

basis for believing that the transaction price was meaningfully different from what it would otherwise have been absent the distortive government action, we will find all subsidies to be extinguished and, therefore, to be non-countervailable.

We recognize that there are many important details of this proposed new methodology that require further elaboration. We encourage parties, in their comments, to provide suggestions on these details and, in particular, to address the following issues:

1. *Continuing benefit amount:* In those instances where we determine that the privatization did not result in the extinguishment of the benefits of pre-privatization subsidies, how should we quantify the amount of the benefit from those subsidies that the privatized company continues to enjoy?

2. *Concurrent subsidies:* The Department has long wrestled with the issue of subsidies given to encourage, or that are otherwise concurrent with, a privatization. Should a subsidy, *e.g.*, debt forgiveness, given to a company to encourage or facilitate a privatization be considered a "pre-privatization" subsidy that can be extinguished during the privatization, or a new subsidy to the new owner(s)?<sup>10</sup>

3. *Private sales:* Our proposed methodology only addresses government-to-private sales of all or substantially all of a company or its assets. However, changes in ownership can take a variety of forms, for instance, private-to-private transactions. In *Delverde III*, the Federal Circuit stated that there are significant differences between privatization and private-to-private sales and that a case involving privatization does not necessarily govern a private-to-private situation. Can a private-to-private sale extinguish pre-sale subsidy benefits?

4. *Partial or gradual sales:* What, if any, percentage of shares or assets sold should the threshold be for triggering application of this proposed methodology? How should our proposed methodology be applied in situations where assets or shares are

sold incrementally over months or years?<sup>11</sup> What if certain incremental sales are for fair market value and others are not?

5. *Effective control:* What factors should be considered in determining whether the government has relinquished effective control over the company or assets sold? One possibility here is to apply a standard similar to the "use or direct" standard of our cross-ownership provision, though that standard may not be fully applicable in the case of a government-to-private sale for both theoretical and practical reasons. In analyzing any transfer of control, however, we would propose examining closely any mechanisms (*e.g.*, special or "golden" shares) that allow the government to retain effective (if implicit) control over the company's commercial decisions after the privatization regardless of the explicit share of the government's ownership in the property.

6. *Holding or parent companies:* Another complicated change-in-ownership variation we have encountered is the situation where the ownership changes occur at a level several times removed from the actual respondent in a particular countervailing duty case. Should application of our methodology be triggered when a partial owner of a holding company that, in turn, owns another holding company that owns the recipient, sells its shares?

Dated: March 17, 2003.

**Joseph Spetrini,**

*Acting Assistant Secretary for Import Administration.*

[FR Doc. 03-6846 Filed 3-20-03; 8:45 am]

**BILLING CODE 3510-DS-P**

## DEPARTMENT OF COMMERCE

### National Institute of Standards and Technology

#### Proposed Information Collection; Comment Request; Generic Clearance of Usability Data Collections

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce (DOC), as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to comment on

the continuing and proposed information collection, 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 May 20, 2003.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Forms Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

#### FOR FURTHER INFORMATION CONTACT:

Requests for additional information should be directed to the attention of Phyllis Boyd, NIST, 100 Bureau Drive, Stop 3220, Gaithersburg, MD 20899-3220, telephone 301-975-4062. In addition, written comments may be sent via e-mail to [phyllis.boyd@nist.gov](mailto:phyllis.boyd@nist.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

In accordance with Executive Order 12862, the National Institute of Standards and Technology (NIST), a non-regulatory agency of the Department of Commerce, proposes to conduct a number of data collection efforts—both quantitative and qualitative—to determine requirements and evaluate usability and utility of NIST research for measurement and standardization work. These data collection efforts may include, but may not be limited to electronic methodologies, empirical studies, video and audio data collections, interviews, and questionnaires. For example, data collection efforts will be conducted at search and rescue training exercises for rescue workers using robots. Other planned data collection efforts include evaluations of software for use by the intelligence community. Participation will be strictly voluntary. Regulated information will not be collected. The results of the data collected will be used to guide NIST research. Steps will be taken to ensure anonymity of respondents in each activity covered under this request.

##### II. Method of Collection

NIST will collect this information by electronic means when possible, as well as by mail, fax, telephone, and person-to-person interviews.

##### III. Data

*OMB Number:* None.

*Form Number:* None.

*Type of Review:* Regular submission.

*Affected Public:* Individuals or households; State, local, or tribal government; Federal government.

<sup>10</sup> Speaking to this issue in the Preamble to the CVD Regulations (63 FR 65348, 35355), the Department stated that

[w]hile we have not developed guidelines on how to treat this category of subsidies, we note a special concern because this class of subsidies can, in our experience, be considerable and can have a significant influence on the transaction value, particularly when a significant amount of debt is forgiven in order to make the company attractive to prospective buyers. As our thinking on changes in ownership continues to evolve we will give careful consideration to the issue of whether subsidies granted in conjunction with planned changes in ownership should be given special treatment.

<sup>11</sup> See, *e.g.*, Final Affirmative Countervailing Duty Determination: Certain Cut-to-Length Carbon-Quality Steel Plate from France, 64 FR 73277 (December 29, 1999); Final Affirmative Countervailing Duty Determination: Pure Magnesium from Israel, 66 FR 49351 (September 27, 2001).

*Estimated Number of Respondents:* 2,000.

*Estimated Time Per Response:* Varied, dependent upon the data collection method employed. The response time will vary from 15 minutes to fill out a questionnaire to several hours to participate in an empirical study. Average response time is expected to be 1 hour.

*Estimated Total Annual Respondent Burden Hours:* 2,000.

*Estimated Total Annual Respondent Cost Burden:* \$0.

#### 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 will 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, e.g., the use of automated collection techniques or other forms of information technology.

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

Dated: March 17, 2003.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 03-6775 Filed 3-20-03; 8:45 am]

**BILLING CODE 3510-13-P**

#### DEPARTMENT OF COMMERCE

##### Submission for OMB Review; Comment Request

The Department of Commerce has submitted to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Agency:* National Institute of Standards and Technology (NIST).

*Title:* Manufacturing Extension Partnership (MEP) Management Information Reporting.

*Form:* None.

*OMB Approval Number:* 0693-0032.

*Type of Review:* Regular submission.

*Burden Hours:* 4,048.

*Number of Respondents:* 60.

*Average Hours Per Response:* 68 hours.

*Needs and Uses:* The Manufacturing Extension Partnership (MEP), sponsored by NIST, is a national network of locally-based manufacturing extension centers working with small manufacturers to help improve their productivity, improve profitability and enhance their economic competitiveness.

The collected information will provide the MEP with information regarding the centers' performance in the delivery of technology, and business solutions to US-based manufacturers. The information obtained will assist in determining the performance of the MEP Centers at both a local and national level, as well as, the impact on the national economy. Responses to the collection of information are mandatory per the regulations governing the operation of the MEP Program (15 CFR 290, 291, 292, and H.R. 1274—Section 2).

*Affected Public:* Business or other for-profit organizations.

*Frequency:* Annually.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* Jacqueline Zeiher, (202) 395-4638.

Copies of the above information collection proposal can be obtained by calling or writing to Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482-0266, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to Jacqueline Zeiher, OMB Desk Officer, Room 10202, New Executive Office Building, Washington, DC 20503.

Dated: March 17, 2003.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief Information Officer.*

[FR Doc. 03-6776 Filed 3-20-03; 8:45 am]

**BILLING CODE 3510-CN-P**

#### DEPARTMENT OF COMMERCE

##### National Institute of Standards and Technology

##### Proposed Information Collection; Comment Request; Fastener Quality Act Requirements

**ACTION:** Notice.

**SUMMARY:** The Department of Commerce as part of its continuing effort to reduce paperwork and respondent prudent, invites the general 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 (2)(A)).

**DATES:** Written comments must be submitted on or before May 20, 2003.

**ADDRESSES:** Direct all written comments to Diana Hynek, Departmental Forms Clearance Officer, Department of Commerce, Room 6625, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Wayne Stiefel, International Legal Metrology Group, 301-975-4011 or via the Internet at [stiefel@nist.gov](mailto:stiefel@nist.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Abstract

The National Institute of Standards and Technology (NIST), a component of the Technology Administration reporting to the Under Secretary for Technology, under the Fastener Quality Act (the Act) (Public Law 101-592 amended by Public Law 104-113, Public Law 105-234 and Public Law 106-34) is required to accept an affirmation from laboratory accreditation bodies and quality system registrar accreditation bodies. They are required to meet the applicable International Organization for Standardization/International Electro-Technical Commission (ISO/IEC) Guides (ISO/IEC Guide 58 for laboratory accreditors and ISO/IEC Guide 61 for registrar accreditors). An organization having made such an affirmation to NIST may accredit either fastener testing laboratories or quality system registrars for fastener manufacturers in accordance with the applicable provisions of the Act. NIST will solicit information declarations from U.S. and foreign, private accreditation bodies. The information collected will enable NIST to compile a list of accreditation bodies able to provide accreditations meeting all the requirements of the Act and of the procedures, 15 CFR part 280.

##### II. Method of Collection

Applicants submit required information in paper form.