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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Foreign Agricultural Service

Dairy Tariff-Rate Import Quota Licensing

AGENCY: Foreign Agricultural Service, USDA.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Department's intention to revise a currently approved information collection and currently approved license application forms for the purpose of permitting importers, manufacturers, and exporters of certain dairy articles subject to tariff-rate import quota licensing requirements to apply for such licenses in 1996.

DATES: Comments should be submitted on or before August 14, 1995.

ADDRESSES: Comments should be sent to the Dairy Import Quota Manager, Import Policies and Programs Division, AG BOX 1021, Foreign Agricultural Service, U.S. Department of Agriculture, Washington, D.C. 20250-1021. All comments received will be available for public inspection in room 5541 South Building at the above address between the hours of 8 a.m. and 4 p.m., Monday through Friday, except holidays. All responses to this notice will be summarized and included in the request submitted to the Office of Management and Budget on this matter.

FOR FURTHER INFORMATION CONTACT: Richard P. Warsack, Dairy Import Quota Manager, room 5541 South Building, U.S. Department of Agriculture, Washington, D.C. 20250-1021 or telephone (202) 720-2916. Copies of the information collection may be obtained from Pamela Hopkins, Information Collection Coordinator, room 4957 South Building, U.S. Department of Agriculture, AG BOX 1060, Washington,

D.C. 20250-1060 or telephone (202) 720-6713.

SUPPLEMENTARY INFORMATION:

Background

Import Regulation 1, Revision 7 governs the administration of the import licensing system for certain dairy articles which were subject to quotas proclaimed under section 22 of the Agricultural Adjustment Act of 1933, as amended (Section 22). As a result of entry into force of the Uruguay Round Trade Agreements, Section 22 quotas on dairy articles were replaced by tariff-rate quotas (TRQs) on January 1, 1995 and proclaimed in the Harmonized Tariff Schedule of the United States (HTS). TRQs provide for the entry of a specified quantity of an article (in-quota quantity) at a reduced tariff rate during a given period. There is no limitation on the total amount of an article which may be entered, but quantities entered in excess of an in-quota quantity are subject to a higher tariff rate. For certain dairy articles subject to TRQs, imports may only be entered at the in-quota tariff rate by a person or firm to whom the Department has issued an import license. Import licenses are valid for a 12-month period from January 1 through December 31 of each year.

For 1995, existing license forms were issued to import that quantity of imports which had been subject to absolute quotas and licensing requirement when Section 22 quotas were in effect. The issuance of licenses for the Uruguay Round in-quota quantity increases for certain dairy articles, which became effective on January 1, 1995, was effected through an interim rule published in the **Federal Register** on January 6, 1995, which amended Import Regulation 1, Revision 7 for this purpose. A subsequent **Federal Register** notice, published on May 2, 1995, further amended Import Regulations 1, Revision 7, to implement the issuance of licenses for Uruguay Round in-quota quantity increases for cheese imported from certain countries which became effective on July 1, 1995. A revision to the approved information collection and license application forms was approved by the Office of Management and Budget for the Uruguay Round in-quota quantity license application forms for 1995. The Department intends to revise the currently approved information collection and currently approved

applications forms to permit importers, manufacturers, and exporters of dairy articles subject to TRQ licensing requirements to apply for licenses to import in-quota quantities of such dairy articles for 1996. The Department intends to request expedited clearance from the Office of Management and Budget on the proposed revisions in order to implement the application process in the most efficient and timely manner.

Supporting Statement

A. Justification

1. *Circumstances requiring the collection of the information.* Dairy products which were subject to absolute quotas under section 22 of the Agricultural Adjustment Act of 1933, as amended (7 U.S.C. 624) were converted to tariff-rate quotas on January 1, 1995 under Presidential Proclamation 6763 of December 23, 1994 which implemented trade agreements resulting from the Uruguay Round of Multilateral Trade Negotiations. That Proclamation also implemented the President's authority to allocate the in-quota quantities of dairy products subject to tariff-rate quotas among supplying countries proclaimed in the Harmonized Tariff Schedule (HTS) as a result of the entry into force of the Uruguay Round Trade Agreements. Congress approved the Uruguay Round Agreements under section 101(a) of the Uruguay Round Agreements Act (P.L. 103-465, 108 Stat. 4809).

The importation of most cheese and cheese products and certain non-cheese dairy articles must be accompanied by a license issued by the Department to enter at the TRQ in-quota tariff rate. The import licensing system is administered by the Department in accordance with Import Regulation 1, Revision 7 (7 CFR part 6). The Department expects to publish a revised Import Regulation, as envisioned in the Advanced Notice of Proposed Rulemaking (59 FR 28495), in the near future for the 1996 quota year. The Department intends to revise the currently approved information collection and currently approved application forms for 1996 for the purpose of issuing revised and improved license application forms permitting importers, manufacturers, and exporters of dairy products to apply for import licenses for the 1996 quota year.

2. *Purpose of information to be used.* The basic information regarding the purpose of the information to be used in the collection, provided in the current supporting statement is applicable with the following changes.

In addition to information requested in the application forms in 1995, the revised forms require that applicants for all lottery licenses rank order their requests in order of preference (most desirable to least desirable) as was required of applicants for Uruguay Round in-quota quantities of non-cheese dairy articles in the 1995 quota year. The purpose of applicants rank ordering their requests for licenses is to establish a rank order lottery system which is intended to provide a better alignment between importers' requirements and licenses obtained. In addition, the revised forms will add EC Uruguay Round in-quota quantities of cheese to the license application form for designated licenses. This is being done to implement the U.S. Uruguay Round commitment to the EC permitting the EC to designate importers for such cheese. Information which will no longer be required on a revised form is that applicants for historical licenses list each historical license allocated to that person or firm. This information is now

considered redundant based on its availability in the computer data bank.

3. *Use of improved information technology.* The information provided in the supporting statement for the currently approved collection of information is applicable. In recent years, a system was developed under which basic applications could be read by an optical scanner. To further increase the ease of processing, and to reflect the proposed revised forms have been simplified and redesigned into an enhanced machine-readable format. The simplified forms require applicants to fill in a circle opposite the articles that they are applying for a license to import. The importer's control number will also be entered by filing in circles opposite the appropriate digit numbers.

4. *Efforts to identify duplication.* Not applicable.

5. *Methods to minimize burdens of small business entities.* The information provided in the supporting statement for the currently approved collection of information is applicable.

6. *Consequences if information collection were less frequent.* The information provided in the supporting statement for the currently approved collection of information is applicable.

7. *Inconsistency with guidelines in 5 CFR 1320.6.* The information provided

in the supporting statement for the currently approved collection of information is applicable.

8. *Consultations with persons outside the agency.* The information provided in the supporting statement for the currently approved collection of information is applicable.

9. *Confidentiality provided to respondents.* The information provided in the supporting statement for the currently approved collection of information is applicable.

10. *Questions of a sensitive nature.* Not applicable.

11. *Annual cost to Government and respondents.* The information provided in the supporting statement for the currently approved collection of information is applicable, but the estimated costs for 1994 need to be updated. For 1995, the salaries and other administrative costs are estimated to be \$322,681. The fee for 1995 was \$89 for each import license issued. The cost to the respondents is included in item 12 below.

12. *Estimate of burden.* The information provided in the supporting statement for the currently approved collection of information is applicable for licenses issued in 1995. The estimate of the burden for 1996 is indicated in the following table.

Form No.	No. of re-sponses	No. of re-sponses per applicant	Total annual re-sponses	Hours per re-sponse	Total
922	500	1	500	0.025	125
923	600	1	600	0.050	300
923A .....	.....	.....	.....	.....	.....
923B * .....	.....	.....	.....	.....	.....
Total	1,100	.....	1,100	.....	425

*923, 923A and 923B constitute one form.

13. *Reasons for the change in burden.* There is a reduction of 429 hours in the estimate of the burden of information collection between 1995 and 1996 which is based mainly on the elimination of forms 924 and 924A which were needed to conduct the separate application procedures under which licenses for the Uruguay Round in-quota increases were issued for January and July of that year. The elimination of these forms is estimated to reduce the total number of estimated responses for all types of licenses from 1,560 to 1,100. The estimated burden is also being reduced based on the use of the revised and improved application forms. The result is an estimated reduction in the total annual average

hours used in preparing responses from 920 hours to 425 hours. There is no data with respect to the annual cost incurred by each respondent (person or firm) based on the amount of time used in filling out the application forms and the average hourly salary of such respondents. It is extremely difficult to calculate this cost because the executive or administrative level of the individual responsible for filling out the forms tends to vary depending on the size and location of the person or firm, the size of the license portfolio, and experience of the person or firm in importing licensed dairy products. Based on our research, the estimated total annual cost associated with the estimated total burden of 425 hours is \$12,750.

14. *Tabulation, analysis and publication plans.* Not applicable.

Signed at Washington, D.C., July 28, 1995.

Timothy J. Galvin,

Acting Administrator, Foreign Agricultural Service and Vice President, Commodity Credit Corporation.

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DEPARTMENT OF COMMERCE

Agency Forms Under Review by the Office of Management and Budget

DOC has submitted to the Office of Management and Budget for clearance the following proposals for collection of