

remaining program, although not falling within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement, could be found to be inconsistent with Article 6 if the net countervailable subsidy exceeds 5 percent, as measured in accordance with Annex IV of the Subsidies Agreement. The Department, however, has no information with which to make such a calculation, nor do we believe it appropriate to attempt such a calculation in the course of a sunset review. Rather, we are providing the Commission the following program descriptions.

(1) Because only exporters are eligible to use short-term export financing under the Foreign Trade Regulations, short-term export financing falls within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement.

(2) The program for export tax reserves under Articles 22, 23, and 24 or the Act Concerning the Regulation of Tax Reduction and Exemption was found to confer benefits which constitute export subsidies because they provide a deferral, contingent upon exports, of direct taxes. Therefore, this program falls within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement.

(3) The program providing for small business loans to "promising" companies on the basis that they were exporting companies, was found to be a countervailable export subsidy to the extent that the loans were provided at preferential interest. Because companies qualified for these loans on the basis of export performance, this program falls within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement.

(4) Because the Duty Drawback Program provides for duty drawback on items not physically incorporated into exported articles and because the duty drawback for loss or wastage on physically incorporated items is unreasonable or excessive, we found the program to confer a countervailable export subsidy. As such, this program falls within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement.

(5) Exemption from the acquisition tax under the Law for the Promotion of Income Sources in Rural Areas is limited to companies located in certain regions of the country and therefore, may fall within the definition of an actionable subsidy under Article 6.1 of the Subsidies Agreement.

### Final Results of Review

As a result of this review, the Department finds that revocation of the countervailing duty order on cookware from Korea would be likely to lead to continuation or recurrence of countervailable subsidies. The country-wide net countervailable subsidy likely to prevail if the order were revoked is 0.77 percent *ad valorem*.<sup>10</sup>

This notice serves as the only reminder to parties subject to administrative protective order (APO) of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 351.305 of the Department's regulations. Timely notification of return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This five-year ("sunset") review and notice are in accordance with sections 751(c), 752, and 777(i)(1) of the Act.

Dated: August 30, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

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## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Performance Review Board

**AGENCY:** International Trade Administration, Commerce.

**ACTION:** Notice.

**SUMMARY:** Announcement of New Member for the Performance Review Board.

**FOR FURTHER INFORMATION CONTACT:** LaVerne H. Hawkins, Department of Commerce, Office of Human Resources Management, Room 4803, Washington, DC 20230 202-482-2537.

**SUPPLEMENTARY INFORMATION:** This notice announces the appointment by the Under Secretary for International Trade, David L. Aaron, of the Performance Review Board (PRB). The appointments are for a 2 year period. The purpose of the International Trade Administration's Performance Review Board (PRB) is to review and make recommendations to the appointing

<sup>10</sup> As noted above, due to *de minimis* net subsidies found for Woo Sung Company Ltd. and Dae Sung Industrial Company Ltd., these two Korean producers/exporters were excluded from the order.

authority on performance management issues such as appraisals and bonuses, ES-level Increases and Presidential Rank Awards for members of the Senior Executive Service (SES). The members are:

Eleanor Roberts Lewis—Non-ITA—  
Career

Chief Counsel for International Trade  
Troy H. Cribb—Non-Career  
Deputy Assistant Secretary for  
Textiles, Apparel and Consumer  
Goods

Henry H. Misco—Career  
Director, Office of Automotive Affairs  
Marjory Searing—Career

Deputy Assistant Secretary for Japan  
Joseph Spetrini—Career  
Deputy Assistant Secretary for  
Antidumping Countervailing Duty  
Enforcement III

Franklin J. Vargo—Career  
Deputy Assistant Secretary for  
Agreements Compliance

Elizabeth C. Sears—Non-Career  
Deputy Assistant Secretary for Export  
Promotion Services

LaVerne H. Hawkins—Executive  
Secretary  
Office of Human Resources  
Management, 202-482-2537

Dated: August 26, 1999.

**James T. King, Jr.,**

*Human Resources Manager.*

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[Docket Number: 990624170-9170-01]

RIN 0648-ZA66

#### Announcement of Graduate Research Fellowships in the National Estuarine Research Reserve System for Fiscal Year 2000

**AGENCY:** Estuarine Reserves Division (ERD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC).

**ACTION:** Notice.

**SUMMARY:** The Estuarine Reserves Division (ERD) of the Office of Ocean and Coastal Resource Management is soliciting applications for graduate fellowship funding within the National Estuarine Research Reserve System. This notice sets forth funding priorities, selection criteria, and application procedures.