

occurred and the subsequent assessment of double antidumping duties.

This determination is issued in accordance with sections 751(a)(1) and 777(i)(1) of the Act.

Dated: June 29, 1999.

Richard W. Moreland,
Acting Assistant Secretary for Import
Administration.

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DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of Issuance of an Export Trade Certificate of Review, Application No. 99-00002.

SUMMARY: The Department of Commerce has issued an Export Trade Certificate of Review to DecoArt, Inc. This notice summarizes the conduct for which certification has been granted.

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. The regulations implementing Title III are found at 15 CFR part 325 (1999).

The Office of Export Trading Company Affairs ("OETCA") is issuing this notice pursuant to 15 CFR 325.6(b), which requires the Department of Commerce to publish a summary of a Certificate in the **Federal Register**. Under Section 305 (a) of the Act and 15 CFR 325.11(a), any person aggrieved by the Secretary's determination may, within 30 days of the date of this notice, bring an action in any appropriate district court of the United States to set aside the determination on the ground that the determination is erroneous.

Description of Certified Conduct

Export Trade

1. Products

Artists acrylic paints and decorative finishes manufactured or distributed by DecoArt, Inc.

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 engage in the following activities with respect to Export Markets:

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, provided that DecoArt, Inc. does not enter into more than one agreement, for its entire product line or any portion thereof, in any given territory in the Export Markets pursuant to which its distributors, foreign buyers, and/or sales representatives are

prohibited from carrying the products of DecoArt, Inc.'s competitors, and such prohibition only applies to: (1) Those products of DecoArt, Inc.'s competitors that directly compete with the product line or portion thereof to be sold under the agreement; and (2) the territory covered by the agreement;

4. Enter into, terminate, amend or enforce exclusive or non-exclusive licensing agreements regarding its Products, Services, or Technology Rights with Export Intermediaries or other persons selling its Products in Export Markets;

5. Enter into, terminate, amend or enforce exclusive or non-exclusive sales agreements with Export Intermediaries, or other persons selling its Products 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 its Products and Services to Export Markets;

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

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

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

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

11. 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;

12. 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 of its Products at trade shows and solicit agents and distributors for its 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.

Terms and Conditions of Certificate

1. In engaging in Export Trade Activities and Methods of Operation, DecoArt, Inc. will not intentionally disclose, directly or indirectly, to any Supplier any information about any other Supplier's costs, production, capacity, inventories, domestic prices, domestic sales, or U.S. business plans, strategies, or methods that is not already generally available to the trade or public.

2. DecoArt, Inc. will comply with requests made by the Secretary of Commerce on behalf of the Secretary of Commerce or the Attorney General for information or documents relevant to conduct under the Certificate. The Secretary of Commerce will request such information or documents when either the Attorney General or the Secretary of Commerce believes that the information or documents are required to determine that the Export Trade, Export Trade Activities, and Methods of Operation of a person protected by this Certificate of Review continue to comply with the standards of section 303 (a) of the Act.

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.

A copy of this Certificate will be kept in the International Trade Administration's Freedom of Information Records Inspection Facility Room 4102, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW, Washington, DC 20230.

Dated: June 30, 1999.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

[FR Doc. 99-17103 Filed 7-6-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Institute of Standards and Technology

[Docket No. 990608155-9155-01]

RIN 0693-ZA31]

Technical Advisory Committee Report: Requirements for Key Recovery Products

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice; request for comments.

SUMMARY: The Department of Commerce seeks public comment on "Requirements for Key Recovery Product," encompassing technical recommendations prepared by the "Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure." The Committee was established by the Department to provide technical advice on an encryption key recovery standard for use by Federal agencies to provide for the continued government access to encrypted information in the event of the unavailability (e.g., loss due to unavailability of critical personnel) of the encryption/decryption key(s). The Committee held its final meeting in November, 1998, and subsequently delivered its work to the Secretary of Commerce. Notwithstanding the availability of opportunities for public input to the Committee's activities, the Committee's technical report and significance makes them worthy of additional public discussion and comment. Comments are also sought as to actions that the Department may wish to take as it contemplates using this report as the basis for a Federal key recovery standard.

DATES: Comments should be submitted no later than November 4, 1999.

REPORT AVAILABILITY AND ADDRESSES:

The report is available electronically from the Committee's homepage at <<http://csrc.nist.gov/tacdifipsfkm/>>. Electronic comments on the report may be sent to Key-recovery@nist.gov.

A hard copy of the report is available by request from NIST, Information Technology Laboratory, Attention: Review of Key Recovery Committee Report, 100 Bureau Drive, Stop 8930,

Gaithersburg, MD 20899-8930. Written comments may also be sent to this address.

FOR FURTHER INFORMATION CONTACT:

Edward Roback, Executive Secretary, Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure, telephone 301-975-3696.

SUPPLEMENTARY INFORMATION:

The "Technical Advisory Committee to Develop a Federal Information Processing Standard for the Federal Key Management Infrastructure" was chartered by the Department of Commerce in 1996 to seek industry recommendations on technical specifications for accomplishing the recovery of keys used for encryption (as opposed to keys used solely for digital signatures, which should not be recoverable, since a new signature key pair is normally created in event of loss). The Committee was comprised of 24 members drawn from the private sector with expertise in computer systems, telecommunications, banking, security, research and other pertinent areas. Its activities were augmented by liaisons from various Federal agencies, who provided input and perspective to the Committee as to the security and functional key recovery requirements of Federal agencies. Twelve meetings of the Committee were held between December 1996 and November 1998. The progress that the Committee made on various drafts of its report may be seen on the Committee's electronic homepage at <<http://csrc.nist.gov/tacdifipsfkm/>>.

In June 1998, the Committee delivered an interim work product to the Secretary, requested additional time to complete its work, and suggested that work on detailed implementation guidance be initiated, noting that such guidance will be essential to the successful deployment of any key recovery system (since many aspects of key recovery system security [e.g., integration of key recovery products into an application/operational system or usage policy] were outside the scope of the Committee's work). The Committee also urged pursuit of conformance testing based upon the model employed for Federal Information Processing Standard (FIPS) 140.1, Security of Cryptographic Modules. In response to the request for additional time, the Department extended the charter of the Committee through the end of 1998 and urged the Committee to use the remaining time to complete its review of the document,