

Interest Party Comment

Comment 1: Benchmark Used in the Calculation of the Bank of Indonesia (BI) Rediscount Loan Program: Swasthi states that the Department should continue to use the benchmark interest rate employed in the *Preliminary Determination*, (i.e., the interest rate differential between the BI's PET rate and the non-PET rate). Swasthi further argues that, when calculating the benefit provided by BI rediscounted loans, the Department should take into consideration the opportunity costs that Swasthi incurred as a result of collateral deposits. Swasthi states that collateral deposits are a typical banking practice in Indonesia.

Department's Position: We disagree with Swasthi's argument that the Department should continue to calculate the benefit to Swasthi using the BI rate for non-PET companies for comparison purposes. As explained above, section 771(5)(E)(ii) of the Act states that the benefit from a government loan program should be based upon comparable commercial loans that the company could actually obtain on the market. During the POI, Swasthi obtained comparable commercial rediscounted loans which are not associated with the BI rediscount loan program. Therefore, these loans are a more appropriate basis for benchmark purposes than the BI rediscount rate for non-PET companies.

Also we disagree that we should factor into our benefit calculations opportunity costs associated with collateral deposits. In determining whether particular loans are comparable for benchmark purposes, the Department normally focuses on the structure of the loans, the maturities of the loans, and the currencies in which the loans are denominated. As explained above, we have determined that Swasthi's commercial rediscounted loans are appropriate for benchmark purposes. They have comparable structures and maturities and are denominated in dollars.

As Swasthi acknowledges, collateral requirements are a typical bank practice in Indonesia. Both banks that participate in the BI rediscount loan program and banks that do not participate in the BI rediscount loan program require collateral. Moreover, collateral requirements vary across banks and loan types. Based on these facts, there is no basis for factoring in collateral requirements in determining the effective interest rates, nor is there a basis for finding that Swasthi's commercial rediscounted loans are not an appropriate benchmark.

Verification

In accordance with section 782(i) of the Act, we verified the information used in making our final determination. We followed our standard verification procedures, including meeting with government and company officials, and examining relevant accounting records and original source documents. Our verification results are outlined in detail in the public versions of the verification reports, which are on file in the Central Records Unit (Room B-099 of the Main Commerce Building).

Summary

In accordance with section 705(a)(3) of the Act, we determine that the total net countervailable subsidy rate for Bakrie is zero and that the total net countervailable subsidy rate for Swasthi is 0.18 percent *ad valorem*, which is *de minimis*. Therefore, we determine that no countervailable subsidies are being provided to the production or exportation of extruded rubber thread from Indonesia. Pursuant to section 705(c)(2) of the Act, this investigation will be terminated upon the publication of the final negative determination in the **Federal Register**.

ITC Notification

In accordance with section 705(d) of the Act, we will notify the ITC of our determination.

Return or Destruction of Proprietary Information

This notice serves as the only reminder to parties subject to Administrative Protective Order ("APO") of their responsibility concerning the return or destruction of proprietary information disclosed under APO in accordance with 19 CFR 355.34(d). Failure to comply is a violation of the APO.

This determination is published pursuant to section 705(d) of the Act.

Dated: March 18, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-7372 Filed 3-25-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE**International Trade Administration****Procedures for Delivery of HEU Natural Uranium Component in the United States**

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

ACTION: Notice of draft revision of the procedures for delivery of HEU natural uranium component in the United States, and request for comments.

SUMMARY: The Department of Commerce is announcing draft revised procedures for the delivery of HEU material pursuant to the USEC Privatization Act. **EFFECTIVE DATE:** March 26, 1999.

FOR FURTHER INFORMATION CONTACT: James C. Doyle, Karla Whalen, or Juanita H. Chen, Enforcement Group III, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street & Constitution Avenue, NW, Washington, DC 20230; telephone: 202-482-3793.

Background

On April 25, 1996 Congress passed the United States Enrichment Corporation Privatization Act ("USEC Privatization Act"), 42 U.S.C. 2297h, *et seq.* The USEC Privatization Act requires the U.S. Department of Commerce ("Department") to administer and enforce the limitations set forth in 42 U.S.C. 2297h-10(b)(5) of the USEC Privatization Act. On January 7, 1998, in order to implement this statutory mandate, the Department issued the Procedures for Delivery of HEU Natural Uranium Component in the United States. The purpose of issuing Procedures for Delivery of HEU Natural Uranium Component in the United States ("HEU Procedures") is to enhance the predictability and transparency of the administration and enforcement of the above-referenced delivery limitations.

On July 6, 1998 the Department provided public notification of the HEU Procedures and Annex 1 to the HEU Procedures (see 63 FR 36391 (July 6, 1998)). On July 23, 1998 the Department issued a proposed Annex 2 to the HEU Procedures regarding re-importation requirements and requested public comment on Annex 2. Comments were received from eight parties.

In accordance with Section F of the HEU Procedures, on October 8, 1998, the Department requested comments on necessary or desirable changes to the HEU Procedures from parties (see 63 FR 54108 (October 8, 1998)). The Department received comments from eight parties regarding the HEU Procedures. After careful review of the comments, and after consultations with various parties, the Department has determined that revision and clarification of the HEU Procedures are warranted. Revised HEU Procedures are set forth below.

The Department hereby invites parties to provide comment on these draft

revised Procedures for delivery of HEU Natural Uranium Component in the United States, as set forth below. All such comments must be submitted to the Department no later than ten days after the date of publication of this notice. Comments should be addressed and submitted to: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230, Attention: Roland L. MacDonald—Room 7866.

The Department intends to issue final revised Procedures for delivery of HEU Natural Uranium Component in the United States no later than 20 days after the date of publication of this notice.

Dated: March 18, 1999.

Robert S. LaRussa,

Assistant Secretary, Enforcement Group III.

Draft Revised Procedures for Delivery of HEU Natural Uranium Component in the United States

The United States Enrichment Corporation Privatization Legislation, 42 U.S.C. § 2297h, *et seq.* (“USEC Privatization Act”), directs the Secretary of Commerce to administer and enforce Russian origin uranium delivery limitations set forth in 42 U.S.C. § 2297h-10(b)(5). Accordingly, the U.S. Department of Commerce (“Department”) is implementing § 2297h-10 of the USEC Privatization Act by issuing these revised HEU Procedures. The authority to implement the HEU Procedures does not derive from the Tariff Act of 1930, as amended. Therefore, these revised HEU Procedures are not subject to the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation (“Russian Suspension Agreement”), 57 FR 79235 (October 30, 1992), as amended.

A. Coverage

The uranium covered by these revised HEU Procedures consists of uranium hexafluoride derived from HEU taken from dismantled nuclear warheads, deemed under United States law for all purposes to be of Russian origin, and delivered to the Russian Executive Agent pursuant to the USEC Privatization Act (“HEU Natural Uranium Component”).

B. Definitions

1. Account Administrator—means the party that administers the account into which the Russian Executive Agent or Designated Agent takes delivery of, and provides account balance information for, the HEU Natural Uranium

Component prior to its sale pursuant to the USEC Privatization Act.

2. Annual Maximum Deliveries—means the delivery limitations as set forth at 42 U.S.C. § 2297h-10(b)(5):

ANNUAL MAXIMUM DELIVERIES TO END-USERS FOR CONSUMPTION

Year	(Millions lbs. U ₃ O ₈ equivalent)
1998	2
1999	4
2000	6
2001	8
2002	10
2003	12
2004	14
2005	16
2006	17
2007	18
2008	19
2009	20

3. Consumption—means for use as nuclear fuel.

4. Designated Agent—means any party that has been authorized by the Ministry of Atomic Energy of the Russian Federation (“MINATOM”) to sell the HEU Natural Uranium Component.

5. Designated Agent’s Account—means the account held in the name of the Designated Agent, into which only the HEU Natural Uranium Component is delivered prior to its transfer pursuant to the USEC Privatization Act.

6. End-User—means a utility that consumes the HEU Natural Uranium Component for energy production.

7. Executive Agent—means the United States or Russian Federation executive agent with the authority to implement the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons, dated February 19, 1993.

8. Secretary—means the Secretary of Commerce or a designee. The Secretary has responsibility for the administration and enforcement of the limitations set forth in 42 U.S.C. 2297h-10(b)(5).

9. U₃O₈ to UF₆ Conversion—based on a tails assay of 0.30 U²³⁵, 1 KgU in UF₆ = 2.61283 lbs. U₃O₈.

10. Verification—The process by which the Department examines the records of the party that provided the information being examined, and interviews company personnel who prepared such information and who are familiar with the sources of the data in the information, in order to establish the adequacy and accuracy of submitted information.

C. Record Procedures and Commercial Confidentiality

1. Public Record and Access

a. HEU Record: A separate record for documents and information generated under the HEU Procedures shall be created under the identifying title “HEU File” and maintained in the Central Records Unit.

b. Central Records Unit: Import Administration’s Central Records Unit is located at B-099, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street, N.W., Washington, DC 20230. The office hours of the Central Records Unit are between 8:30 A.M. and 5:00 P.M. on business days.

c. The Central Records Unit is responsible for maintaining a public and an official record for the HEU File. The public record will consist of all material contained in the official record that the Secretary determines is subject to release under the Freedom of Information Act (“FOIA”), 5 U.S.C. 552, *et seq.* (1998), and disclosed to the general public in the Central Records Unit. The Secretary will charge an appropriate fee for providing copies of documents. The official record will contain information for which the submitter has claimed an exemption to release under FOIA. Such record will be accessible only to authorized Commerce Department employees.

d. FOIA Release and Treatment of Commercial Information: Documents submitted to the Department are fully releasable under FOIA, unless a party claims protection from release under a listed exemption. A party making a submission may not claim its own identity as protected from release under FOIA. In order to claim protection from release, a party must specify the appropriate exemption applicable to the information which the party seeks to protect from release, and bracket such information. See § 4.7 of the Department’s FOIA regulations, set forth in 15 C.F.R. Part 4 (1998). If the information in the submission is protected from release under an exemption to FOIA, the party submitting such documentation is to provide a releasable public version along with the non-releasable version. Further information on FOIA may be accessed at <http://www.usdoj.gov/foia>.

e. Internet Access to Quarterly Quota Usage: The Department will set up and update quarterly a web-page which will allow the public to access updates on the Annual Maximum Deliveries quota usage. This information will be accessible at <http://www.ita.doc.gov>.

f. Interim Record: The Department will create the public record of the HEU

File within 90 days from publication of the final revised HEU Procedures. During this time the Department will allow parties that have already submitted information to the Department, pursuant to the January 7, 1998 HEU Procedures, the opportunity to claim documents are exempt from release under FOIA and to create releasable versions of said documents. The Department will also transfer any documentation relating to the HEU Procedures from the record for the Russian Suspension Agreement (A-821-802) to the HEU File, or will return such documentation to the submitter, as appropriate.

2. Record Submission Instructions

a. Where to file: For the Department to consider a submission to the record, persons must address and submit all documents to: The Secretary of Commerce, Attention: Import Administration, Central Records Unit, Room 1870, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, DC 20230. Submissions may be made between 8:30 AM and 5:00 PM on business days. Courtesy copies addressed to the appropriate employee, and designating the employee's room number, may be delivered to Room 1874. Contract submitters are requested to notify the Department at 202-482-3793 when a contract has been submitted for approval.

b. Required Header Information: Any submission made to the HEU File must contain the following information in the upper right hand corner of the document in the order presented below:
HEU File
Number of Pages
Public Document, or,
Business Proprietary Document (Public or Proprietary Version)
Attn: Uranium Program, Room 7866

c. Number of Copies: Each submission to the Department must be accompanied by three copies of the submission. Where claim of exemption from release under FOIA is made, two public and three proprietary versions should be submitted to the Department. Upon receipt, the Central Records Unit will stamp the official date of filing on the submission.

D. Allocation of Annual Maximum Deliveries to End-Users

The Department recognizes that MINATOM may allocate the Annual Maximum Deliveries of HEU Natural Uranium Component among any Designated Agent(s) which it authorizes to sell the HEU Natural Uranium

Component. For each Designated Agent receiving a delivery allocation, MINATOM will issue a certificate identifying such Designated Agent, the duration of time for which the allocation is valid, and the maximum annual amount to be delivered under that certificate. The certificate(s) will also contain a statement that the material to be delivered to the Designated Agent is to be sold in the United States for consumption. MINATOM will provide a copy of all such certificates to the Department within 10 days of issuance. The cumulative amount of the maximum deliveries authorized by such certificates each year may not exceed the Annual Maximum Deliveries.

E. Contract Monitoring and Approval

1. All Designated Agents must submit for approval all contracts related to the sale of the HEU Natural Uranium Component in the United States, regardless of the point of delivery. The following five items are required for contract approval:

a. A certificate as provided for in Section D confirming that the Designated Agent has been allowed sufficient amounts for deliveries by MINATOM to fulfill its obligations under the submitted contract;

b. A schedule of deliveries indicating the date(s) of deliveries, amount, and site of each delivery. The Department will compare this information to the sum of the previously approved contracts to ensure that the Designated Agent delivery allocation and/or the Annual Maximum Deliveries are not exceeded;

c. A statement in the contract that the material to be sold is of Russian origin;

d. A statement in the contract that the sale is for delivery to an End-User for consumption; and,

e. A certification from the Designated Agent that the deliveries pursuant to the contract submitted for approval, when combined with deliveries pursuant to other approved contracts entered into by that Designated Agent, do not (and will not) exceed that Designated Agent's delivery allocation for any given annual period. See Section E.2.a., below. In addition, each Designated Agent shall certify to the Department that such Designated Agent's sales of HEU Natural Uranium Component are for consumption and do not circumvent, directly or indirectly, the limitations set forth in 42 U.S.C. 2297h-10(b) of the USEC Privatization Act and the revised Procedures set forth in this document. See Section E.2.b., below.

2. Required Language for Contract Approval Certifications.

a. (DESIGNATED AGENT) certifies that the total annual deliveries under the contract between (SELLER) and (PURCHASER), contract number (INSERT #), and executed on (INSERT DATE), when added to annual delivery quantities of other contracts approved in accordance with the HEU Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised, will not exceed the maximum annual delivery quantity allocated to (DESIGNATED AGENT) by (MINATOM) for any given year, or the annual maximum delivery quantity(ies) established in 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act for the approved year(s) in which deliveries under this contract are to be made.

b. (DESIGNATED AGENT) further certifies that the sale of the HEU Natural Uranium Component is for consumption and does not circumvent, directly or indirectly, the limitations set forth in 42 U.S.C. § 2297h-10(b)(5) of the USEC Privatization Act or the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

3. Approval Notification.

The Department will notify the submitter of the contract in writing whether the contract has been approved within 10 business days of complete contract submission to the Central Records Unit. In the unlikely event that the Department fails to notify the submitter of the contract of approval or denial within 10 business days, the contract will be deemed approved. If an approved contract is subsequently terminated as a result of force majeure, as defined in the relevant contract, the Department will allow the affected Designated Agent to replace current and future year deliveries pursuant to such contract with a newly executed contract, subject to the approval process outlined above, provided that the Designated Agent's delivery allocation and the Annual Maximum Deliveries are not exceeded.

F. Re-allocation

1. Annual deliveries allocated to a Designated Agent may be re-allocated to any other Designated Agent or to MINATOM within the same annual period subject to the Annual Maximum Deliveries under the following conditions:

a. The new contract is submitted to the Department no later than December 21 of the year in which the delivery is to be made;

b. MINATOM provides the Department with a copy of the amended and/or terminated certificate(s) from

which delivery allocation is to be withdrawn and a copy of the new certificate(s) re-allocating such deliveries; and,

c. All new contracts entered into as a result of re-allocation must be approved under Section E of these HEU Procedures.

2. If, in any given annual period, a Designated Agent delivers less than the maximum amount deliverable under the approved contract(s), such Designated Agent may re-direct the difference between its actual deliveries during that year and the maximum deliverable amount approved for that same year by entering into a new contract(s), provided that the Designated Agent's total annual deliveries under all contracts do not exceed that Designated Agent's delivery allocation or the Annual Maximum Deliveries and provided that the following four conditions are met:

a. The Department is notified of the Designated Agent's intention to re-direct deliveries no later than December 21 of the applicable annual period;

b. All re-directed deliveries are to be delivered in that same year;

c. All new contracts entered into by Designated Agents resulting from re-direction of deliveries must be approved under Section E of these HEU Procedures; and,

d. The Designated Agent provides the Department with a copy of the End-User's binding delivery notice.

G. Delivery Forfeit and Flexibility

On December 31 of each year, any portion of the Annual Maximum Deliveries not delivered in that year will be forfeited. In the unlikely event that there are transfer or transportation difficulties beyond the control of the Designated Agent, the Department may provide for a 30 day grace period to complete the delivery. The Department must be notified in writing of a request for a 30 day grace period, detailing the reasons for the delivery delay.

H. Swaps, Exchanges, Loans, or Resales of Material

1. Swaps, Exchanges or Loans: Swaps, exchanges or loans of HEU Natural Uranium Component may be conducted solely for the purpose of facilitating further processing and end-use as nuclear fuel. Notification of such permitted swaps, exchanges or loans is required to be provided to the Department at the time of the transactions. The Department is attaching the notification format as Attachment 1. Examples of such permitted swaps are swaps designed to avoid transportation costs. The

Department considers swaps, exchanges or loans that will result in sales for consumption in the United States, directly or indirectly, exceeding the Annual Maximum Deliveries to be circumvention. Swaps, exchanges or loans are subject to verification by the Department at any time and at its discretion.

2. Resale: The Department will permit End-Users to resell the HEU Natural Uranium Component. If the HEU Natural Uranium Component is resold to an entity outside the United States, the End-User making the resale must notify the Department of the date of the resale and the volume to be resold. If the HEU Natural Uranium Component is to be resold to an entity in the United States, the contract for the resale is presented to the Department for approval. The contract must indicate the date of delivery, amount, and site of delivery. The contract must also contain a statement that the material to be sold is of Russian origin. If the HEU Natural Uranium Component is resold to any party other than an End-User, the material must be held in a separate account and quarterly reports on the account balance similar to those attached at Attachments 2 and 3, are required from the purchaser of the resold material. The Department will notify the End-User making the resale whether the contract has been approved within 10 business days of complete contract submission to the Central Records Unit. Resales are also subject to verification by the Department at any time and at its discretion.

I. Quarterly Reports

1. Designated Agents

Designated Agents must submit quarterly reports to the HEU File that detail all activity relating to the movement of HEU Natural Uranium Component into and out of their respective accounts. These reports must be submitted on May 1, August 1, November 1, and February 1 of each year for the quarters ending March 31, June 30, September 30, and December 31. The Designated Agent must also provide a public summary of the report that details the movement of material in the aggregate. The Department is attaching a sample quarterly report form as Attachment 2. Designated Agents must also submit the following certification with the quarterly reports:

a. (DESIGNATED AGENT) certifies that it holds an HEU Natural Uranium Component account(s) at (STATE NAME OF ENTITY (IES)), and that all HEU Natural Uranium Component transferred from or into this (these)

account(s) during calendar quarter (INDICATE DATES) has been transferred for any of the following reasons: (1) for use under an approved matched sale under 42 U.S.C. 2297h-10(b)(6) of the USEC Privatization Act and Article IV of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended; (2) for use in overfeeding in U.S. enrichment facilities pursuant to 42 U.S.C. 2297h-10(b)(7); (3) for delivery to a United States End-User for consumption, within the Annual Maximum Deliveries set forth in 42 U.S.C. 2297h-10(b)(5)¹; (4) for export out of the United States; or (5) for further processing on behalf of (NAME OF ENTITY).

b. (DESIGNATED AGENT) further certifies that none of the HEU Natural Uranium Component transferred from or into this (these) account(s) during the calendar quarter (INDICATE DATES) has been loaned, swapped, exchanged or used in any arrangement that directly or indirectly circumvents the limitations set forth in 42 U.S.C. 2297h-10(b)(5) of the USEC Privatization Act, the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended, or the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

2. Account Administrators

Account Administrators must submit quarterly reports regarding the account holding the HEU Natural Uranium Component. These reports must be submitted on May 1, August 1, November 1, and February 1 of each year for the quarters ending March 31, June 30, September 30, and December 31. The Department is attaching a sample Account Administrator form as Attachment 3.

J. Importer Certifications

The importer of record must certify the following to the United States Customs Service and provide a copy of such certification to the Department:

(IMPORTER NAME) hereby certifies that the material being imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent any of the agreements suspending the antidumping investigations on uranium, as amended, any antidumping duty order(s) on uranium, or the delivery limitations set forth in 42 U.S.C. 2297h-10(b)(5) of the USEC Privatization Act, 42 U.S.C. 2297h, *et seq.*, and the Procedures for Delivery of HEU

¹ Material which is exported to a non-United States entity may not re-enter the United States for consumption, either directly or indirectly, except when in compliance with these revised Procedures.

Natural Uranium Component in the United States, as revised.

K. Verification

The Department reserves the right to verify any information submitted to the Department related to deliveries authorized under the USEC Privatization Act and to restrict future deliveries from any account in which the reported activity is found to be in violation of these revised Procedures and/or the Annual Maximum Deliveries if such violations are not rectified to the satisfaction of the Department and MINATOM.

L. Consultations

Upon request, MINATOM and the Department will hold consultations subsequent to the filing of the quarterly reports due February 1 of each year for the purpose of exchanging/reviewing all data pertaining to deliveries of HEU Natural Uranium Component under these revised Procedures during the previous year. Consultations may be held as necessary at other times.

M. Re-importation

The Department has simplified the procedure for allowing the re-importation of HEU Natural Uranium Component previously sold to an End-User that has been exported from the United States for further processing and subsequent re-importation into the United States. The End-User or its agent, i.e. the importer of record, must submit a notification letter and certifications, attached as Attachment 4.

N. Enforcement

If the Department finds that a Designated Agent has directly or indirectly exceeded its delivery allocation and/or the Annual Maximum Deliveries, the Department will require the Account Administrator or the appropriate entity to withhold any further release of HEU Natural Uranium Component from the Designated Agent's Account, until the issue has been satisfactorily resolved among the Department, MINATOM, and the relevant Designated Agent.

Pursuant to its authority under 42 U.S.C. 2297h-10(b)(9) of the USEC Privatization Act, the Department reserves the right to require any additional certifications, information, or take any other action necessary to enforce the Annual Maximum Deliveries provided for therein.

Attachment 1—Swaps, Exchanges and Loans Notification Format

1. List the volume and origin of the material being swapped.
 2. Indicate the location of the swap, exchange, and/or loan.
 3. List the parties involved in the swap, exchange, and/or loan.
 4. Indicate the purpose of the swap, exchange and/or loan.
- Indicate whether there was any financial or other consideration involved with the swap, exchange and/or loan.

Attachment 2—Designated Agent Quarterly Report Form

Quarterly Delivery Report for (INSERT DATES AND DESIGNATED AGENT) HEU Natural Uranium Component

Beginning Balance (in U₃O₈ equivalent): _____

Transaction date	Delivered from	Delivered to	Quantity (in UF ₆ and U ₃ O ₈ equivalent)	Transaction description	Comments

Ending Balance (in U₃O₈ equivalent): _____

(DESIGNATED AGENT) certifies that it holds an HEU Natural Uranium Component account at (STATE NAME OF ENTITY (IES)) and that all HEU Natural Uranium Component transferred from or into this (these) account(s) during calendar quarter (INDICATE DATES) has been transferred for any of the following reasons: (1) for use under an approved matched sale under 42 U.S.C. 2297h-10(b) of the USEC Privatization Act and Article IV of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended; (2) for use in overfeeding in U.S.

enrichment facilities pursuant to 42 U.S.C. 2297h-10(b)(7); (3) for delivery to a United States End-User for consumption, within the Annual Maximum Deliveries set forth in the USEC Privatization Act, at 42 U.S.C. 2297h-10(b)(5); (4) for export out of the United States; or (5) for further processing on behalf of (NAME OF ENTITY).

(DESIGNATED AGENT) further certifies that none of the HEU Natural Uranium Component transferred from or into the account(s) during the calendar quarter (INDICATE DATES) has been loaned, swapped, exchanged or used in any arrangement that directly or indirectly circumvents the limitations set forth in 42

U.S.C. 2297h-10(b)(5) of the USEC Privatization Act, the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended, or the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

Attachment 3—Account Administrator Quarterly Report Form

Quarterly Report for (INSERT DATES AND ACCOUNT ADMINISTRATOR) HEU Natural Uranium Component

Beginning Balance (in U₃O₈ equivalent): _____

Transaction date	Delivered from	Delivered to	Quantity (in UF ₆ and U ₃ O ₈ equivalent)	Transaction description	Comments

Ending Balance (in U₃O₈ equivalent): (ACCOUNT ADMINISTRATOR) certifies that it holds an HEU Natural Uranium Component account(s) in the name(s) of (DESIGNATED AGENT(S)), at (LOCATION), and that all HEU Natural Uranium Component transferred from or into this (these) account(s) during calendar quarter (INDICATE DATES) has been transferred for

any of the following reasons: (1) for use under an approved matched sale under 42 U.S.C. 2297h-10(b)(6) and Article IV of the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended; (2) for use in overfeeding in U.S. enrichment facilities pursuant to 42 U.S.C. 2297h-10(b)(7); (3) for delivery to a United States End-User for

consumption, within the delivery limits of the USEC Privatization Act, at 42 U.S.C. 2297h-10(b)(5); (4) for export out of the United States; or (5) for further processing on behalf of (NAME OF ENTITY).

(ACCOUNT ADMINISTRATOR) further certifies that none of the HEU Natural Uranium Component transferred from or into this (these) account(s) during calendar

quarter (INDICATE DATES) has been loaned, swapped, exchanged or used in any arrangement that directly or indirectly circumvents the limitations set forth in the USEC Privatization Act, at 42 U.S.C. 2297h-10(b), the Agreement Suspending the Antidumping Investigation on Uranium from the Russian Federation, as amended, or the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

Attachment 4 (Page One)—Re-importation Notification Form and Certifications

TOPIC: Re-importation of Uranium under 42 U.S.C. 2297h-10(b)(5) of the USEC Privatization Act.

Pursuant to Section M of the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised, ("HEU Procedures"), we hereby submit information describing the re-importation of Russian origin uranium subject to the delivery limitations set forth in the USEC Privatization Act, at 42 U.S.C. 2297h-10(b)(5), and in association with the contract between (NAME OF COMPANY A) and (NAME OF COMPANY B) approved by the U.S. Department of Commerce ("Department"), either by letter dated (DATE) or deemed approved at the end of the ten business day approval period referenced in Section E.3 of the HEU Procedures:

1. Quantity of Export (U₃O₈ equivalent) out of U.S.:
2. Date of Export out of U.S. (if available):
3. (NUMBER) lbs. of U₃O₈ equivalent contained in (NUMBER) KgU with enrichment assay (NUMBER) wt % and tails assay (NUMBER) wt %:
4. Port of Re-Import:
5. Importer of Record:
6. Planned Date of Re-Import:
7. End User:
8. Vessel/Airline Name:
9. Amount of export listed in 1. and 2. that has been re-imported as of date (including current re-import):

Also, please find attached the importer of record declaration regarding country of origin, anti-circumvention and qualification of this material under 42 U.S.C. 2297h-10(b) of the USEC Privatization Act. Further, we understand that, under 42 U.S.C. 2297h-10(b)(9) of the USEC Privatization Act, the Department has the authority to require additional information, if appropriate. We also agree to verification of this information if requested.

Attachment 4 (Page Two)—Re-importation Notification Form and Certifications

Certifications To U.S. Customs Service

1. (END-USER or IMPORTER OF RECORD) hereby certifies that the HEU Natural Uranium Component of the uranium being re-imported into the United States is derived from Russian highly enriched uranium pursuant to the Agreement Between the Government of the United States of America and the Government of the Russian Federation Concerning the Disposition of Highly Enriched Uranium Extracted from Nuclear Weapons. The uranium being re-imported was converted in (INSERT

COUNTRY), enriched in (INSERT COUNTRY) and/or fabricated in (INSERT COUNTRY).

2. (END-USER or IMPORTER OF RECORD) hereby certifies that the material being re-imported was not obtained under any arrangement, swap, exchange, or other transaction designed to circumvent any of the agreements suspending the antidumping investigations on uranium, as amended, any antidumping duty order(s), or the delivery limitations set forth in 42 U.S.C. 2297h-10(b) of the USEC Privatization Act, 42 U.S.C. 2297h, et seq., and the Procedures for Delivery of HEU Natural Uranium Component in the United States, as revised.

(END-USER or IMPORTER OF RECORD) hereby certifies that the uranium being re-imported into the United States is approved for United States end-use under 42 U.S.C. 2297h-10(b) of the USEC Privatization Act, 42 U.S.C. 2297h, et seq., under contract between (COMPANY) and (COMPANY) approved by the U.S. Department of Commerce, either by letter dated (DATE) with contract reference number (CONTRACT REFERENCE NUMBER) or deemed approved at the end of the ten business day approval period referenced in Section E.3 of the HEU Procedures. The material being re-imported represents (NUMBER) lbs. U₃O₈ equivalent of (NUMBER) lbs. U₃O₈ equivalent exported for further processing on (DATE). Including this shipment, (NUMBER) lbs. U₃O₈ equivalent of the material exported for further processing has been re-imported.

Signature

Name:

Title:

[FR Doc. 99-7373 Filed 3-25-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

Minority Business Development Agency

Survey for Financial Institutions for Website Inclusion

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/continuing information collection, as required by the Paperwork Reduction Act of 1995, Public Law 104-12 (44 U.S.C. 3506(c)(2)(A)).

DATES: Written comments must be submitted on or before May 26, 1999.

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 and instructions should be directed to Dinah Flynn, Minority Business Development Agency, 14th and Constitution Avenue, NW, Washington, DC 20230 (202-482-5061).

SUPPLEMENTARY INFORMATION:

Abstract

The Minority Business Development Agency, in fulfillment of its mandate to foster the development of United States minority businesses, funds Business Development Centers nationwide to provide management and technical assistance to and seek sources of capital for those businesses. The Agency is in the process of creating an intranet website for the use of the consultants at its Centers who are seeking sources of equity and debt financing for their clients, with a goal of locating financial institutions which have an interest in working with minority entrepreneurs who are seeking capital to start, acquire or expand their businesses. The project will begin with a pilot program focused on financial institutions in New York and Philadelphia. Information on these participating institutions will be put on the new website. The Agency anticipates that as the pilot program is perfected, the website will contain comparable information on financial institutions across the country.

Method of Collection

Potential applicants will receive a survey form from the Agency along with a letter explaining the program. Those financial institutions who are interested in participating in the program will submit the completed form in order to be included on the new website.

Data

OMB Number: N/A.

Form Number: N/A.

Type of Review: Regular Submission.

Affected Public: For-profit organizations.

Estimated Number of Respondents: 100.

Estimated Time Per Response: 30 minutes.

Estimated Total Annual Burden Hours: 50 hours.

Estimated Total Annual Cost to Public: \$0 (no material or equipment will need to be purchased to provide information. The form can be transmitted electronically).

Request for Comments

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance