

Issued: August 28, 1997.

**Gordon J. Linton,**

*Administrator.*

[FR Doc. 97-23314 Filed 9-2-97; 8:45 am]

BILLING CODE 4910-57-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33443]

#### **RailAmerica, Inc.—Continuance in Control Exemption—St. Croix Valley Railroad Company**

RailAmerica, Inc. (RailAmerica) has filed a notice of exemption to continue in control of the St. Croix Valley Railroad Company (SCV), upon SCV's becoming a Class III railroad.

The transaction was expected to be consummated on or after the August 21, 1997 effective date of the exemption.

This transaction is related to STB Finance Docket No. 33442, *St. Croix Valley Railroad Company—Acquisition and Operation Exemption—The Burlington Northern and Santa Fe Railway Company*, wherein SCV seeks to acquire and operate certain rail lines from The Burlington Northern and Santa Fe Railway Company.

RailAmerica directly controls 11 common carrier Class III railroads operating in 9 states: the Cascade and Columbia River Railroad Company; the Delaware Valley Railway Company, Inc.; the Evansville Terminal Company, Inc.; the Gettysburg Railway; the Huron & Eastern Railway Company, Inc.; the Minnesota Northern Railroad, Inc.; the Otter Tail Valley Railroad Company; the Saginaw Valley Railway Company, Inc.; the West Texas & Lubbock Railroad Company, Inc.; the Dakota Rail, Inc.; and the South Central Tennessee Railroad Company.

RailAmerica states that: (i) The rail lines to be operated by SCV do not connect with any railroad in the corporate family; (ii) the transaction is not part of a series of anticipated transactions that would connect SCV with any railroad in the corporate family; and (iii) the transaction does not involve a Class I carrier. Therefore, the transaction is exempt from the prior approval requirements of 49 U.S.C. 11323. See 49 CFR 1180.2(d)(2).

Under 49 U.S.C. 10502(g), the Board may not use its exemption authority to relieve a rail carrier of its statutory obligation to protect the interests of its employees. Section 11326(c), however, does not provide for labor protection for transactions under sections 11324 and 11325 that involve only Class III rail carriers. Because this transaction

involves Class III rail carriers only, the Board, under the statute, may not impose labor protective conditions for this transaction.

If the notice contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33443, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Gary Laakso, Esq., RailAmerica, Inc., 301 Yamato Road, Suite 1190, Boca Raton, FL 33431.

Decided: August 26, 1997.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-23349 Filed 9-2-97; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 33442]

#### **St. Croix Valley Railroad Company—Acquisition and Operation Exemption—The Burlington Northern and Santa Fe Railway Company**

St. Croix Valley Railroad Company (SCV), a noncarrier, has filed a verified notice of exemption under 49 CFR 1150.31 to acquire from The Burlington Northern and Santa Fe Railway Company (BNSF) and to operate approximately 33.3 miles of rail line between Hinckley, MN, milepost 74.0, and North Branch, MN, milepost 40.7, and 11.1 miles of rail line between Brook Park, MN, milepost 58.0, and Mora, MN, milepost 46.9. In addition, SCV will acquire incidental overhead trackage rights to operate between Hinckley, MN, milepost 74.0, and Brook Park, MN, milepost 58.0, and over BNSF's yard tracks in its Hinckley yard.

The transaction was expected to be consummated on or after the August 21, 1997 effective date of the exemption.

This transaction is related to STB Finance Docket No. 33443, *RailAmerica, Inc.—Continuance in Control Exemption—St. Croix Valley Railroad Company*, wherein RailAmerica, Inc. has concurrently filed a verified notice to continue in control of SCV upon its becoming a Class III rail carrier.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33442, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, N.W., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Gary Laakso, Esq., 301 Yamato Road, Suite 1190, Boca Raton, FL 33431.

Decided: August 26, 1997.

By the Board, David M. Konschnik, Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 97-23350 Filed 9-2-97; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### U.S. Customs Service

[T.D. 97-74]

#### **Bonds; Approval to Use Authorized Facsimile Signatures and Seal**

The use of facsimile signatures and seal on Customs bonds by the following corporate surety has been approved effective this date:

Intercargo Insurance Company  
Authorized facsimile signature on file for:  
Stanley A. Galanski

The corporate surety has provided the Customs Service with copies of the signatures to be used, a copy of the corporate seal, and a certified copy of the corporate resolution agreeing to be bound by the facsimile signatures and seal. This approval is without prejudice to the surety's right to affix signatures and seal manually.

Dated: August 27, 1997.

**Jerry Laderberg,**  
*Chief, Entry Procedures and Carriers Branch.*  
[FR Doc. 97-23256 Filed 9-2-97; 8:45 am]

BILLING CODE 4820-02-P

## DEPARTMENT OF THE TREASURY

### Customs Service

#### **Renewal of the Generalized System of Preferences**

**AGENCY:** Customs Service, Treasury.

**ACTION:** General notice.

**SUMMARY:** The Generalized System of Preferences (GSP) is a renewable preferential trade program that allows the eligible products of designated developing countries to directly enter the United States free of duty. The GSP program expired on May 31, 1997, but has been renewed, effective August 5, 1997, with retroactive effect to June 1, 1997, by a provision in the Budget Reconciliation Tax Act of 1997. This document provides notice to importers that Customs will begin processing refunds on all duties paid, with interest from the date the duties were deposited, on GSP-eligible merchandise that was entered on June 1, 1997, through August 4, 1997, and that Customs will accept claims for GSP duty-free treatment for merchandise entered, or withdrawn from a warehouse, for consumption on or after August 5, 1997, through June 30, 1998, the provisions current legislative sunset date.

**DATES:** Customs will begin the processing of refunds on duties paid—with interest as set forth in this document—August 29, 1997.

**FOR FURTHER INFORMATION CONTACT:** For general operational questions:

Formal entries—John Pierce, 202-927-1249

Informal entries—Thomas Wygant, 202-927-1167

Mail entries—Dan Norman, 202-927-0542

Passenger claims—Robert Jacksta, 202-927-1311

For specific questions relating to the Automated Commercial System: Eric Blank, Office of Information and Technology, 202-927-0441.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

Section 501 of the Trade Act of 1974 (the 1974 Act), as amended (19 U.S.C. 2461), authorizes the President to establish a Generalized System of Preferences (GSP) to provide duty-free treatment for eligible articles imported directly from designated beneficiary countries for specific time periods. Pursuant to 19 U.S.C. 2465(a), as amended by the GSP Renewal Act of 1996 (Pub. L. 104-188, 110 Stat. 1775, at Stat. 1917), duty-free treatment under the GSP program expired on May 31, 1997.

On August 5, 1997, the President signed the Budget Reconciliation Tax Bill of 1997 (the 1997 Act, tentatively scheduled to be published as Pub. L. 105-34, 111 Stat. 788); section 981 pertains to the extension of duty-free treatment and the retroactive

application for certain liquidations and reliquidations under the GSP (the 1997 Act, *op. cit.*). Section 981 makes provision to apply GSP duty-free treatment to eligible articles from designated beneficiary countries that are entered, or withdrawn from warehouse, for consumption on or after August 5, 1997, through June 30, 1998, and, for those entries made after May 31, 1997 through August 4, 1997, to which duty-free treatment would have applied, to refund any duty paid with respect to such entry, provided that a request for liquidation or reliquidation is filed with Customs by February 4, 1998, *i.e.*, within 180 days after the date of the 1997 Act's enactment, that contains sufficient information to enable Customs to locate the entry or to reconstruct the entry if it cannot be located.

Recognizing the impact that retroactive renewal and consequent numerous reliquidations will have on both importers and Customs, Customs developed a mechanism to facilitate refunds (*see*, **Federal Register** Notice of June 4, 1997, 62 FR 30672) that will begin processing refunds August 29, 1997. Customs expects the processing of refunds to take from four to eight weeks for certain, formal Automated Broker Interface (ABI) entries.

##### **Duty-Free Entry Summaries**

Effective August 5, 1997, filers again will be entitled to file GSP eligible entry summaries without the payment of estimated duties.

##### **Refunds With Interest**

###### *A. Formal Entries*

Customs will liquidate or reliquidate all affected entry summaries and refund any duties deposited for items denominated on the GSP line. Field locations shall not issue GSP refunds except as instructed to do so by Customs Headquarters.

If an ABI entry summary was or will be filed with payment of estimated duties using the Special Program Indicator (SPI) for the GSP (the letter "A") as a prefix to the tariff number, no further action by the filer is required; filings with the SPI "A" will be treated as conforming requests for refunds.

Non-ABI filers who either did or did not request a refund by using the SPI "A" must request a refund in writing from the Port Director at the port of entry by February 4, 1998. The letter may cover either single entry summaries or all entry summaries filed by an individual filer at a single port. To expedite refunds, Customs recommends

the following information be included in each letter:

1. A statement requesting a refund, as provided by section 981 of the Budget Reconciliation Tax Act 1997;
2. An enumeration of the entry numbers and line items for which refunds are requested; and
3. The amount requested to be refunded for each line item and the total amount owed for all entry summaries.

Interest on duties deposited will be paid, pursuant to section 505 of the Tariff Act of 1930, as amended (19 U.S.C. 1505), based on the quarterly Internal Revenue Service interest rates used to calculate interest on refunds of Customs duties as follows:

June 1, 1997–June 30, 1997—8%

July 1, 1997–July 31, 1997—8%

August 1, 1997–August 4, 1997—8%

##### *B. Informal Entries*

Refunds with interest on informal entries filed via ABI on a Customs Form 7501 with the SPI "A" will be processed in accordance with the procedures discussed above.

##### *C. Mail Entries*

The addressees must request a refund of GSP duties and return it, along with a copy of the CF 3419A, to the appropriate International Mail Branch (address listed on bottom right hand corner of CF 3419A). It is essential that a copy of the CF 3419A be included, as this will be the only means of identifying whether GSP products have been entered and estimated duties and fees have been paid.

##### *D. Baggage Declarations and Non-ABI Informals*

If travelers/importers wrote a statement directly on their Customs declarations (CF 6059B) or informal entries (CF 363 or CF 7501) requesting a refund, no further action by the traveler/importer will be required; the statement will be treated as a conforming request for refunds. Failure to request a refund in this manner does not preclude a traveler/importer from otherwise making a timely request in writing, as described above for non-ABI filers.

Dated: August 27, 1997.

**Robert Trotter,**

*Assistant Commissioner, Field Operations.*  
[FR Doc. 97-23257 Filed 9-2-97; 8:45 am]

BILLING CODE 4820-02-P