

Because ESF grants are non-recurring subsidies and potentially allocable over time, we reviewed *SSSS from France* and *French Plate* regarding past disbursements to Usinor under this program. In *SSSS from France*, we determined that ESF grants received in 1995 and 1997 were less than 0.5 percent of Ugine's sales in those years. Hence, the benefits of those ESF grants were expensed in the years of receipt. See *SSSS from France*, 64 FR 30781. In *French Plate*, an ESF grant received in 1998 by CLI, a Usinor subsidiary, was also expensed in the year of receipt. In the *First Review*, we determined that the program was not used in 2000. See *First Review*, 67 FR at 62098, and the accompanying "Isseus and Decision Memorandum," at "Programs Determined To Be Not Used." Therefore, we find that ESF grants received by Usinor and its affiliates prior to the POR do not confer a countervailable benefit on the subject merchandise during the POR. Moreover, in the present review, Usinor reported that it did not receive any additional ESF grants during the POR. See 12/19/2002 Response at 36.

*B. Export Financing under Natexis Banque Programs*

*C. DATAR Regional Development Grants (PATs)*

*D. DATAR 50 Percent Taxing Scheme*

*E. DATAR Tax Exemption for Industrial Expansion*

*F. DATAR Tax Credit for Companies Located in Special Investment Zone*

*G. DATAR Tax Credits for Research*

*H. GOF Guarantees*

*I. Long-term Loans from CFDI*

*J. Resider I and II Programs*

*K. Youthstart*

*L. ECSC Article 54 Loans*

*M. ECSC Article 56(2)(b) Redeployment/Readaptation Aid*

*N. ERDF Grants*

**Preliminary Results of Review**

In accordance with 19 CFR 351.221(b)(4)(i), we calculated an individual subsidy rate for Usinor. For the period January 1, 2001, through December 31, 2001, we preliminarily find Usinor's net subsidy rate to be 1.11 percent. The calculations will be disclosed to the interested parties in accordance with section 351.224(b) of the regulations.

If the final results of this review remain the same as these preliminary results, the Department intends to instruct the U.S. Bureau of Customs and Border Protection ("BCBP") to collect cash deposits of estimated

countervailing duties at the rate of 1.11 percent on the f.o.b. value of all shipments of the subject merchandise from Usinor and its affiliates that are entered, or withdrawn from warehouse, for consumption on or after the date of publication of the final results of this administrative review.

For companies that were not named in our notice initiating this administrative review, we will instruct BCBP to collect cash deposits of estimated countervailing duties at the most recent company-specific or country-wide rate applicable to the company. Accordingly, the cash deposit rates that will be applied to non-reviewed companies covered by this order are those established in the *Amended Final Determination: Stainless Steel Sheet and Strip in Coils From the Republic of Korea; and Notice of Countervailing Duty Orders: Stainless Steel Sheet and Strip in Coils From France, Italy, and the Republic of Korea*, 64 FR 42923 (August 6, 1999). These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested.

While the countervailing duty deposit rate for Usinor and its affiliates may change as a result of this administrative review, we have been enjoined from liquidating any entries of the subject merchandise after August 6, 1999. Consequently, we do not intend to issue liquidation instructions for these entries until such time as the injunction, issued on December 22, 1999, is lifted.

**Public Comment**

Interested parties may submit written arguments in case briefs within 30 days of the date of publication of this notice. See 19 CFR 351.309(c)(ii). Rebuttal briefs, limited to issues raised in case briefs, may be filed not later than five days after the date of filing the case briefs. 19 CFR 351.309(d)(1). Parties who submit briefs in this proceeding should provide a summary of the arguments not to exceed five pages and a table of statutes, regulations, and cases cited. Copies of case briefs and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f).

Interested parties may request a hearing within 30 days after the date of publication of this notice. Any hearing, if requested, ordinarily will be held two days after the scheduled date for submission of rebuttal briefs. 19 CFR 351.310(c).

Representatives of parties to the proceeding may request disclosure of proprietary information under administrative protective order no later than 10 days after the representative's

client or employer becomes a party to the proceeding, but in no event later than the date the case briefs, under 19 CFR 351.309(c)(ii), are due. 19 CFR 351.305(b).

The Department will publish a notice of the final results of this administrative review within 120 days from the publication of these preliminary results.

This administrative review and notice are in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: May 5, 2003.

**Joseph A. Spetrini,**

*Acting Assistant Secretary for Import Administration*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

[I.D. 032003A]

**Endangered Species; File No. 1189**

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

**ACTION:** Issuance of permit modification.

**SUMMARY:** Notice is hereby given that Dr. James P. Kirk, USAE Waterways Experiment Station, CEWES-ER-A, 3909 Halls Ferry Road, Vicksburg, Mississippi 39180-6199 has been issued a modification to scientific research Permit No.1189.

**ADDRESSES:** The amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and, Southeast Region, NMFS, 9721 Executive Center Drive North, St. Petersburg, FL 33702-2432; phone (727)570-5301; fax (727)570-5320.

**FOR FURTHER INFORMATION CONTACT:** Jennifer Jefferies or Gene Nitta, (301)713-2289.

**SUPPLEMENTARY INFORMATION:** On February 25, 2002, and on July 18, 2002, notices were published in the **Federal Register** [(67 FR 8526) and (67 FR 47351), respectively] that modifications of Permit No. 1189, issued April 22, 1999 (64 FR 23281), had been requested by the above-named individual. The requested modifications have been granted under the authority of the Endangered Species Act of 1973, as

amended (ESA; 16 U.S.C. 1531 *et seq.*) and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

Permit No. 1189 authorizes the permit holder to capture 300 shortnose sturgeon annually by gill net or trot lines in the Ogeechee River, Georgia, then measure, tag, weigh, and release them. Twenty of these may be surgically implanted with radio/sonic tags and tracked. Accidental mortalities are not to exceed one shortnose sturgeon per year. The issuance of this modification extends the permit's expiration date to December 31, 2004 and adds trawling as a sampling method for the purpose of capturing shortnose sturgeon less than eight years of age.

Issuance of this modification, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: May 2, 2003.

**Stephen L. Leathery,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Announcement of the Paperless ELVIS (Electronic Visa Information System) Requirement for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in the Republic of Korea

May 5, 2003.

**AGENCY:** Committee for the Implementation of Textile Agreements (CITA)

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection eliminating the paper visa requirement.

**EFFECTIVE DATE:** May 19, 2003.

**FOR FURTHER INFORMATION CONTACT:** Shikha Bhatnagar, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854);

Executive Order 11651 of March 3, 1972, as amended.

In an exchange of notes on March 6, 2003 and March 20, 2003, the Governments of the United States and the Republic of Korea agreed to the paperless Electronic Visa Information System (ELVIS). This arrangement provides for electronic transmission of visa information to the Bureau of Customs and Border Protection by the Government of the Republic of Korea for textiles and textile products exported to the United States which describes the shipment and includes the visa number assigned to the shipment. The transmission certifies the country of origin and authorizes the shipment to be charged against any applicable quota.

Effective on May 19, 2003, for entry into the United States, the paper visa requirement is eliminated for textiles and textile products, produced or manufactured in the Republic of Korea and exported on or after May 19, 2003. The Government of the Republic of Korea must issue an ELVIS transmission for each shipment of textiles and textile products exported on or after May 19, 2003. For exempt product shipments, the paper exempt certification remains unchanged and an ELVIS transmission is not required.

In the letter published below, the Chairman of CITA directs the Commissioner of the Bureau of Customs and Border Protection to eliminate the paper visa requirement and to require an ELVIS transmission for shipments of certain textiles and textile products, produced or manufactured in the Republic of Korea and exported to the United States on or after May 19, 2003. A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see Federal Register notice 68 FR 1599, published on January 13, 2003). See also 61 FR 69082, published on December 31, 1996; and 56 FR 18574, published on April 23, 1991, as amended.

Goods integrated into GATT 1994 in Stages II and III by the United States will not require an ELVIS transmission (see Federal Register notices 63 FR 53881, published on October 7, 1998 and 66 FR 63225, published on December 5, 2001). An ELVIS transmission will continue to be required for non-integrated products.

Interested persons are advised to take all necessary steps to ensure that textile products that enter into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa requirements set forth in

the letter published below to the Commissioner, Bureau of Customs and Border Protection.

**D. Michael Hutchinson,**

*Acting Chairman, Committee for the Implementation of Textile Agreements.*

### Committee for the Implementation of Textile Agreements

May 5, 2003.

Commissioner,  
*Bureau of Customs and Border Protection,  
Washington, DC 20229.*

Dear Commissioner: this directive amends, but does not cancel, the directive issued to you on December 24, 1996, as amended, by the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in the Republic of Korea for which the Government of the Republic of Korea has not issued an appropriate export visa and Electronic Visa Information System (ELVIS) transmission, or exempt certification.

Effective on May 19, 2003, the paper visa will no longer be required for the entry of shipments of textiles and textile products, produced or manufactured in the Republic of Korea and exported to the United States on or after May 19, 2003. For exempt product shipments, the paper exempt certification will remain unchanged.

Under the terms of Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended; and pursuant to the Uruguay Round Agreement on Textiles and Clothing and the Electronic Visa Information System (ELVIS) Arrangement of March 6, 2003 and March 20, 2003 between the Government of the United States and the Republic of Korea; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on May 19, 2003, entry into the Customs territory of the United States (i.e. the 50 states, the District of Columbia and the Commonwealth of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in Categories 200-239, 300-369, 400-469, 600-670, and 800-899, including part categories and merged categories, produced or manufactured in the Republic of Korea and exported on or after May 19, 2003 for which the Republic of Korea has not issued an Electronic Visa Information System (ELVIS) transmission fully described below. Exempt product shipments do not require an ELVIS transmission. The list of part categories, merged categories and exempt products remains unchanged.

An ELVIS message must accompany each commercial shipment of the aforementioned textile products.

A. Each ELVIS transmission shall include the following information:

a. The visa number: The visa number shall be in the standard nine digit letter format beginning with one numeric digit for the last