

**DEPARTMENT OF STATE**

[Public Notice 11029]

**Notice of Determinations; Culturally Significant Objects Imported for Exhibition—Determinations: “El Greco: Ambition and Defiance” Exhibition**

**SUMMARY:** Notice is hereby given of the following determinations: I hereby determine that certain objects to be included in the exhibition “El Greco: Ambition and Defiance,” imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to loan agreements with the foreign owners or custodians. I also determine that the exhibition or display of the exhibit objects at the Art Institute of Chicago, Chicago, Illinois, from on or about March 7, 2020, until on or about June 21, 2020, and at possible additional exhibitions or venues yet to be determined, is in the national interest. I have ordered that Public Notice of these determinations be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** Chi D. Tran, Paralegal Specialist, Office of the Legal Adviser, U.S. Department of State (telephone: 202–632–6471; email: [section2459@state.gov](mailto:section2459@state.gov)). The mailing address is U.S. Department of State, L/PD, SA–5, Suite 5H03, Washington, DC 20522–0505.

**SUPPLEMENTARY INFORMATION:** The foregoing determinations were made pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236–3 of August 28, 2000.

**Matthew R. Lussenhop,**

*Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 2020–02578 Filed 2–7–20; 8:45 am]

**BILLING CODE 4710–05–P**

**SURFACE TRANSPORTATION BOARD**

[Docket No. EP 290 (Sub-No. 4)]

**Railroad Cost Recovery Procedures—Productivity Adjustment**

**AGENCY:** Surface Transportation Board.  
**ACTION:** Presentation of the Board’s calculation for the change in railroad productivity for the 2014–2018 averaging period.

**SUMMARY:** In a decision served on February 6, 2020, the Board proposed to adopt 1.010 (1.0% per year) as the measure of average (geometric mean) change in railroad productivity for the 2014–2018 (five-year) period. This represents an increase of 0.5% from the average for the 2013–2017 period. The Board’s February 6, 2020 decision in this proceeding stated that comments may be filed addressing any perceived data and computational errors in the Board’s calculation. The decision also stated that, unless a further order is issued postponing the effective date, this decision will take effect on March 1, 2020.

**DATES:** Comments are due by February 21, 2020.

**ADDRESSES:** Comments may be filed with the Board either via e-filing or in writing addressed to: Surface Transportation Board, Attn: Docket No. EP 290 (Sub-No. 4), 395 E Street SW, Washington, DC 20423–0001. Comments must be served on all parties appearing on the service list.

**FOR FURTHER INFORMATION CONTACT:** Pedro Ramirez at (202) 245–0333. Assistance for the hearing impaired is available through the Federal Relay Service at (800) 877–8339.

**SUPPLEMENTARY INFORMATION:** The Board’s decision is posted at <http://www.stb.gov>. Copies of the decision may be purchased by contacting the Board’s Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245–0238.

**Authority:** 49 U.S.C. 10708.

Decided: February 4, 2020.

By the Board, Board Members Begeman, Fuchs, and Oberman.

**Eden Besera,**  
*Clearance Clerk.*

[FR Doc. 2020–02568 Filed 2–7–20; 8:45 am]

**BILLING CODE 4915–01–P**

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE****Designations of Developing and Least-Developed Countries Under the Countervailing Duty Law**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** The U.S. Trade Representative is designating World Trade Organization (WTO) Members that are eligible for special *de minimis* countervailable subsidy and negligible import volume standards under the countervailing duty (CVD) law.

Elsewhere in this issue of the **Federal Register**, the U.S. Trade Representative is removing the Office of the United States Trade Representative’s rule that contain the designations superseded by this notice.

**DATES:** The designations are applicable as of February 10, 2020.

**FOR FURTHER INFORMATION CONTACT:**

David P. Lyons, Assistant General Counsel, at 202–395–9446, or Roy Malmrose, Director for Industrial Subsidies, at 202–395–9542.

**SUPPLEMENTARY INFORMATION:****A. General Background**

In the Uruguay Round Agreements Act (URAA), Public Law 103–465, Congress amended the CVD law to conform to U.S. obligations under the WTO Agreement on Subsidies and Countervailing Measures (SCM Agreement). Under the SCM Agreement, WTO Members that have not yet reached the status of a developed country are entitled to special treatment for purposes of countervailing measures. Specifically, imports from such Members are subject to different thresholds for purposes of determining whether countervailable subsidies are *de minimis* and whether import volumes are negligible.

Under section 771(36) of the Tariff Act of 1930, as amended (the Act), 19 U.S.C. 1677(36), Congress delegated to the U.S. Trade Representative the responsibility for designating those WTO Members whose imports are subject to these special thresholds. In addition, section 771(36)(D) requires the U.S. Trade Representative to publish a list of designations, updated as necessary, in the **Federal Register**. This notice implements the requirements of section 771(36)(D).

On June 2, 1998, the U.S. Trade Representative published an interim final rule (1998 rule) designating Subsidy Agreement countries eligible for special *de minimis* countervailable subsidy and negligible import volume standards under the CVD law. *See* 63 FR 29945. “Subsidies Agreement country” is defined in section 701(b) of the Act, 19 U.S.C. 1671(b), and includes countries that are WTO Members. The U.S. Trade Representative is revising the lists in the 1998 rule, as described below, and removing the 1998 rule because it now is obsolete.

**B. Explanation of the List****1. Introduction**

For purposes of countervailing measures, the SCM Agreement extends special and differential treatment to

developing and least-developed Members in the following manner:

*De Minimis Thresholds:* Under Article 11.9 of the SCM Agreement, authorities must terminate a CVD investigation if the amount of the subsidy is *de minimis*, which normally is defined as less than 1 percent *ad valorem*. Under Article 27.10(a), however, for a developing Member the *de minimis* standard is 2 percent or less. Consistent with Article 27.11 and section 703(b)(4) of the Act, the 2 percent *de minimis* threshold also now applies to least-developed countries.

*Negligible Import Volumes:* Under Article 11.9, authorities must terminate a CVD investigation if the volume of subsidized imports from a country is negligible. Under the CVD law, imports from an individual country normally are considered negligible if they are less than 3 percent of total imports of a product into the United States. Imports are not considered negligible if the aggregate volume of imports from all countries whose individual volumes are less than 3 percent exceeds 7 percent of all such merchandise. However, under Article 27.10(b) and section 771(24)(B) of the Act, imports from a developing or least-developed Member are considered negligible if the import volume is less than 4 percent of total imports, unless the aggregate volume of imports from countries whose individual volumes are less than 4 percent exceeds 9 percent.

In the URAA, Congress incorporated into the CVD law the SCM Agreement standards for *de minimis* thresholds and negligible import volumes. Section 703(b)(4)(B)–(D) of the Act, 19 U.S.C. 1671b(b)(4)(B)–(D), incorporates the *de minimis* standards, while section 771(24)(B), 19 U.S.C. 1677(24)(B), incorporates the negligible import standards. However, in the statute itself, Congress did not identify by name those WTO Members eligible for special treatment. Instead, section 267 of the URAA added section 771(36) to the Act, which delegates to the U.S. Trade Representative the responsibility to designate those WTO Members subject to special standards for *de minimis* and negligible import volume. In addition, section 771(36) requires the U.S. Trade Representative to publish in the **Federal Register**, and update as necessary, a list of the Members designated as eligible for special treatment under the CVD law.

The effect of these designations is limited to Title VII of the Act. Specifically, section 771(36)(E) of the Act provides that the fact that a WTO Member is designated in the list as developing or least-developed has no

effect on how that Member may be classified with respect to any other law.

## 2. Data Sources

In making the designations, the U.S. Trade Representative relied on per capita gross national income (GNI) data from the World Bank and trade data from the Trade Data Monitor, which contains official data from national statistical bureaus, customs authorities, central banks, and other government agencies.

## 3. Designation of WTO Members as Least-Developed Countries

As explained above, the distinction between developing and least-developed countries no longer matters for purposes of the *de minimis* threshold: both are eligible for the same 2 percent rate. Nonetheless, for clarity and consistent with section 771(36) of the Act, this notice separately identifies developing and least-developed countries. The list of WTO Members that are least-developed countries is derived from Annex VII to the SCM Agreement, which describes least-developed countries as those designated by the United Nations (Annex VII(a)) and named in Annex VII(b)), provided the per capita GNP has not reached \$1,000 per annum. A number of WTO Members are included on the United Nations list of least-developed countries,<sup>1</sup> and several more are included under Annex VII(b) based upon their GNI per capita at constant 1990 dollars: Côte d'Ivoire, Ghana, Honduras, Kenya, Nicaragua, Nigeria, Pakistan, Senegal, and Zimbabwe.<sup>2</sup>

## C. Designation of WTO Members Eligible for 2 Percent *De Minimis* Standard

### 1. Introduction

Based on section 771(36)(D) of the Act, in determining which WTO Members should be considered as developing and, thus, eligible for the 2 percent *de minimis* standard, the U.S. Trade Representative has considered appropriate economic, trade, and other

<sup>1</sup> United Nations World Economic Situation and Prospects (2019), p. 173, available at [https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019\\_BOOK-ANNEX-en.pdf](https://www.un.org/development/desa/dpad/wp-content/uploads/sites/45/WESP2019_BOOK-ANNEX-en.pdf).

<sup>2</sup> See Doha Ministerial Decision on Implementation-Related Issues and Concerns, WT/MIN(01)17 (November 20, 2001) (specifying that Annex VII(b) is to list Members until their GNP per capita reaches \$1,000 in constant 1990 U.S. dollars for three consecutive years; see also Updating GNP Per Capita for Members Listed in Annex VII(b) as Foreseen in Paragraph 10.1 of the Doha Ministerial Decision and in Accordance with the Methodology in G/SCM/38, G/SCM/110/Add.16 (May 14, 2019) (circulating updated calculations by the Secretariat).

factors, including the level of economic development of a country (based on a review of the country's per capita GNI) and a country's share of world trade. The U.S. Trade Representative developed the list of Members eligible for the 2 percent *de minimis* standard based on the following criteria: (1) Per capita GNI, (2) share of world trade, and (3) other factors such as Organization for Economic Co-operation and Development (OECD) membership or application for membership, European Union (EU) membership, and Group of Twenty (G20) membership.

### 2. Per Capita GNI

Similar to the 1998 rule, the U.S. Trade Representative relied on the World Bank threshold separating “high income” countries from those with lower per capita GNIs.<sup>3</sup> This means that WTO Members with a per capita GNI below \$12,375 were treated as eligible for the 2 percent *de minimis* standard, subject to the other factors described below. Advantages of relying upon the World Bank high income designation include that it is straightforward to apply, based on a recognized GNI dividing line between developed and developing countries for purposes of the world's primary multilateral lending institution, and consistent with the test for beneficiary developing country status set out in the U.S. Generalized System of Preferences statute, section 502(e) of the Trade Act of 1974.

### 3. Share of World Trade

The U.S. Trade Representative also considered whether countries account for a significant share of world trade and, thus, should be treated as ineligible for the 2 percent *de minimis* standard. In the 1998 rule, the U.S. Trade Representative considered a share of world trade of 2 percent or more to be “significant” because of the commitment in the Statement of Administration Action (SAA), approved by the Congress along with the URAA, that Hong Kong, Korea, and Singapore would be ineligible for developing country treatment, and each of these countries accounted for a share of world trade in excess of 2 percent. The U.S. Trade Representative now considers 0.5 percent to be a more appropriate indicator of a “significant” share of world trade. According to the most recent available data from 2018,

<sup>3</sup> The 1998 rule used per capita gross national product rather than GNI. The most recent World Bank data set this dividing line at \$12,375. See New country classifications by income level: 2019–2020, World Bank Data Blog, July 1, 2019, available at <https://blogs.worldbank.org/opendata/new-country-classifications-income-level-2019-2020>.

relatively few countries account for such a large share (*i.e.*, more than 0.5 percent) of world trade, and those that do include many of the wealthiest economies.

For purposes of U.S. CVD law, the U.S. Trade Representative therefore considers countries with a share of 0.5 percent or more of world trade to be developed countries. Thus, Brazil, India, Indonesia, Malaysia, Thailand, and Viet Nam are ineligible for the 2 percent *de minimis* standard, notwithstanding that, based on the most recent World Bank data, each country has a per capita GNI below \$12,375.

#### 4. Other Factors

Section 771(36)(D) of the Act contemplates that the U.S. Trade Representative may consider additional factors. To that end, consistent with the 1998 rule, the U.S. Trade Representative took into account EU membership, which indicates a relatively high level of economic development. In addition, under section 771(3) of the Act, the EU may be treated as a single country for purposes of the CVD law and, while uncommon, there have been CVD investigations against merchandise from the European Communities, rather than EU Member States. Because the EU is ineligible for the 2 percent *de minimis* standard, it would be anomalous to treat an individual EU Member as eligible for that standard. Accordingly, for purposes of U.S. CVD law, the U.S. Trade Representative considers all EU Members as developed countries. Thus, Bulgaria and Romania are ineligible for the 2 percent *de minimis* standard, notwithstanding that, based on the most recent World Bank data, each country has a per capita GNI below \$12,375.

The U.S. Trade Representative also took into account OECD membership and applications for OECD membership. The characterization of the OECD as a grouping of developed countries has been confirmed throughout its existence in a number of published OECD documents, and the OECD consistently has been viewed as, and acts itself in the capacity of, the principal organization of developed economies worldwide. Thus, by joining or applying to join the OECD, a country effectively has declared itself to be developed. Although the 1998 rule considered OECD membership only, given the significance of this self-designation, the act of applying to the OECD, in addition to joining, indicates that a country is developed.

Accordingly, the U.S. Trade Representative has determined that an OECD member or applicant should not be eligible for the 2 percent *de minimis* standard. Thus, Colombia and Costa

Rica are ineligible for the 2 percent *de minimis* standard, notwithstanding that, based on the most recent World Bank data, each country has a per capita GNI below \$12,375.

The U.S. Trade Representative also took into account G20 membership. The G20 was established in September 1999, and so was not considered in the 1998 rule. The G20 is a preeminent forum for international economic cooperation, which brings together major economies and representatives of large international institutions such as the World Bank and International Monetary Fund. Given the global economic significance of the G20, and the collective economic weight of its membership (which accounts for large shares of global economic output and trade), G20 membership indicates that a country is developed. Thus, Argentina, Brazil, India, Indonesia, and South Africa are ineligible for the 2 percent *de minimis* standard, notwithstanding that, based on the most recent World Bank data, each country has a per capita GNI below \$12,375.

The U.S. Trade Representative did not consider social development indicators such as infant mortality rates, adult illiteracy rates, and life expectancy at birth, as a basis for changing a designation. The U.S. Trade Representative did consider that if a country considers itself a developed country, or has not declared itself a developing country in its accession to the WTO, it should not be considered a developing country for purposes of the SCM Agreement. Therefore, Albania, Armenia, Georgia, Kazakhstan, the Kyrgyz Republic, Moldova, Montenegro, North Macedonia, and Ukraine are ineligible for the 2 percent *de minimis* standard, notwithstanding that, based on the most recent World Bank data, each country has a per capita GNI below \$12,375.

Furthermore, the 1998 rule omitted WTO Members that in the past had been, or could have been, considered as nonmarket economy countries not subject to the CVD law. Because nonmarket economies may now be subject to CVD law, the lists set forth in this notice do not omit nonmarket economies.

#### D. Designation of Developed Countries

The 1998 rule included a list of “developed countries” that did not qualify as developing or least developed. Because section 771(36) of the Act does not require the U.S. Trade Representative to maintain a list of developed countries, this notice does not include such a list.

#### E. List of Least-Developed and Developing Countries

In accordance with section 771(36) of the Act, imports from least-developed and developing WTO Members set forth in the following lists are subject to a *de minimis* standard of 2 percent and a negligible import standard of 4 percent:

##### *Least-Developed Countries Under Section 771(36)(B) of the Act*

Afghanistan  
Angola  
Bangladesh  
Benin  
Burkina Faso  
Burundi  
Cambodia  
Central African Republic  
Chad  
Côte d’Ivoire  
Democratic Republic of the Congo  
Djibouti  
Gambia  
Ghana  
Guinea  
Guinea-Bissau  
Haiti  
Honduras  
Kenya  
Lao People’s Democratic Republic  
Lesotho  
Liberia  
Madagascar  
Malawi  
Mali  
Mauritania  
Mozambique  
Myanmar  
Nepal  
Nicaragua  
Niger  
Nigeria  
Pakistan  
Rwanda  
Senegal  
Sierra Leone  
Solomon Islands  
Tanzania  
Togo  
Uganda  
Vanuatu  
Yemen  
Zambia  
Zimbabwe

##### *Developing Countries Under Section 771(36)(A) of the Act*

Bolivia  
Botswana  
Cabo Verde  
Cameroon  
Cuba  
Dominica  
Dominican Republic  
Ecuador  
Egypt  
El Salvador

Eswatini  
 Fiji  
 Gabón  
 Grenada  
 Guatemala  
 Guyana  
 Jamaica  
 Jordan  
 Maldives  
 Mauritius  
 Mongolia  
 Morocco  
 Namibia  
 Papua New Guinea  
 Paraguay  
 Peru  
 Philippines  
 St. Lucia  
 St. Vincent & Grenadines  
 Samoa  
 Sri Lanka  
 Suriname  
 Tajikistan  
 Tonga  
 Tunisia  
 Venezuela

**Joseph Barloon,**

*General Counsel, Office of the U.S. Trade Representative.*

[FR Doc. 2020-02524 Filed 2-7-20; 8:45 am]

BILLING CODE 3290-F0-P

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

[Docket No. FAA-2020-0141]

**Agency Information Collection**

**Activities: Requests for Comments; Clearance of a New Approval of Information Collection: FAA Veteran's Flight Training Services Workforce Development Grant Program**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FAA invites public comments about our intention to request the Office of Management and Budget (OMB) approval for a new information collection. The collection involves the establishment of a new grant program in the FAA for Veteran's Flight Training Services Workforce Development. The information to be collected will be used for selecting projects.

**DATES:** Written comments should be submitted by April 10, 2020.

**ADDRESSES:** Please send written comments:

*By Electronic Docket:*  
[www.regulations.gov](http://www.regulations.gov) (Enter docket number into search field).

*By mail:* Linda Long, William J. Hughes Technical Center, Atlantic City International Airport, B300, 2nd Floor, Column H-15, Atlantic City, NJ 08405.

*By fax:* 609-485-4101.

**FOR FURTHER INFORMATION CONTACT:**

Linda Long by email at: [Linda.Long@faa.gov](mailto:Linda.Long@faa.gov); phone: 609-485-8902.

**SUPPLEMENTARY INFORMATION:**

*Public Comments Invited:* You are asked to comment on any aspect of this information collection, including (a) Whether the proposed collection of information is necessary for FAA's performance; (b) the accuracy of the estimated burden; (c) ways for FAA to enhance the quality, utility and clarity of the information collection; and (d) ways that the burden could be minimized without reducing the quality of the collected information. The agency will summarize and/or include your comments in the request for OMB's clearance of this information collection.

*OMB Control Number:* 2120-XXXX.

*Title:* FAA Veteran's Flight Training Services Workforce Development Grant Program.

*Form Numbers:*

SF-424\_2\_1-V2.1 Application for Federal Assistance

SF-424A-V1.0 Budget Narrative

SF424B-V1.1, Assurances Non-Construction

Project/Performance Site Location\_2\_0-V2.0

Project Narrative, Project Narrative Attachments\_1\_2-V1.2

Attachment Form\_1-2-V1.2

SF-LLL\_1\_2-V1.2, Disclosure of Lobbying Activities

GG Lobbying Form-v1.1, Certification Regarding Lobbying

Key Contacts-V1.0,

SF-272, Federal Cash Transactions

SF-3881, ACH Vendor Payment

Enrollment

*Type of Review:* New information collection.

*Background:* This is a new collection and is required to retain a benefit from the Federal Aviation Administration's (FAA). The new collection will be conducted for reporting purposes and will assist in the FAA in administering a new Veteran's Flight Training Services Workforce Development Grant Program. As part of the FAA's FY20 appropriation, Congress directed the FAA to use a portion of the appropriation to help facilitate the future supply of adequate pilots and to award competitive grants with a priority given to accredited flight schools by the Department of Education or hold a restricted airline transport pilot letter of authorization. The collection will be conducted by the FAA in applications

for grant awards not more frequently than annually with bi-annual final reports from all grant recipients. It will provide critical data on locations where the grant dollars are being used to plan and respond the aircraft pilot workforce shortage. This information will provide the FAA with an indication of where gaps exist in planning for the workforce shortage and will help the FAA determine which projects have the great ability to help address the forecasted aircraft pilot shortage. At a date that is still to be determined, the FAA will post a Notice of Funding Opportunity (NOFO) [www.grants.gov](http://www.grants.gov) upon completing the Paperwork Reduction Act's required 30 Day **Federal Register** Notice, Office of Management and Budget (OMB) review period and OMB's final issuance of a Paperwork Reduction Act Clearance number for the program.

*Respondents:* The FAA estimates approximately 30 respondents from Accredited flight schools by the Department of Education or hold a restricted airline transport pilot letter of authorization.

*Frequency:* The collection will be conducted by the FAA in applications for grant awards not more frequently than annually with bi-annual and final reports from all grant recipients.

*Estimated Average Burden per Response:* 4 Hours.

*Estimated Total Annual Burden:* 360 Hours (4 Hours × 30 respondents × 3 responses per year).

**Linda A Long,**

*Program Manager, Aviation Workforce Development Grant Programs, NextGen Partnership Contracts Branch (ANG-A17).*

[FR Doc. 2020-02567 Filed 2-7-20; 8:45 am]

BILLING CODE 4910-13-P

**DEPARTMENT OF THE TREASURY**

**Office of Foreign Assets Control**

**Notice of OFAC Sanctions Actions**

**AGENCY:** Office of Foreign Assets Control, Treasury.

**ACTION:** Notice.

**SUMMARY:** The Department of the Treasury's Office of Foreign Assets Control (OFAC) is publishing the names of one or more persons that were placed on OFAC's Specially Designated Nationals and Blocked Persons List based on OFAC's determination that one or more applicable legal criteria were satisfied. All property and interests in property subject to U.S. jurisdiction of these persons were blocked, and U.S. persons were generally prohibited from engaging in transactions with them.