

subsidy was always expressed in terms of cents per pound of sugar. We note that in the *Sunset Policy Bulletin* we clarified that, in a sunset review of a countervailing duty order where the original investigation was conducted by Treasury, the Department normally will provide to the Commission the net countervailable subsidy from the first final results of administrative review published in the **Federal Register** by the Department, where the net countervailable subsidy was first calculated on an *ad valorem* basis. (See section III.B.1 of the *Sunset Policy Bulletin*.) As discussed above, however, the Department has never calculated an *ad valorem* subsidy rate in this proceeding.

As discussed in the *Sunset Policy Bulletin*, the Department normally will report to the ITC an original subsidy rate as adjusted to take into account terminated programs, program-wide changes, programs found to be countervailable in subsequent reviews. Since the original investigation the export restitution program has not been terminated. Further, the changes in the world market and EU prices of sugar do not constitute a program-wide change. Finally, no other countervailable programs have been found in subsequent administrative reviews of the countervailing duty order. Therefore, consistent with the *Sunset Policy Bulletin*, we preliminarily determine that the 10.80 cents/pound rate from the investigation is the net countervailable subsidy likely to prevail if the order were revoked.

Nature of the Subsidy

In the *Sunset Policy Bulletin*, the Department stated that, consistent with section 752(a)(6) of the Act, the Department will provide information to the Commission concerning the nature of the subsidy and whether it is a subsidy described in Article 3 or Article 6.1 of the Subsidies Agreement. Neither party specifically addressed this issue, although the Commission did state that the system for granting sugar export refunds is WTO-compatible.

Although the export restitution payments on sugar fall within the definition of an export subsidy under Article 3.1(a) of the Subsidies Agreement, Article 3.1 does not apply to products covered by the Agreement on Agriculture. Similarly, in accordance with Article 13(c) of the Agreement on Agriculture, export subsidies that conform fully to the provisions of Part V of the Agreement on Agriculture, are exempt from the provisions of Article 6 of the Subsidies Agreement. However, export subsidies, including the export

restitution payments, are subject to countervailing duties, as provided in Article 13(c) of the Agreement on Agriculture.

Preliminary Results of Review

As a result of this review, the Department preliminarily finds that revocation of the countervailing duty order would be likely to lead to continuation or recurrence of a countervailable subsidy. The net countervailable subsidy likely to prevail if the order were revoked is 10.80 cents per pound. Although qualifying as a countervailable export subsidy, Article 3 of the Subsidies Agreement does not apply to the export restitution payments program under the EC's CAP.

Any interested party may request a hearing within 30 days of publication of this notice in accordance with 19 CFR 351.310(c). Any hearing, if requested, will be held on June 15, 1999. Interested parties may submit case briefs no later than June 8, 1999, in accordance with 19 CFR 351.309(c)(1)(i). Rebuttal briefs, which must be limited to issues raised in the case briefs, may be filed not later than June 14, 1999, in accordance with 19 CFR 351.309(d). The Department will issue a notice of final results of this sunset review, which will include the results of its analysis of issues raised in any such comments, no later than August 27, 1999.

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

Dated: April 19, 1999.

Robert S. LaRussa,

Assistant Secretary for Import Administration.

[FR Doc. 99-10288 Filed 4-23-99; 8:45 am]

BILLING CODE 3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

Export Trade Certificate of Review

ACTION: Notice of application to amend certificate.

SUMMARY: The Office of Export Trading Company Affairs ("OETCA"), International Trade Administration, Department of Commerce, has received an application to amend an Export Trade Certificate of Review. This notice summarizes the proposed amendment and requests comments relevant to whether the amended 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 an amended 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 1104, Washington, DC 20230. Business confidential 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 90-6A007".

United States Surimi Commission's ("USSC") original Certificate was issued on August 22, 1990 (55 FR 35445, August 30, 1990) and subsequently amended on December 12, 1990 (55 FR 53031, December 26, 1990); June 11, 1991 (56 FR 27946, June 18, 1991); May 22, 1992 (57 FR 23078, June 1, 1992); August 12, 1993 (58 FR 44504, August 23, 1993); and August 3, 1995 (60 FR 41879, August 14, 1995).

Summary of the Application

Applicant: United States Surimi Commission, C/o Mundt MacGregor LLP, 999 Third Avenue, Suite 4200, Seattle, Washington 98104-4082.

Contact: Paul MacGregor, Attorney at Law, Telephone: (206) 624-5950.

Application No.: 90-6A007.

Date Deemed Submitted: April 13, 1999.

Proposed Amendment: USSC seeks to amend its Certificate to add Tyson Seafood Group (a division of Tyson Foods, Inc.) of Kirkland, WA as a new "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)).

Dated: April 20, 1999.

Morton Schnabel,

Director, Office of Export Trading Company Affairs.

[FR Doc. 99-10286 Filed 4-23-99; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[Docket No. 990309066-9066-01; I.D. 030299A]

RIN 0648-ZA62

Financial Assistance for Research and Development Projects in the Northeastern Coastal States; Marine Fisheries Initiative (MARFIN)

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

ACTION: Notice of Availability of Funds.

SUMMARY: NMFS announces that funding will be available to assist persons in carrying out research and development projects that optimize the management of fisheries in the Northeastern Coastal States, focusing on the New England region. Priority funding consideration in 1999 is given to research on stock identification and applied research to facilitate analyses of resource management strategies for finfish and shellfish being managed by fishery management plans in the Northeast Region. NMFS issues this notice describing the conditions under which applications will be accepted and selected for funding.

DATES: Applications for funding under this program will be accepted between April 26, 1999 and 5 p.m. eastern standard time on May 26, 1999. Applications received after that time will not be considered for funding. No facsimile applications will be accepted.

ADDRESSES: Send applications to: Harold C. Mears, Director, State, Federal & Constituent Programs Office, Northeast Regional Office, NMFS, One Blackburn Drive, Gloucester, MA 01930.

FOR FURTHER INFORMATION CONTACT: Kenneth L. Beal, 978-281-9267.

SUPPLEMENTARY INFORMATION:

I. Authority

The Secretary of Commerce (Secretary) is authorized under 15 U.S.C. 713c-3 to conduct any biological, technological, or other research pertaining to American fisheries and, under 16 U.S.C. 742f, to take such steps as may be required for the development, advancement, management, conservation, and protection of the fisheries resources.

II. Catalog of Federal Domestic Assistance

This program is described in the "Catalog of Federal Domestic Assistance," under program number 11.433, Marine Fisheries Initiative.

III. Program Description

MARFIN financial assistance began in FY 1986 in the NMFS Southeast Region and was expanded to New England for the first time in FY 1998. MARFIN is a competitive Federal assistance program that promotes and endorses programs which seek to optimize benefits from U.S. marine fishery resources through cooperative research and development efforts. Projects to be funded under the Northeastern MARFIN Program are envisioned as multi-sector partnerships to complement the goals and objectives of the NOAA Fisheries Strategic Plan, a copy of which is available from the Northeast Regional Office (see **ADDRESSES**). The Plan's elements include shared stewardship responsibilities relating to sustainable fisheries, recovered protected species, and healthy living marine resource habitat.

The overall MARFIN program emphasizes projects that have the greatest probability of recovering, maintaining, improving, or developing fisheries; improving the understanding of factors affecting recruitment success; and/or generating increased values and opportunities for commercial and recreational marine fishery industries. During this second year of the Northeastern MARFIN Program, priority funding consideration will be given to projects involving new methods and/or technology to improve stock identification and the associated knowledge base upon which to develop management strategies for selected species of fish and shellfish currently

under fishery management plans in the Northeast Region. Projects will be evaluated as to the likelihood of achieving these benefits through both short-term and long-term research efforts, with consideration of the magnitude of the eventual economic or social benefits that may be realized. However, short-term projects which emphasize immediate benefits will receive priority consideration.

IV. Funding Availability

This solicitation announces that funding of approximately \$500,000 will be available in FY 1999. There is no guarantee that sufficient funds will be available to make awards for all approved projects. Publication of this notice does not obligate NMFS to award any specific project or to obligate all or any parts of the available funds.

V. Matching Requirements

Cost-sharing is not required for the MARFIN program. If an applicant chooses to share costs, and if that application is selected for funding, the applicant will be bound by the percentage of the cost share reflected in the award document signed by the Grants Officer.

VI. Type of Funding Instrument

The cooperative agreement has been determined to be the preferred and most appropriate funding instrument, dependent upon the nature and scope of the submitted project(s). NMFS is substantially involved in developing program research priorities, conducting cooperative activities with recipients, and evaluating the performance of recipients for effectiveness in meeting national and regional goals for fishery research in the northeastern United States.

VII. Eligibility Criteria

A. Applications for MARFIN projects may be made in accordance with the procedures set forth in this document by:

1. Any individual who is a citizen or national of the United States.

2. Any individual who is a citizen of the Northern Mariana Islands, being an individual who qualifies as such under Section 8 of the Schedule on Transitional Matters attached to their constitution.

3. Any individual who is a citizen of the Republic of the Marshall Islands, Republic of Palau, or the Federated States of Micronesia.

4. States or local governments, universities, corporations, partnerships, or other entities, non-profit or otherwise, if such an entity is a citizen