

provided for in section 777A(e)(2)(B) of the Act. The requested review will normally cover only those companies specifically named. See 19 CFR 351.213(b). Pursuant to 19 CFR 351.212(c), for all companies for which a review was *not* requested, duties must be assessed at the cash deposit rate, and cash deposits must continue to be collected, at the rate previously ordered. As such, the countervailing duty cash deposit rate applicable to a company can no longer change, except pursuant to a request for a review of that company. See *Federal-Mogul Corporation and The Torrington Company v. United States*, 822 F. Supp. 782 (CIT 1993) and *Floral Trade Council v. United States*, 822 F. Supp. 766 (CIT 1993). Therefore, the cash deposit rates for all companies except those covered by this review will be unchanged by the results of this review.

We will instruct Customs to continue to collect cash deposits for non-reviewed companies 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 will be the rate for that company established in the most recently completed administrative proceeding under the Act, as amended by the URAA. If such a review has not been conducted, the rate established in the most recently completed administrative proceeding conducted pursuant to the statutory provisions that were in effect prior to the URAA amendments is applicable. See, *Certain Welded Carbon Steel Pipe and Tube Products from Turkey; Final Results of Countervailing Duty Review*, 53 FR 9791 (March 25, 1988). These rates shall apply to all non-reviewed companies until a review of a company assigned these rates is requested. In addition, for the period January 1, 1997 through December 31, 1997, the assessment rates applicable to all non-reviewed companies covered by this order are the cash deposit rates in effect at the time of entry.

#### Public Comment

Pursuant to 19 CFR 351.224(b), the Department will disclose to parties to the proceeding any calculations performed in connection with these preliminary results within five days after the date of publication of this notice. Pursuant to 19 CFR 351.309, interested parties may submit written comments in response to these preliminary results. Case briefs must be submitted within 30 days after the date of publication of this notice, and rebuttal briefs, limited to arguments

raised in case briefs, must be submitted no later than five days after the time limit for filing case briefs. Parties who submit argument in this proceeding are requested to submit with the argument: (1) a statement of the issues, and (2) a brief summary of the argument. Case and rebuttal briefs must be served on interested parties in accordance with 19 CFR 351.303(f). Also, pursuant to 19 CFR 351.310, within 30 days of the date of publication of this notice, interested parties may request a public hearing on arguments to be raised in the case and rebuttal briefs. Unless the Secretary specifies otherwise, the hearing, if requested, will be held two days after the date for submission of rebuttal briefs. The Department will publish the final results of these administrative reviews, including the results of its analysis of issues raised in any case or rebuttal brief or at a hearing.

These administrative reviews are issued and published in accordance with section 751(a)(1) and 777(i)(1) of the Act (19 U.S.C. 1675(a)(1) and 19 U.S.C. 1677f(i)(1)).

Dated: March 31, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-8627 Filed 4-6-99; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

#### Export Trade Certificate of Review

##### ACTION: Notice of Application.

**SUMMARY:** The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application for an Export Trade Certificate of Review. This notice summarizes the conduct for which certification is sought and requests comments relevant to whether the Certificate should be issued.

##### FOR FURTHER INFORMATION CONTACT:

Morton Schnabel, Director, Office of Export Trading Company Affairs, International Trade Administration, (202) 482-5131. This is not a toll-free number.

**SUPPLEMENTARY INFORMATION:** Title III of the Export Trading Company Act of 1982 (15 U.S.C. 4001-21) authorizes the Secretary of Commerce to issue Export Trade Certificates of Review. A Certificate of Review protects the holder and the members identified in the Certificate from state and federal government antitrust actions and from

private, treble damage antitrust actions for the export conduct specified in the Certificate and carried out in compliance with its terms and conditions. Section 302(b)(1) of the Act and 15 CFR 325.6(a) require the Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether a Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five copies, plus two copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, Department of Commerce, Room 1104H, Washington, D.C. 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 99-00002." A summary of the application follows.

##### *Summary of the Application:*

*Applicant:* DecoArt, Inc., Highway 150 and 27, Stanford, Kentucky 40484.  
*Contact:* Martin R. Snyder, Attorney,  
*Telephone:* (502) 562-7505,  
*Application No.:* 99-00002,  
*Date Deemed Submitted:* March 29, 1999,

*Members (in addition to applicant):* None.

DecoArt, Inc. seeks a Certificate to cover the following specific Export Trade, Export Markets, and Export Trade Activities and Methods of Operations.

##### *Export Trade*

##### *1. Products*

Artists acrylic paints and decorative finishes.

##### *2. Services*

All services related to the export of Products.

##### *3. Technology Rights*

All intellectual property rights associated with Products or Services,

including, but not limited to: patents, trademarks, service marks, trade names, copyrights, neighboring (related) rights, trade secrets, know-how, and sui generis forms of protection for databases and computer programs.

**4. Export Trade Facilitation Services (as they Relate to the Export of Products, Services and Technology Rights)**

Export Trade Facilitation Services, including, but not limited to: professional services in the area of government relations and assistance with state and federal export programs; foreign trade and business protocol; consulting; market research and analysis; collection of information on trade opportunities; marketing; negotiations; joint ventures; shipping and export management; export licensing; advertising; documentation and services related to compliance with custom requirements; insurance and financing; bonding; warehousing; export trade promotion; legal assistance; trade show exhibitions; organizational development; management and labor strategies; transfer of technology; transportation; and facilitating the formation of shippers' associations.

**Export Markets**

The Export Markets include all parts of the world except the United States (the fifty states of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the Trust Territory of the Pacific Islands).

**Export Trade Activities and Methods of Operation**

DecoArt, Inc. may:

1. Provide and/or arrange for the provision of Export Trade Facilitation Services;
2. Engage in promotion and marketing activities and collect and distribute information on trade opportunities in the Export Markets;
3. Enter into, terminate, amend or enforce exclusive and/or non-exclusive agreements with distributors, foreign buyers, and/or sales representatives in Export Markets, and oblige such distributors, foreign buyers, and/or sales representatives not to deal in goods competing with those supplied by DecoArt, Inc.;
4. Enter into, terminate, amend or enforce exclusive or non-exclusive licensing agreements regarding Products, Services, or Technology Rights with Suppliers, Export Intermediaries, or other persons in Export Markets;
5. Enter into, terminate, amend or enforce exclusive or non-exclusive sales

agreements with Suppliers, Export Intermediaries, or other persons for the transfer of title to Products, Services, and/or Technology Rights in Export Markets;

6. Enter into, terminate, amend or enforce exclusive or non-exclusive pricing and/or consignment agreements for the sale and shipment of Products and Services to Export Markets;

7. Allocate export sales, export orders and/or divide Export Markets, among Suppliers, Export Intermediaries, or other persons for the sale, licensing and/or transfer of title to Products, Services, and/or Technology Rights;

8. Enter into, terminate, amend or enforce territorial and customer restraints on Suppliers, Export Intermediaries, or other persons regarding the sale, licensing and/or transfer of title to Products, Services, and/or Technology Rights;

9. Enter into, terminate, amend or enforce exclusive or non-exclusive price and/or territorial agreements with U.S. Suppliers;

10. Enter into, terminate, amend or enforce exclusive or non-exclusive agreements for the tying of Products and Services, the setting of prices, and/or the distribution, shipping or handling of Products or Services in the Export Markets;

11. Terminate, amend or enforce contractual or other relationships with Suppliers, Export Intermediaries or other persons who refuse to agree or adhere to restraints on their activities related to export of Products;

12. Enter into, terminate, amend or enforce agreements to invest in overseas warehouses for the purpose of storing exported Products until transferred to the foreign purchaser, or to invest in overseas facilities for the purpose of making minor Product or packaging modifications necessary to insure compatibility of the Product with the requirements of the foreign market;

13. Represent U.S. Suppliers at trade shows and solicit agents and distributors for their Products in the Export Markets;

14. Refuse to quote prices for, or to market or sell, Products or Services to an Export Market or Markets, or to distributors, buyers and/or sales representatives who directly or indirectly market or sell to an Export Market or Markets;

15. Sell, or offer to sell Products at different prices for direct or indirect sale to an Export Market or Markets as compared to prices for direct or indirect sale to domestic markets; and

16. Affix labels or other forms of identification to Products which identify the Products and indicate

whether such Products are for direct or indirect sale only in an Export Market or Markets.

**Definitions**

1. "Export Intermediary" means a person who acts as a distributor, sales representative, sales or marketing agent, or broker, or who performs similar functions including providing or arranging for the provision of Export Trade Facilitation Services.

2. "Supplier" means a person who produces, provides, or sells any Product and/or a Service.

Dated: April 2, 1999.

**Morton Schnabel,**

*Director, Office of Export Trading Company Affairs.*

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**DEPARTMENT OF COMMERCE**

**National Oceanic and Atmospheric Administration**

**ENVIRONMENTAL PROTECTION AGENCY**

**NATIONAL SCIENCE FOUNDATION DEPARTMENT OF DEFENSE**

**Office of Naval Research**

**NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[Docket No. 990203 041-9041-01; I.D. No. 020299B]

RIN 0648-ZA60

**Request for Proposals for the Ecology and Oceanography of Harmful Algal Blooms Project**

**AGENCIES:** The Coastal Ocean Program and the National Sea Grant College Program/National Oceanic and Atmospheric Administration (NOAA)/Commerce; the National Center for Environmental Research and Quality Assurance/Environmental Protection Agency(EPA); the Directorate for Geosciences, Division of Ocean Sciences/National Science Foundation(NSF); the Office of Naval Research(ONR) /Department of Defense; and the Office of Earth Science/National Aeronautics Space Administration(NASA).

**ACTION:** Supplemental notification for financial assistance for project grants.

**SUMMARY:** The purpose of this notice is to advise the public that the NOAA Coastal Ocean Program(COP), the NOAA National Sea Grant College Program, the EPA National Center for Environmental Research and Quality Assurance, the NSF Directorate for