocation methodology, which relied on U.S. Internal Revenue Service information on the industry specific average useful life (AUL) of assets for determining the allocation period for non-recurring subsidies. In accordance with the court's remand order, the Department calculated a company-specific allocation period based on the AUL of non-renewable physical assets for BS plc. This allocation period was determined to be 18 years. This remand determination was affirmed by the Court on June 4, 1996. *British Steel plc* v. *United States,* 929 F. Supp. 426, 439 (CIT 1996).

The Department's acquiescence to the CIT's decision in the *Certain Steel* cases resulted in different allocation periods between the *UK Certain Steel* and *Lead Bar* proceedings (18 years vs. 15 years, respectively). Different allocation periods for the same subsidies in two different proceedings involving the same company generate significant inconsistencies. These inconsistencies are even more pronounced because UES became a wholly-owned subsidiary of BS plc in 1995. Therefore, in order to maintain a consistent allocation period across the *UK Certain Steel* and *Lead Bar* proceedings, as well as in the different segments of *Lead Bar,* we altered the allocation methodology previously used to determine the allocation period for non-recurring subsidies previously bestowed on BSC and attributed to UES. In the 1995 review, we applied the company-specific 18-year allocation period to all non-recurring subsidies. *See Lead Bar 95 Final Results.* BSES submitted comments on this issue (*see* Comment 5, below). Based on our decision in the 1995 administrative review of this order, we determine that it is appropriate in this review to continue to allocate all of BSC's non-recurring subsidies over BS plc's company-specific average useful life of renewable physical assets (*i.e.,* 18 years).

Analysis of Programs

Based upon the responses to our questionnaire and written comments from the interested parties we determine the following:

I. Programs Conferring Subsidies

A. Programs Previously Determined to Confer Subsidies

1. *Equity Infusions.* In the preliminary results, we found that this program conferred countervailable subsidies on the subject merchandise. Our review of the record and our analysis of the comments submitted by the interested parties, summarized below, has not led us to change our findings from the preliminary results. Accordingly, the net subsidy for this program, which is 4.69 percent *ad valorem,* remains unchanged from the preliminary results. *Lead Bar 96 Preliminary Results,* 62 FR at 64570.

2. *Regional Development Grant Program.* In the preliminary results, we found that this program conferred countervailable subsidies on the subject merchandise. Our review of the record and our analysis of the comments submitted by the interested parties, summarized below, has not led us to change our findings from the preliminary results. Accordingly, the net subsidy for this program, which is 0.15 percent *ad valorem,* remains unchanged from the preliminary results. *Id.*

3. *National Loan Funds Loan Cancellation.* In the preliminary results, we found that this program conferred countervailable subsidies on the subject merchandise. Our review of the record and our analysis of the comments submitted by the interested parties, summarized below, has not led us to change our findings from the preliminary results. Accordingly, the net subsidy for this program, which is 0.44 percent *ad valorem,* remains unchanged from the preliminary results. *Id.* at 64570–71.

II. Programs Found to be Not Used

In the preliminary results we found that the producers and/or exporters of the subject merchandise did not apply for or receive benefits under the following programs:

A. New Community Instrument Loans
B. ECSC Article 54 Loan Guarantees
C. NLF Loans
D. ECSC Conversion Loans
E. European Regional Development Fund Aid
F. Article 56 Rebates
G. Regional Selective Assistance
H. ECSC Article 56(b)(2) Redeployment Aid
I. Inner Urban Areas Act of 1978
J. LINK Initiative
K. European Coal and Steel Community (ECSC) Article 54 Loans/Interest Rebates

We did not receive any comments on these programs from the interested parties, and our review of the record has not led us to change our findings from the preliminary results.

III. Program Previously Found to be Terminated

Transportation Assistance

The Department found this program to be terminated in the 1995 administrative review of this countervailing duty order. *See Lead Bar 1995 Final Results.*

IV. Other Programs Examined

BRITE/EuRAM and Standards Measurement and Testing Program

BS plc received assistance under these two European Union programs to fund research and development. The European Union claimed that assistance provided under both of these programs is non-countervailable in accordance with Article 8.2(a) of the WTO Agreement on Subsidies and Countervailing Measures and section 771(5B)(B) of the Act (which provide that certain research and development subsidies are not countervailable). We determine that it is not necessary to address whether BRITE/EuRAM and the Standards Measurement and Testing Program qualify for non-countervailable treatment because combined, the assistance provided under both of these programs would result in a rate of less than 0.005 percent *ad valorem,* and thus would have no impact on the overall countervailing duty rate calculated for this POR. For this same reason we have not conducted a specificity analysis of these programs. *See, e.g., Final Affirmative Countervailing Duty Determination: Steel Wire Rod from Germany,* 62 FR 54990, 54995–54996 (October 22, 1997); *Certain Carbon Steel Products from Sweden; Final Results of Countervailing Duty Administrative Review,* 62 FR 16549 (April 7, 1997) and *Certain Carbon Steel Products from Sweden; Preliminary Results of Countervailing Duty Administrative Review,* 61 FR 64062, 64065 (December 3, 1996); *Final Negative Countervailing Duty Determination: Certain Laminated Hardwood Trailer Flooring (''LHF'') From Canada,* 62 FR 5201 (February 4, 1997); *Industrial Phosphoric Acid From Israel; Final Results of Countervailing Duty Administrative Review,* 61 FR 53351 (October 11, 1996) and *Industrial Phosphoric Acid From Israel; Preliminary Results of Countervailing Duty Administrative Review,* 61 FR 28845 (June 6, 1996).

Analysis of Comments

Comment 1: Whether British Steel plc's Reported Total Sales Should Be Adjusted

According to the petitioner, the BS plc sales figure used in the calculations for the preliminary determination appears to include intra-corporate sales. Therefore, the Department should adjust BS plc's reported total sales to exclude intra-corporate sales. Because BS plc did not report a separate total for 1996 intra-corporate sales in this review, the Department should use, as facts available, the sales figure for the fiscal year that ended in March 1997 from BS plc's 1997 Annual Report.

The respondent has certified that the 1996 sales figure that the Department used for the preliminary results does not include intra-corporate sales. The respondent further states that the reported figure was calculated on the same basis as the figure reported for the 1995 administrative review.

Department's Position

In the 1995 proceeding, we verified the basis by which BS plc prepared its total sales, excluding intra-corporate sales. The respondent has certified that the sales figure reported in this proceeding was prepared on the same basis as in the 1995 proceeding. Therefore, in the calculations for the final results of this review, we have not modified the BS plc 1996 sales figure used for the preliminary results.

Comment 2: Allocation of Subsidies to Guest, Keen & Nettleford (GKN)

The petitioner asserts that the Department should not allocate subsidies to GKN as a result of GKN's sale of its shares of UES to BS plc. According to the petitioner, the Department's subsidy repayment methodology is inconsistent with the countervailing duty statue, basic economic principles, and evidence produced in this proceeding. The petitioner asserts that the Department's subsidy credit methodology is invalid, that there is no evidence of repayment, and that BS plc's acquisition of GKN's shares does not differ from sales of shares traded daily on the stock market. Because BSES is the same position as BSC's special steels business in 1985, all of UES's subsidies should travel back to BS plc with the sale of GKN's UES shares to BS plc. Furthermore, the petitioner asserts that the *GIA* and *Certain Pasta from Italy* are distinguishable from the current case. The petitioner submitted the same arguments in the 1995 review of this case. *See 1995 UK Lead Bar Final,* 62 FR at 53309.

The respondent points out that the petitioner did not acknowledge that, in the 1995 review, the Department rejected the petitioner's arguments with respect to the attribution of a portion of UES's subsidies to GKN. Therefore, the respondent asserts that the Department should reject the petitioner's arguments again. The respondent also notes that the petitioner did not discuss the CAFC's recent holding in *British Steel plc* v. *United States,* 1997 U.S. App. LEXIS 29,353, (October 24, 1997) (*British Steel II*) that the Department has the discretion to apply a subsidy credit methodology. Finally, the respondent asserts that if the petitioner is correct and the statute focuses on the production of merchandise and the ownership of production is irrelevant, then the Department must determine that UES is now in the same position as before the March 1995 acquisition, not the same position as in 1985.

Department's Position

Our position with respect to the petitioner's comments was outlined in detail in the 1995 review of this case. *See 1995 UK Lead Bar Final,* 62 FR at 53309–10. The petitioner has not presented any new arguments or facts that would lead the Department to

depart from its original conclusion with respect to this issue. Further, the Department's position has been strengthened, as the respondent notes, with the CAFC's recent holding in *British Steel II*, affirming the Department's discretion to apply the subsidy credit methodology. For these reasons, we continue to apply the credit methodology in these final results.

Comment 3: The ''Change in Ownership'' Issue

BSES argues that the Department should revisit its determinations on the change-in-ownership issues in this case because of the CIT's recent decision in *Delverde SrL* v. *United States* (No. 96–08–01997, Slip Op. 97–163) (CIT Dec. 2, 1997) (*Delverde*). According to the respondent, the *Delverde* court concluded that while the change in ownership provision would permit the Department to find that subsidies pass through in an arm's length transaction, the Department may not conclude that they always pass through. Because the Department determined that the 1986 sale of the special steels business was an arm's length transaction and was consistent with commercial considerations, the respondent argues that the Department must find that UES received no financial benefit when it acquired BSC's special steels division in 1986. According to the respondent, the same conclusion applied to 1995 acquisition of UES, which occurred at arm's length and for fair market value.

In rebuttal, the petitioner argues that the *Delverde* decision has limited precedential value in this case because, in *Delverde*, the CIT explicitly excluded privatization from the analysis, and issued limited instructions about private transactions. The petitioner asserts that the Department's change of ownership methodology is fully consistent with the statute, the legislative history, and the concerns expressed in *Delverde*. The petitioner also contends that the Department's existing privatization and repayment methodologies determine whether and to what extent a subsidy passes through by measuring how much of the subsidy remains with the seller and how much with the buyer and are, therefore, consistent with *Delverde*.

Department's Position

In its opinion in *Delverde*, the CIT did not overturn the Department's methodology. It only directed the Department, on remand, to provide a fuller explanation of its methodology and how it applied it to the facts of the change of ownership transaction at issue. While the CIT did present its views regarding many of the issues that it wanted the Department to address when explaining its methodology, it did not, however, order the Department to adopt any of its views.

On April 2, 1998, the Department filed its remand determination in *Delverde*. In it, the Department continued to follow its existing methodology, and it provided the CIT with the full explanations that it had requested. In these final results, the Department similarly has not made any changes to its methodology based on the *Delverde* opinion.

Comment 4: Whether Subsidies Provided to BS plc Benefit UES

According to the respondent, the Department incorrectly assumed in its preliminary determination that BSES's production of leaded bar benefits from subsidies provided to BS plc solely due to the corporate relationship between the two companies. The respondent asserts that the preliminary determination conflicts with two final CIT decisions: *Armco Inc.* v. *United States*, 733 F. Supp. 1514 (CIT 1990) and *Aimcor* v. *United States*, 871 F. Supp. 447 (CIT 1994). The respondent contends that under the CIT's decisions in *Armco* and *Aimcor*, the Department is required to examine more than the corporate relationship in deciding whether a subsidy has been bestowed.

According to the respondent, in its characterization of *Armco* in the 1995 final results, the Department distorted and confused the CIT's holding that the corporate relationship alone does not support a blanket policy of subsidy attribution. The respondent claims that the Department turned the court's decision on its head when it attempted to limit *Armco*'s statements to the facts of the case. The respondent emphasizes that the *Armco* court did not intend to overturn the Department's general policy of not attributing subsidies between related companies. According to the respondent, the Department contended in the 1995 review that the attribution of subsidies between BS plc and BSES was consistent with *Armco* because BS plc also produced a small quantity of the subject merchandise, which creates the possibility of circumvention. The respondent argues, however, that there is no meaningful possibility of circumvention in this case, because BS plc has a higher countervailing duty rate than BSES, manufactures only a small quantity of subject merchandise, and has not exported any subject merchandise to the United States.

With respect to *Aimcor*, the respondent states that, in the final results of the 1995 review, the Department contended that the issue involved the bestowal rather than the attribution of a subsidy. The respondent argues that the issue decided by the CIT in *Aimcor* did involve attribution, and the Department's position in its brief to the CIT in that case demonstrates that this was the Department's understanding. The respondent emphasizes that even if the parent-company, CVG, had been found to receive a subsidy, the CIT would have concluded in *Aimcor* that such a subsidy did not provide a benefit to the subsidiary, FESILVEN, because the fact that ''CVG exercised some control over FESILVEN does not necessarily indicate that the benefit to CVG passed through to FESILVEN.'' 871 F. Supp. at 451–52.

The respondent also argues that the Department's attribution policy is problematic from a policy perspective. First, it conflicts with the Department's privatization policy, which is based upon the premise that subsidies are provided to the manufacture, production or export of subject merchandise rather than to companies or businesses that produce subject merchandise. Second, the Department's policy will dilute the duties that otherwise would have been imposed on a subsidized productive unit. Therefore, the respondent contends, the Department should not attribute BS plc's subsidies to the production of BSES for the final results of this review.

The petitioner contends that the statue, Department practice, and the particular facts of this review support the Department's attribution of untied subsidies from BS plc to BSES. Petitioner disputes the respondent's attempt to limit *Armco* to a single principle: that attribution of subsidies was appropriate due to the threat of circumvention rather than the corporate relationship between parent and subsidiary. According to the petitioner, the court's decision to attribute subsidies from parent to subsidiary was based on two considerations in addition to circumvention concerns: (1) The status of ASM and Angkasa as parent and wholly owned subsidiary, and (2) the substantial control that ASM exercised over Angkasa's activities. The petitioner argues that all three of these concerns are also present in this case, and that *Armco* therefore supports the Department's attribution decision in the preliminary results. The petitioner also made these arguments in the 1995 administrative review. *See Lead Bar 95 Final Results*, 62 FR at 53111.

Department's Position

The respondent's argument focuses on the Department's interpretation of

Armco and *Aimcor* in the 1995 proceeding, concluding that these CIT decisions prohibit the Department's attribution approach. In the 1995 proceeding, we stated that the *Aimcor* and *Armco* cases ''do not undermine the Department's general principle of attributing untied parent company subsidies to the parent company's consolidated sales.'' More importantly, we stated that the facts of this case do not require the Department ''to find factors in addition to the corporate relationship'' when attributing subsidies from one corporation to another. *Lead Bar 1995 Final Results,* 62 FR at 53313. The Department analyzed numerous cases to illustrate that parent company subsidies have in fact been attributed to the consolidated sales, including the sales of consolidated subsidiaries, solely on the basis of the corporate relationship.[1] The arguments presented by the respondent in this review have not led us to reach a different conclusion.

As a preliminary matter, the respondent's arguments reveal a misunderstanding of the Department's position. According to the respondent's interpretation, the Department would in all cases attribute subsidies from one corporation to another, solely based on the relatedness of those companies. However, the position outlined in the 1995 review concerns only untied subsidies to a parent company and the principle, supported by numerous prior cases, that those subsidies are attributed to the consolidated domestically produced sales of the company, including the domestically produced sales of consolidated subsidiaries. This attribution principle hinges on the facts specific to this case, that the subsidies to the parent company are untied, and the subsidiary companies are consolidated with the parent company. Thus, contrary to the respondent's contention, the position outlined in the 1995 proceeding does not stand for the proposition that subsidies, regardless of their nature, would in all cases be attributed to related companies without an examination of the type of relationship between the companies.

According to the respondent, the *Armco* court required attribution between ASM and Angkasa solely because of the case-specific evidence of circumvention. This decision to attribute subsidies between the related companies, the respondent states, was not intended to ''swallow the Department's general rule of non-attribution, with which the court agreed.'' BSES'' case brief, January 7, 1998 at 17. We disagree with this interpretation. While the *Armco* court may not have endorsed an across-the-board policy of attributing subsidies between related companies, the court clearly stated that the Department's prior determinations ''do not show a blanket policy of automatically not attributing benefits received by one company to a closely related company.'' *Armco,* 733 F. Supp. 1522 (emphasis in original). Rather, the court understood that attribution decisions in prior cases ''turn[ed] essentially upon the Department's findings in particular cases.'' *Id.* The court also recognized that ''the Department has attributed benefits received by one company to a related company'' in other cases. *Id.* (emphasis in original). Accordingly, we do not agree that *Armco* represents an endorsement of a ''general rule of non-attribution.''

Moreover, the case-specific evidence upon which the court relied was not limited solely to evidence of circumvention, as the respondent suggests. As petitioner correctly points out, other crucial factors considered by the court included the nature of the relationship between the parent, ASM, and the subsidiary, Angkasa, and the degree of involvement in each other's business. The court emphasized that ''[a]s the owner of 100 percent of Angkasa's stock, ASM clearly benefits from Angkasa's revenues derived from the export of products to the United States'' and that ''ASM was intimately involved in Angkasa's business decisions and operations. . . .'' *Id.* at 1524. The *Armco* court concluded that ''[t]he present decision is based in part upon the status of ASM and Angkasa as parent and wholly-owned subsidiary. . .'' *Id.* at 1526. To that extent, the Department's determination to attribute BS plc's untied subsidies to the consolidated sales of the company is in conformance with the CIT's decision in *Armco.* Specifically, the Department examined the nature of the subsidies originally bestowed upon BS plc, as well as the relationship between the parent, BS plc, and subsidiary, BSES.[2] In the 1995 proceeding, we stated that BS plc, as 100 percent owner of BSES, ''has the authority to make all major decisions for UES, including any decision to invest in the subsidiary, change its operations, restructure or even close it down.'' See the ''Acquisition Memorandum'' at 4, attached as Exhibit 1 to the petitioner's rebuttal brief, January 14, 1998 (Acquisition Memo). Given these case-specific circumstances, the Department appropriately treated parent, BS plc, and subsidiary, BSES, as one company for purposes of attributing BS plc's untied subsidies. Nothing in the *Armco* decision prohibits such a conclusion, which our discussion in the 1995 final results of this case makes clear.

According to the respondent, however, the Department's discussion in the 1995 final results sought to limit *Armco* to the specific facts underlying the court's ruling. We disagree. Our discussion of *Armco* merely recognized that ''different conclusions may be drawn from different scenarios involving various kinds of subsidies, tied and untied, and companies of varying degrees of relatedness.'' *Lead Bar 1995 Final Results,* 62 FR at 53313. As the court stated, attribution decisions are based ''essentially upon the Department's findings in particular cases.'' *Armco,* 733 F. Supp. at 1522. In light of this, it is the respondent and not the Department that attempts to restrict the court's attribution decision, by stating that the *Armco* ruling represents an ''exception'' to the Department's general rule of non-attribution. However, the court's ruling in *Armco* was not an attempt to create a blanket rule that favored automatic attribution or non-attribution of subsidies between related companies. Rather, the court recognized that, even in the absence of evidence of pass-through, the facts of a case may allow a subsidy to be attributed among related companies. The court specifically stated that subsidies to one company should not escape countervailing duties ''merely because there is no evidence that the subsidiary itself overtly transfers to the parent any specific subsidy benefits received.'' *Id.* at 1525. This was

[1] *See, e.g., Final Affirmative Countervailing Duty Determinations: Certain Steel Products from Belgium,* 58 FR 37293, 37282 (July 9, 1993) (untied subsidies to Sidmar, the parent company, were attributed to the ''total 1991 sales of the Sidmar Group''); *Final Affirmative Countervailing Duty Determinations: Certain Steel Products from Italy,* 58 FR 37327 (July 9, 1993) (a subsidy determined to benefit all production activities was ''allocated over Falck's total consolidated sales,'' *GIA,* 58 FR at 37235); *GIA,* 58 FR at 37262 (the Department ''often treats the parent entity and its subsidiaries as one when determining who ultimately benefits from a subsidy,'' and ''generally allocate[s] subsidies received by parents over sales of their entire group of companies''). *See also, Final Affirmative Countervailing Duty Determination: Certain Hot Rolled Lead and Bismuth Carbon Steel Products from France,* 58 FR 6221, 6223 (January 27, 1993); *Final Affirmative Countervailing Duty Determination: Certain Steel Products from France,* 58 FR 37304 (July 9, 1993) (*French Steel*); *UK Steel* (BS plc argued in that case that untied subsidies ''must be allocated to a company's total corporate output {including foreign operations} and not just to specific products or operations,'' *GIA,* 58 FR at 37236).

[2] We also continue to maintain that legitimate circumvention concerns exist in this case. *See* the discussion in the *Lead Bar 1995 Final Results,* 62 FR at 53313.

precisely our position in the 1995 proceeding, in which we argued that the CIT's decision in *Armco* does not require the Department to find, in all cases, factors in addition to the corporate relationship, when attributing untied parent company subsidies to that company's consolidated sales, including the sales of consolidated subsidiaries. The respondent has not shown that *Armco* requires such factors, or that the Department erred in the many prior cases where precisely the same attribution principle was followed.

The respondent argues that the issue in *Aimcor* involved corporate attribution, and not whether a subsidy was bestowed, as claimed by the Department in the 1995 proceeding. The respondent also makes extensive reference to the Government's February 1994 brief to the court (to restate its position that *Aimcor* prohibits the Department from attributing parent company subsidies to a subsidiary without showing that the subsidy passed-through to the subsidiary). Even assuming, *arguendo*, that attribution was an issue, the facts in *Aimcor* are significantly different from this case such that the Department's decision here is not in conflict with *Aimcor*.[3]

In the investigation underlying the *Aimcor* decision, the Department decided to treat the parent company, CVG, as a separate entity from its subsidiary, FESILVEN, because there was an insufficient ''identity of interests'' between the companies. *Final Affirmative Countervailing Duty Determination: Ferrosilicon from Venezuela*, 58 FR 27539 (May 10, 1993) (*Ferrosilicon from Venezuela*). In this proceeding, however, we did not make a determination that BS plc and BSES should be treated as separate entities. Rather, we found the inverse, that BS plc, as 100-percent owner of its consolidated subsidiary, BSES, ''has the authority to make all major decision for UES, including any decision to invest in the subsidiary, change its operations, restructure or even close it down.''

The Department's analysis in this proceeding, therefore, is fundamentally different from that presented in *Ferrosilicon from Venezuela*. This is further illustrated by the fact that the parent company in *Ferrosilicon from Venezuela*, CVG, was a government-owned holding company. Cases involving the attribution of subsidies between government-owned holding companies and their related companies are not illustrative of the Department's attribution policy concerning untied subsidies to corporations which produce merchandise and which also have numerous consolidated subsidiaries. Rather, in cases involving government-owned holding companies, we have examined whether the holding company, acting as the government, through its investments provided subsidies to its producing subsidiaries. We noted this policy in the 1995 final results, where we stated that in cases involving government-owned holding companies, ''the Department considered whether the government-owned holding company acted as the government in bestowing subsidies to the affiliated companies, *i.e.*, the subsidiaries.'' *Id.* at 53314. No such practice exists, however, for cases involving untied subsidies benefitting corporations such as BS plc, and their consolidated subsidiaries. Rather, the Department's practice in such cases is to ''generally allocate subsidies received by parents over sales of their entire group of companies.'' *GIA*, 58 FR at 37262. This was also the position of the *Aimcor* court, when it stated that ''if Commerce was incorrect in treating the two companies separately, any benefit to CVG may be attributable to FESILVEN.'' *Aimcor*, 871 F. Supp. at 451. In other words, if the ''identity of interests'' between the companies had not been found to be insufficient, any benefit to CVG would also be attributable to FESILVEN. This conforms with our approach in this case, and in the numerous other cases cited by the Department. Accordingly, the respondent has failed to show that the *Aimcor* decision is in conflict with our attribution approach in this proceeding.

Comment 5: Allocation Methodology

The respondent argues that the Department should not apply a company-specific period for allocating subsidies over time, because it produces arbitrary and fluctuating results. Instead, the Department should return to its prior practice of using the IRS tables for the average useful life of assets, and promulgate a regulation consistent with that approach. This approach would provide sufficient support to comply with the concerns raised by the CIT in *British Steel*, because, the respondent states, the CIT's ruling was premised on the fact that the Department's allocation methodology was not supported by regulations. The respondent argues that if the Department does promulgate a regulation stating that it will use the IRS tables, the Department should follow this approach for the final results of this review.

However, if the Department does apply a company-specific allocation period for the final results, the Department should calculate this AUL based on BS plc's average useful life of assets during the ten-year period that most closely overlaps the period of subsidization. This would exclude the period FY 1986/87 through FY 1990/91, where BS plc was found not to have received any subsidies. The respondent further claims that using 14 years to calculate BS plc's AUL is inconsistent with the approach taken by the Department in the countervailing duty questionnaires, in which only ten years of information is sought for the AUL calculation.

The petitioner maintains that the Department should continue to apply BS plc's 18-year company-specific AUL in this review, based upon the prior record of this case and the proposed countervailing duty regulations. Moreover, the CIT in *British Steel* found the prior methodology to be contrary to law. In any case, the petitioner states that BS plc was originally opposed to the IRS tables approach, stating that it was arbitrary.

Department's Position

The countervailing duty regulations have not yet been finalized. Even if the regulations were finalized and the Department did promulgate a regulation stating that it will use the IRS tables, the regulations would not be controlling in the instant review.

The Department's acquiescence to the CIT's decision in *British Steel* resulted in different allocation periods for the same subsidies in two proceedings. Therefore, in the 1995 review of this case, we applied BS plc's company-specific AUL to all nonrecurring subsidies in order to maintain a consistent allocation period across the *UK Steel* and *UK Lead Bar* proceedings. This approach brought the *Lead Bar* proceeding in line with the CIT's ruling in *British Steel*. To now return to the IRS tables in this administrative review would run counter to that ruling, which the Department has followed in all countervailing duty cases since the court affirmed the Department's remand. *See British Steel plc* v. *United States*, 929 F. Supp. 426, 439 (CIT 1996). Therefore, we will not return to the IRS tables for purposes of calculating the allocation period for the final results of this review.

We also find no merit in the respondent's argument that the AUL calculation should be based on BS plc's average useful life of assets during the

[3] It remains our view that the issue of the bestowal of a subsidy was an important issue in the Department's decision in ferrosilicon from Venezuela. *See* the discussion in the *Lead Bar 1995 Final Results*, 62 FR at 53313.

ten-year period that most closely overlaps the period of subsidization, *i.e.*, FY 1976/77 through 1985/86. The Department's decision in the *British Steel* remand to use 14 years of data to calculate the AUL was reasonable. Fourteen years of data were on the record at the time we calculated BS plc's AUL, and we found no reason to exclude it from the calculation. Rather, we found that these data provided a reasonable calculation of BS plc's AUL.

Contrary to the respondent's contention, the approach taken in the *British Steel* remand is not in conflict with the Department's countervailing duty questionnaire. We have found that basing the AUL calculation on ten years of data, as requested in the questionnaire, is reasonable and administrable. However, this does not indicate that an AUL calculation based on more or fewer years would be incorrect or inaccurate. Furthermore, assuming the Department had chosen ten years of data, that information would be taken from the years immediately preceding the investigation. In this case, that would be FY 1981/82 through FY 1990/91. Therefore, the respondent cannot argue in hindsight and for its own convenience that the AUL should be recalculated using the ten-year period that most closely overlaps the period of subsidization. For these reasons, we will not recalculate BS plc's AUL.

Comment 6: Subsidy Repayment Methodology

BSES asserts that the Department should revise its calculation of the amount of subsidies that are considered repaid with privatization. According to the respondent, the ratio of subsidies to net worth that the Department currently uses is unreasonable because it is based upon the subsidies' historical value. The result is arbitrary because the company's historical subsidy worth may have no relationship to the company's subsidy worth at the time of privatization. The respondent argues that it would make more sense to use a ratio of (1) the total unamortized value of non-recurring subsidies at the time of privatization to (2) the net worth of the company being privatized. According to the respondent, the suggested approach would also be consistent with the Department's practice of amortizing subsidies.

According to the petitioner, the only appropriate change to the Department's methodology would be its abolition; however, if the Department continues to assume that a portion of the purchase price of a government-owned company represents the repayment of subsidies, the Department's existing methodology is the most reasonable valuation of repayment. The petitioner contends that BSES's proposed approach is ill-advised and inconsistent with the Department's practice.

Department's Position

While respondent has suggested some alternatives to the Department's subsidy payment methodology, we believe the Department's current methodology is reasonable in accomplishing the intended purpose of determining what portion of the purchase price is allocable to prior subsidies. Indeed, the Federal Circuit has stated that ''the methodology developed by Commerce to account for the repayment of subsidies during privatization is a reasonable interpretation of the countervailing duty statute.'' *British Steel plc* v. *United States*, 127 F.3d 1471, 1475 (Fed. Cir. 1997). Moreover, the Department's subsidy calculation methodology is currently subject to judicial review which the court has yet to address. For these reasons, we will continue to use the methodology as set out and explained in the *GIA*.

Final Results of Review

In accordance with 19 CFR 355.22(c)(4)(ii), we calculated an individual subsidy rate for each producer/exporter subject to this administrative review. As discussed in the ''Change in Ownership'' section of the notice, above, we are treating British Steel plc and British Steel Engineering Steels as one company for purposes of this proceeding. For the period January 1, 1996 through December 31, 1996, we determine the net subsidy for British Steel plc/British Steel Engineering Steels (BS plc/BSES) to be 5.28 percent *ad valorem*.

We will instruct the Customs Service to assess countervailing duties for BS plc/BSES at 5.28 percent *ad valorem*. The Department will also instruct Customs to collect a cash deposit of estimated countervailing duties of 5.28 percent of the f.o.b. invoice price on all shipments of the subject merchandise from BS plc/BSES entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this review.

Because the URAA replaced the general rule in favor of a country-wide rate with a general rule in favor of individual rates for investigated and reviewed companies, the procedures for establishing countervailing duty rates, including those for non-reviewed companies, are now essentially the same as those in antidumping cases, except as provided for in § 777A(e)(2)(B) of the Act. The requested review will normally cover only those companies specifically named. *See* 19 CFR 355.22(a). Pursuant to 19 CFR 355.22(g), for all companies for which a review was not requested, duties must be assessed at the cash deposit rate, and cash deposits must continue to be collected at the rate previously ordered. As such, the countervailing duty cash deposit rate applicable to a company can no longer change, except pursuant to a request for a review of that company. *See Federal-Mogul Corporation and The Torrington Company* v. *United States*, 822 F.Supp. 782 (CIT 1993) and *Floral Trade Council* v. *United States*, 822 F.Supp. 766 (CIT 1993) (interpreting 19 CFR 353.22(e) (now 19 CFR 351.212(c)), the antidumping regulation on automatic assessment, which is identical to 19 CFR 355.22(g)). Therefore, the cash deposit rates for all companies except those covered by this review will be unchanged by the results of this review.

We will instruct Customs to continue to collect cash deposits for non-reviewed companies at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non-reviewed companies covered by this order are those established in the most recently completed administrative proceeding, conducted pursuant to the statutory provisions that were in effect prior to the URAA amendments. *See, Certain Hot-Rolled Lead and Bismuth Carbon Steel Products from the United Kingdom; Final Results of Countervailing Duty Administrative Review*, 60 FR 54841 (October 26, 1995). These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested. In addition, for the period January 1, 1996 through December 31, 1996, the assessment rates applicable to all non-reviewed companies covered by this order are the cash deposit rates in effect at the time of entry.

This notice serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 355.34(d). Timely written notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: April 7, 1998.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 98–9870 Filed 4–14–98; 8:45 am]

BILLING CODE 3510–DS–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Saltonstall-Kennedy (S–K) Grant Program Application and Progress and Final Report Formats

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before June 15, 1998.

ADDRESSES: Direct written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Alicia L. Jarboe, S–K Program Manager, Financial Services Division, Office of Sustainable Fisheries, National Marine Fisheries Service, 1315 East West Highway, Silver Spring, Maryland 20910, (301) 713–2358. In addition, the S–K application package is available on the NMFS Home Page, at: www.nmfs.gov/sfweb/skhome.html.

SUPPLEMENTARY INFORMATION:

I. Abstract

The S–K Program provides financial assistance on a competitive basis for research and development projects that address various aspects of U.S. fisheries (commercial or recreational), including but not limited to, harvesting, processing, marketing, and associated infrastructures. Projects that primarily involve business start-up or infrastructure development are not eligible for funding. Respondents to the application forms will be universities, State and local governments, fisheries development foundations, industry associations, private companies, and individuals applying to the S–K Program for grant funds. Respondents to the progress and final report formats will be successful applicants who are recipients of S–K funds.

II. Method of Collection

The collection-of-information will be collected on the S–K Program application package including Project Summary and Project Budget forms, and using the Semi-Annual Progress Report and Project Final Report formats. Approved final reports must be submitted electronically in either WordPerfect (version 6.1 or lower) or MSWord (97 version or earlier). NOAA will consider requests for exemption from the requirement for electronic submission, or for submission in a different format than specified above.

III. Data

OMB Number: 0648–0135.

Form Number: NOAA Forms 88–204 and 88–205.

Type of Review: Regular Submission.

Affected Public: Business and other for profit; not-for-profit institutions; State, local, or tribal governments.

Estimated Number of Respondents: 210.

Estimated Time Per Response: 2 hours for project summary and budget, 6 hours for remainder of application package, 2 hours for progress reports, and 13 hours for final reports.

Estimated Total Annual Burden Hours: 2,245 hours.

Estimated Total Annual Cost to Public: No capital, operations, or maintenance costs are expected.

IV. Request for Comments

Comments are invited on: (a) Whether the proposed collection-of-information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection-of-information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection-of-information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: April 9, 1998.

Linda Engelmeier,

Departmental Forms Clearance Officer, Office of Management and Organization.

[FR Doc. 98–9913 Filed 4–14–98; 8:45 am]

BILLING CODE 3510–22–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Application for Dean John A. Knauss Marine Policy Fellowship

ACTION: Proposed collection; comment request.

SUMMARY: The Department of Commerce, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Pub. L. 104–13 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before June 15, 1998.

ADDRESSES: Direct all written comments to Linda Engelmeier, Departmental Forms Clearance Officer, Department of Commerce, Room 5327, 14th and Constitution Avenue, NW, Washington DC 20230.

FOR FURTHER INFORMATION CONTACT: Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Dr. Francis M. Schuler; Executive Director, National Sea Grant College Program, NOAA (R/SG), Silver Spring, MD 20910 (301–713–2445).

SUPPLEMENTARY INFORMATION:

I. Abstract

The National Sea Grant Federal Fellows Program/Dean John A. Knauss Policy Fellowship was established to provide a unique educational experience for students enrolled in graduate programs in fields related to marine or Great Lakes studies. The program matches highly qualified graduate students with hosts in the Legislative or Executive Branches, or with appropriate associations or institutions located in Washington, D.C. Applicants must complete and submit an application.

II. Method of Collection

A **Federal Register** notice is periodically published to solicit applications. No forms are used.

III. Data

OMB Number: 0648–0294.