

**Final Results of the Review**

As a result of our review, we determine that the following margin exists:

Manufac- turer/exporter	Time period	Margin (percent)
Romania Rate .....	6/1/93-5/31/94	0.00

The Department will instruct the Customs Service to assess antidumping duties on all appropriate entries. The Department will issue appraisal instructions directly to the Customs Service. Deposit rates are governed by the final results of the 1994/95 administrative review of this proceeding. *See Tapered Roller Bearings and Parts Thereof, Finished or Unfinished, from Romania; Final Results of Antidumping Duty Administrative Review*, 61 FR 51434 (October 2, 1996).

This notice serves as a final reminder to importers of their responsibility under 19 CFR 353.26 to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this 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.

This notice also 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 353.34(d)(1). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested.

Failure to comply with the regulations and 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)) and 19 CFR 353.22.

Dated: May 27, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 97-14869 Filed 6-5-97; 8:45 am]

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**DEPARTMENT OF COMMERCE**
**International Trade Administration**  
**[C-401-056]**
**Viscose Rayon Staple Fiber from Sweden; Preliminary Results of Countervailing Duty Administrative Review**

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

**ACTION:** Notice of preliminary results of Countervailing Duty Administrative Review.

**SUMMARY:** The Department of Commerce (the Department) is conducting an administrative review of the countervailing duty order on viscose rayon staple fiber from Sweden for the period January 1, 1995 through December 31, 1995. We preliminarily determine the net subsidy to be zero percent *ad valorem* for Svenska Rayon AB (Svenska) for the period January 1, 1995 through December 31, 1995. If the final results of this review remain the same as these preliminary results, the Department intends to instruct the U.S. Customs Service to liquidate, without regard to countervailing duties, all shipments of the subject merchandise from Svenska exported on or after January 1, 1995 and on or before December 31, 1995. Interested parties are invited to comment on the preliminary results. (See **PUBLIC COMMENT** section of this notice.)

**EFFECTIVE DATE:** June 6, 1997.

**FOR FURTHER INFORMATION CONTACT:** Stephanie Moore or Russell Morris, Office CVD/AD Enforcement VI, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230; telephone: (202) 482-2786.

**SUPPLEMENTARY INFORMATION:**
**Background**

On May 15, 1979, the Department published in the **Federal Register** (44 FR 28319) the countervailing duty order on viscose rayon staple fiber from Sweden. On May 8, 1996, the Department published a notice of "Opportunity to Request Administrative Review" (61 FR 20791) of this countervailing duty order for the period January 1, 1995 through December 31, 1995. We received a timely request for review from the petitioners, and we initiated the review on June 25, 1996, as published in the **Federal Register** (61 FR 32771).

In accordance with 19 CFR 355.22(a), this review covers only the producer or

exporter of the subject merchandise for which a review was specifically requested. Accordingly, this review covers Svenska. This review also covers ten programs.

**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). 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 shipments from Sweden of regular viscose rayon staple fiber and high-wet modulus (modal) viscose rayon staple fiber. Such merchandise is classifiable under item number 5504.10.00 of the Harmonized Tariff Schedule (HTS). The HTS item is provided for convenience and Customs purposes. The written description remains dispositive.

**Analysis of Programs**

In its questionnaire response the Government of Sweden (GOS) reported that Svenska benefitted from the following programs during the period of review: (1) Investment Grants from the Working Life Fund, (2) Recruitment Incentive, (3) Trainee Temporary Replacement, and (4) Recruitment Subsidy. The Department has not previously examined these programs in this case or in other Swedish cases. Therefore, for purposes of this review, we have analyzed whether these programs confer countervailable subsidies.

**I. Programs Preliminarily Determined Not to Confer Subsidies**
**A. Investment Grants From the Working Life Fund**

On June 7, 1989, the Swedish Parliament signed Act SFS 1989:484, which stated that employers were obligated to pay a work environment charge of 1.5 percent of the basic pension contribution paid by all employers during the period September 1989 to December 1990. This contribution was for the Working Life Fund, which is a trust held by the Swedish National Judicial Board and managed by the National Judicial Board for Public Lands and Funds. As stated in Decree number 1990:130, the GOS provided aid to companies from the Working Life Fund to pay for: (1) The cost of rehabilitation measures for employees suffering from long-term impaired health; (2) costs incurred in

implementing measures to reduce employee absenteeism; and (3) costs incurred in investing in a better work environment where the employer is not bound by existing law or statute to make such an investment. The aid was in the form of grants which could be provided to companies in all sectors of the economy. The last date for granting aid was March 31, 1995. However, in exceptional cases, the Fund could grant aid after March 31, 1995 but before July 1, 1995, when the Fund was abolished.

According to the questionnaire responses, these grants were provided to a large number of sectors in Sweden ranging from aviation, construction, energy, and banks and insurance to forestry, land transportation, and mining, among many others. The data in the questionnaire response shows that Svenska received two small grants under this program.

We preliminarily determine that this program is not limited to a specific enterprise or industry, or group thereof as defined in section 771(5A)(D) of the Act because the benefits are provided to a large number and wide variety of industries, and because there is no evidence of record to indicate that the program is otherwise specific. Therefore, we preliminarily determine that this program is not countervailable.

#### *B. Recruitment Incentive Program*

The Recruitment Incentive Program was a temporary labor market measure aiming to compensate companies for costs relating to recruiting the long-term unemployed who had a lower level of competency than the company normally would require. It was established by governmental ordinance SFS: 1995:287. This program allowed all companies with less than 500 employees to deduct from their payroll taxes up to 6,000 SEK for twelve months for each new employee, hired between January 1, 1995 through May 31, 1995, who worked at least 17 hours per week. The deduction was automatically claimed on a company's tax form. There were no restrictions to claiming the deduction based on either location or type of industry. The last date that a company could claim the tax reduction was June 30, 1996. During the period of review, Svenska claimed a small deduction under this program.

We preliminarily determine that this program is not limited to a specific enterprise or industry, or group thereof within the meaning of 771(5A)(D) of the Act, because all companies in Sweden with less than 500 employees, regardless of the type of industry or geographic location, can claim this tax deduction, and because there is no

evidence of record to indicate that the program is otherwise specific. Therefore, we preliminarily determine that this program is not countervailable.

#### *C. Trainee Temporary Replacement*

The Trainee Temporary Replacement Program, which was enacted by the GOS under Act 1991:329 on July 1, 1991, implements a labor market policy measure that allows employers to deduct from their social security contributions certain expenses related to the training of employees and the hiring of temporary replacements when those employees are in training. The objectives of the program are: (1) To give unemployed persons the chance of employment in temporary positions when staff are undergoing training, (2) to help employers improve the competence of their staff and in so doing improve the competitive strength of the company, and (3) to reduce the company's need for overtime when staff are undergoing training and to make future staff recruitment easier.

The replacement employee must be referred to the employer by the county labor board. The employer provides details of the company and its training program as well as anticipated costs to the county labor board, which then assigns a replacement. The employer then automatically deducts from its social security contributions the cost of hiring the temporary worker and certain costs related to training of the permanent employee. According to the questionnaire response, all companies were entitled to claim this deduction if there was a temporary replacement employee available.

There were no restrictions to claiming the deduction based on either location or type of industry. The deductions are accounted for in a revenue declaration form that is submitted by the company to the tax authorities on a regular basis. The data in the questionnaire response shows that Svenska only claimed a small deduction under this program.

We preliminarily determine that this program is not limited to a specific enterprise or industry, or group thereof within the meaning of 771(5A)(D) of the Act, because all companies in Sweden, regardless of the type of industry or geographic location, can claim these deductions from their social security contributions when temporary replacement workers are hired, and because there is no evidence of record to indicate that the program is otherwise specific. Therefore, we preliminarily determine that this program is not countervailable.

#### *D. Recruitment Subsidy Program*

The purpose of the Recruitment Subsidy Program, commenced in 1984, is to increase employment among long-term unemployed persons. Aid is provided to employers for a period of six months through grants covering a maximum of 50 percent of monthly wage costs for the person hired up to a maximum of 7,000 SEK per month. Under certain conditions, the time period for a company to receive aid under this program can be extended to 12 months.

The legislation states that this program is available to all employers, except for state employers. Applications for aid are submitted to the local employment office which decides whether aid should be granted. Hence, depending on circumstances in each case, the local employment offices can approve aid at a level below 50 percent of wage costs and/or for a shorter or longer period than six months.

The GOS stated that it had no information on the distribution of these grants; however, the subsidy rate that would be attributable to Svenska under this program, if it were specific, would be 0.0002 percent *ad valorem*. A rate this small would not change the overall subsidy rate for Svenska. Because any benefit we would calculate for this program would not affect the overall subsidy rate, the lack of information regarding the specificity of this program does not affect the results of this administrative review. See, e.g., Certain Cut-to-Length Carbon Steel Plate from Sweden; Preliminary Results of Countervailing Duty Administrative Review, 61 FR 51683, 51686 (October 3, 1996) and Certain Cut-to-Length Carbon Steel Plate from Sweden; Final Results of Countervailing Duty Administrative Review, 62 FR 16551, 16553 (April 7, 1997). We will reexamine this program in any future administrative reviews of this order.

## **II. Programs Preliminarily Determined To Be Not Used**

We examined the following programs and preliminarily determine that the producers and/or exporters of the subject merchandise did not apply for or receive benefits under these programs during the period of review:

- A. Manpower Reduction Grants
- B. Grants for Temporary Employment for Public Works
- C. Regional Development Grant
- D. Transportation Grants
- E. Location-of-Industry Loans

### III. Terminated Program

#### *Elderly Employment Compensation Program*

In Viscose Rayon Fiber from Sweden; Final Results of Countervailing Duty Administrative Review, 57 FR 12912 (April 14, 1992), the Department found this program to be *de jure* specific because the program's legislation expressly made it available only to certain companies within the textile and apparel industries through a special employment contribution for older workers. Svenska received its last payment under this program in July 1982. In January 1983, the Swedish government excluded the rayon fiber industry, including Svenska, from eligibility to receive benefits under this program. Effective June 30, 1989, Government Resolution Number: SFS 1989:333 discontinued the entire program.

We had determined that the grants under this program were non-recurring. As such they were allocated over time. The last grant was received in 1982 and was allocated over the 10-year average useful life of assets in the rayon fiber industry, according to the "Asset Guideline Classes: of the Internal Revenue Service." Because the 10-year benefit stream from the last grant received by Svenska ended in 1991, and because this program was discontinued in its entirety as of June 30, 1989, we preliminarily determine that this program has been terminated.

#### **Preliminary Results of Review**

For the period January 1, 1995 through December 31, 1995, we preliminarily determine that no countervailable subsidies were conferred on Svenska. If the final results of this review remain the same as these preliminary results, the Department intends to instruct the U.S. Customs Service (Customs) to liquidate without regard to countervailing duties, all shipments of this merchandise exported on or after January 1, 1995, and on or before December 31, 1995.

The Department also intends to instruct Customs to collect a cash deposit of estimated countervailing duties of zero percent *ad valorem*, as provided for by section 751(a)(1) of the Act, on all shipments of this merchandise from Svenska, entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

Because the URAA replaced the general rule in favor of a countrywide 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 section 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), 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 countrywide rate applicable to the company.

#### **Public Comment**

Parties to the proceeding may request disclosure of the calculation methodology and interested parties may request a hearing not later than 10 days after the date of publication of this notice. Interested parties may submit written arguments in case briefs on these preliminary results within 30 days of the date of publication. Rebuttal briefs, limited to arguments raised in case briefs, may be submitted seven days after the time limit for filing the case brief. Parties who submit argument in this proceeding are requested to submit with the argument (1) a statement of the issue and (2) a brief summary of the argument. Any hearing, if requested, will be held seven days after the scheduled date for submission of rebuttal briefs. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR § 355.38.

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's client or employer becomes a party to the proceeding, but in no event later

than the date the case briefs, under 19 CFR § 355.38, are due. The Department will publish the final results of this administrative review, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

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

Dated: May 30, 1997.

**Robert S. LaRussa,**

*Acting Assistant Secretary for Import Administration.*

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### DEPARTMENT OF COMMERCE

#### **National Oceanic and Atmospheric Administration**

#### **Management and Oversight of the National Estuarine Research Reserve System**

**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, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)).

**DATES:** Written comments must be submitted on or before August 5, 1997.

**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 Doris Grimm, Sanctuaries and Reserves Division, Rm 12158, 1305 East-West Highway, Silver Spring, MD 20910 (301-713-3132).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Abstract**

The National Estuarine Research Reserve System (NERRS) consists of carefully selected estuarine areas of the United States that are designated, preserved, and managed for research and educational purposes. Information from states is needed to review their proposals for site designations, to evaluate state requests for funding of the