

companies will transfer technology to Singapore companies that do not have such technological capabilities. In any event, respondents assert that petitioner has not established that the TAF program confers a subsidy, bounty or grant on MARIS itself. Respondents also note that MARIS does not receive a tax benefit; rather, Mana does. As such, respondents conclude that TAF does not confer a benefit to MARIS. Petitioner also makes a number of claims regarding the *countervailability* of the TAF exemption, including arguments to support their assertion that this program is specific. Respondents have replied to these claims.

Department's Position: In order for the Department to find that benefits conferred under a program are countervailable, the Department must determine at the outset whether a benefit has been conferred on the investigated company. In past reviews, petitioner has alleged that the TAF program would confer a countervailable benefit if MARIS' technical assistance fee payments were excessive, thereby allowing MARIS to artificially lower its reported taxable profit. (See *Certain Refrigeration Compressors from the Republic of Singapore; Final Results of Administrative Review of Suspension Agreement*, 50 FR 30493-30494 (July 26, 1985), and *Certain Refrigeration Compressors from the Republic of Singapore; Final Results of Countervailing Duty Administrative Review*, 53 FR 25647-25648 (July 8, 1988).)

Petitioner now argues that in fact, MARIS receives a benefit by paying lower fees than it would absent the TAF program. The Department has verified in past reviews that such transactions between MARIS and its non-Singaporean licensor are "normal commercial transactions" (See *Certain Refrigeration Compressors from the Republic of Singapore; Preliminary Results of Countervailing Duty; Administrative Review*, 51 FR 37055 (October 17, 1986), *aff'd*, *Certain Refrigeration Compressors from Singapore, Final Results of Countervailing Duty Administrative Review*, 52 FR 849 (January 9, 1987).) As such, these payments are neither too high nor too low (although the Department found, in the 1985 review, that the fees did not cover the costs of the assistance provided, the licensor raised its rates subsequent to that review). While petitioner has assumed that the result of the technical assistance program is that Mana charges MARIS lower fees for technical assistance than it otherwise would, petitioner has

submitted no evidence that this is in fact the case.

Because petitioner has not proven that a benefit to MARIS, either direct or indirect, exists with regard to this program, and because no evidence on the record indicates that benefits are conferred on MARIS, the Department concludes that MARIS has not been the recipient of any benefits, including countervailable benefits, under the TAF program for the period of review.

Because the Department has concluded that MARIS has not received any benefits under the TAF program for the period of review, the question of the countervailability of the TAF program is moot.

Final Results of Review

After considering the comments received, we determine that the signatories to the suspension agreement have complied with the terms of the suspension agreement, including the payment of the provisional export charge for the review period. From April 1, 1992, through October 1, 1992, a provisional export charge rate of 4.05 percent was in effect, and from October 2, 1992, through March 31, 1993, a rate of 5.52 percent was in effect.

We determine the total bounty or grant to be 3.00 percent of the f.o.b. value of the merchandise for the April 1, 1992 through March 31, 1993 review period. Following the methodology outlined in section B.4 of the agreement, the Department determines that, for the April 1, 1992, through October 1, 1992, portion of the review period, and for the October 2, 1992, through March 31, 1993, portion of the review period, negative adjustments may be made to the provisional export charge rates in effect. The adjustments will equal the difference between the provisional rates in effect during the review period and the rate determined in this review, plus interest. These rates, established in the notices of the final results of the seventh and eighth administrative reviews of the suspension agreement (See *Certain Refrigeration Compressors from the Republic of Singapore; Final Results of Countervailing Duty Administrative Review*, 56 FR 63714 (December 5, 1991); and 57 FR 46540 (October 9, 1992)) are 4.05 and 5.52 percent, respectively. For this period the GOS may refund or credit, in accordance with section B.4.c of the agreement, the difference to the companies, plus interest, calculated in accordance with section 778(b) of the Tariff Act.

The Department intends to notify the GOS that the provisional export charge rate on all exports of the subject merchandise to the United States with

Outward Declarations filed on or after the date of publication of the final results of this administrative review shall be 3.00 percent of the f.o.b. value of the merchandise.

This administrative review and notice are in accordance with section 751(a)(1) of the Tariff Act (19 U.S.C. 1675(a)(1)) and section 355.22 of the Department's regulations (19 CFR 355.22(1994)).

Dated: March 4, 1996.

Susan G. Esserman,

Assistant Secretary for Import Administration.

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DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Docket No. 931090-4048]

RIN 0625-AA46

Allocation of Duty-Exemptions for Calendar Year 1996 Among Watch Producers Located in the Virgin Islands

AGENCY: Import Administration, International Trade Administration, Department of Commerce; and Office of the Secretary, Department of the Interior.

ACTION: Notice.

SUMMARY: This action allocates 1996 duty-exemptions for watch producers located in the Virgin Islands pursuant to Pub. L. 97-446 as amended by Pub. L. 103-465.

FOR FURTHER INFORMATION CONTACT: Faye Robinson, (202) 482-1660.

SUPPLEMENTARY INFORMATION: Pursuant to Pub. L. 97-446 as amended by Pub. L. 103-465, the Departments of the Interior and Commerce (the Departments) share responsibility for the allocation of duty exemptions among watch assembly firms in the United States insular possessions and the Northern Mariana Islands. In accordance with Section 303.3(a) of the regulations (15 CFR Part 303), this action establishes the total quantity of duty-free insular watches and watch movements for 1996 at 5,100,000 units and divides this amount among the three insular possessions of the United States and the Northern Mariana Islands. Of this amount, 3,600,000 units may be allocated to Virgin Islands producers, 500,000 to Guam producers, 500,000 to American Samoa producers and 500,000 to Northern Mariana Islands producers (59 F.R. 8847).

The criteria for the calculation of the 1996 duty-exemption allocations among

insular producers are set forth in Section 303.14 of the regulations.

The Departments have verified the data submitted on application form ITA-334P by producers presently located in the Virgin Islands and inspected the current operations of all producers in accordance with Section 303.5 of the regulations.

In calendar year 1995 the Virgin Islands watch assembly firms shipped 1,760,923 watches and watch movements into the customs territory of the United States under Pub. L. 97-446 as amended by Pub. L. 103-465. The dollar amount of creditable corporate income taxes paid by Virgin Islands producers during calendar year 1995 plus the creditable wages paid by the industry during calendar year 1995 to residents of the territory totalled \$5,164,107. These data include unverified data provided by a producer which closed operations in 1995.

There are no producers in Guam, American Samoa or the Northern Mariana Islands.

The calendar year 1996 Virgin Islands annual allocations set forth below are based on the data verified by the Departments in the Virgin Islands. The allocations reflect adjustments made in data supplied on the producers' annual application forms (ITA-334P) as a result of the Departments' verification.

The duty-exemption allocations for calendar year 1996 in the Virgin Islands are as follows:

Name of Firm/Annual Allocation

Belair Quartz, Inc.—500,000
 Hampden Watch Co., Inc.—250,000
 Progress Watch Co., Inc.—500,000
 Unitime Industries, Inc.—500,000
 Tropex, Inc.—400,000
 Susan G. Esserman,
Assistant Secretary for Import Administration.
 Allen Stayman,
Director, Office of Insular Affairs.
 [FR Doc. 96-5915 Filed 3-12-96; 8:45 am]

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National Oceanic and Atmospheric Administration

[I.D. 030796F]

Atlantic Tuna Fisheries; Yellowfin Tuna Statistics

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability; request for comments.

SUMMARY: As required under the Fisheries Act of 1995, NMFS is publishing preliminary statistics on the level of U.S. recreational and commercial catch of Atlantic yellowfin tuna since 1980. These statistics are published to inform the public of trends

in yellowfin tuna recreational and commercial landings.

DATES: Submit comments on or before May 13, 1996.

ADDRESSES: Comments regarding these preliminary statistics should be sent to William Hogarth, Acting Chief, Highly Migratory Species Management Division, Office of Fisheries Conservation and Management (F/CM), National Marine Fisheries Service, 1315 East-West Highway, Silver Spring, MD 20910. Clearly mark the outside of the envelope "Yellowfin Tuna Statistics."

FOR FURTHER INFORMATION CONTACT: William Hogarth at 301-713-2339, fax number: 301-713-0596.

SUPPLEMENTARY INFORMATION: As required under the Fisheries Act of 1995, Title III, Atlantic Tunas Convention Act, section 309(a), the table below provides preliminary statistics on the level of U.S. recreational and commercial catch of Atlantic yellowfin tuna since 1980. Final statistics on the level of U.S. recreational and commercial catch of Atlantic yellowfin tuna since 1980 will be published within 140 days of enactment of the Fisheries Act of 1995.

Dated: March 8, 1996.
 Richard W. Surdi,
Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

U.S. YELLOWFIN TUNA LANDINGS BY GEAR TYPE, 1980-1994

[In metric tons]

	Longline	Rod and Reel	Handgear	Pair trawl	Troll	Purse seine	Other ¹	Total
1980	24.00	.....	.....	.....	.....	473.00	1621.00	2118
1981	43.00	.....	.....	.....	.....	322.00	1501.00	1866
1982	0	.....	.....	.....	.....	82.00	801.00	883
1983	76.00	.....	7.00	.....	31.00	112.00	.....	226
1984	113.00	.....	20.00	.....	39.00	1080.00	.....	1252
1985	1654.00	30.00	184.00	.....	.....	4387.00	4.00	6259
1986	3784.00	1163.00	173.00	.....	.....	647.00	7.00	5774
1987	4681.91	3590.95	315.93	.....	386.72	81.70	0.93	9058
1988	8418.33	1304.68	166.08	.....	334.64	42.00	2.45	10268
1989	6418.48	1676.49	72.81	.....	132.39	35.11	14.79	8350
1990	4420.35	388.37	23.09	.....	280.91	266.73	26.17	5406
1991	4276.95	1274.75	87.19	32.42	186.88	996.00	1.98	6856
1992	5607.76	949.59	76.61	13.06	103.42	375.95	32.00	7158
1993	3351.54	1411.01	56.94	41.83	112.70	208.39	16.63	5199
1994	2899.07	² 5103.53	13.45	34.33	16.85	24.60	2.03	² 8094

¹ Other includes trawl, handgear, gillnet, harpoon, trap, unclassified.

² Under revision.