on behalf of the beef industry also benefit cattle production under the Department's attribution approach. However, the petitioner does not provide adequate information supporting its allegation of a benefit or financial contribution either to cattle producers or the beef industry. Therefore, based upon the lack of supporting information in the petition that Transition Programs for Red Meats provides a financial contribution or benefit to the producers of the subject merchandise, we are not including this program in our investigation.

4. British Columbia Grazing Enhancement Special Account Act

The petitioner alleges that cattle producers receive countervailable benefits through the government's maintenance and enhancement of British Columbia's public range resources. This program is allegedly *de jure* specific because it benefits only farmers with grazing livestock. However, the petition does not provide any evidence or argumentation of a financial contribution being provided directly or indirectly to cattle producers. Specifically, there is no evidence of a direct transfer of funds, the foregoing or non-collection of revenue, the provision of goods and services (other than general infrastructure), or the purchase of goods. Therefore, based upon the lack of supporting information in the petition that the British Columbia Grazing Enhancement Special Account Act provides a financial contribution to the producers of live cattle, we are not including this program in our investigation.

*Uncreditworthy Allegation*

The petitioner alleges that the Canadian cattle industry is not creditworthy. The petitioner bases this allegation essentially on two arguments: (1) The industry is selling below cost; and, (2) a segment of the industry, and the industry as a whole, has been unprofitable.

Normally, the Department has required that any allegation of uncreditworthiness be made on a company-specific basis. (See, e.g., *Countervailing Duties; Notice of Proposed Rulemaking and Request for Public Comments, (1989 Proposed Regulations*), 54 FR 23366, 23380.) It is the Department's policy to find a company uncreditworthy if information at the time of the government-provided loan in question indicates that the firm could not have obtained long-term commercial financing from conventional sources during the period when government loans were allegedly available to them. With respect to the analysis of uncreditworthiness allegations in a petition, it has been the Department's long-standing practice to employ a heightened threshold for uncreditworthiness allegations. Specifically, the petitioner must supply information establishing a reasonable basis to believe or suspect that a company is uncreditworthy, rather than simply providing reasonably available supporting information. (See *1989 Proposed Regulations,* 54 FR 23366, 23370, 23380 and *Countervailing Duties; Final Rule,* 63 FR 65348, 65368, 65409.)

Although it is the Department's policy to require uncreditworthiness allegations on a company-specific basis, we have also recognized that such a requirement may be unreasonable in cases in which the number of respondents is very large. (See *Final Affirmative Countervailing Duty Determination: Fresh and Chilled Atlantic Salmon From Norway,* 56 FR 7678, 7683 (February 25, 1991).) In the instant case, we accept the petitioner's claim that the large number of Canadian cattle producers makes it difficult to compile company-specific information with respect to a significant (or representative) number of producers. Therefore, we have analyzed whether the petitioner has provided a reasonable basis to believe or suspect that the Canadian cattle industry, in general, was unable to obtain long-term commercial financing from conventional sources.

As noted above, the petitioner has provided information indicating that the Canadian cattle industry has been selling below its cost and, arguably, has been unprofitable in recent years. Although relevant, this information does not directly address the issue of whether the industry was unable to obtain commercial long-term financing.[3] While we recognize that the Canadian cattle industry may be selling below cost and may have been unprofitable, it could be argued that such phenomena are not unusual for agricultural producers within an industry often subject to cyclical downturns. Furthermore, the petitioner has not provided specific evidence indicating that the current financial condition of the Canadian cattle industry will continue into the future or any other information directly supporting the conclusion that the industry has been unable to obtain long-term commercial financing.

[3] The only information that the petitioner has provided which may be directly relevant is a source note from a Canadian statistics report which indicates that interest costs are computed on the basis of monthly prime rates plus a premium. The petitioner alleges that this confirms that cattle producers can only get short-term financing because of their high risk of loss. Given that the report in question was intended to estimate a Canadian cattle producer's cost and that the use of a short-term interest rate appears to be an assumption rather than an empirically derived fact, we consider this information to be of little probative value.

*Distribution of Copies of the Petition*

In accordance with section 702(b)(4)(A)(i) of the Act, copies of the public version of the petition have been provided to the representatives of the Government of Canada.

*ITC Notification*

Pursuant to section 702(d) of the Act, we have notified the ITC of our initiation of this investigation.

*Preliminary Determination by the ITC*

The ITC will determine by January 18, 1999, whether there is a reasonable indication that an industry in the United States is materially injured, or is threatened with material injury, by reason of imports of live cattle from Canada. A negative ITC determination will result in the investigation being terminated; otherwise, the investigation will proceed according to statutory and regulatory time limits.

This notice is published pursuant to section 777(i) of the Act.

Dated: December 22, 1998.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 98–34469 Filed 12–29–98; 8:45 am]

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

**[I.D. 121698A]**

## Magnuson-Stevens Act Provisions; Atlantic Swordfish Fishery; Atlantic Billfish Fisheries; Atlantic Shark Fisheries; Exempted Fishing Permits (EFPs)

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

**ACTION:** Applications for EFPs; request for comments.

**SUMMARY:** NMFS announces the receipt of applications for EFPs. If granted, these EFPs would authorize, until such time that the Highly Migratory Species fishery management plan (FMP) is effective, collections of a limited number of swordfish, billfish, and sharks from the large coastal, pelagic,

small coastal, and prohibited species groups from Federal waters in the Atlantic Ocean for the purposes of data collection and public display.

**DATES:** Written comments on NMFS' intent to issue such EFPs must be received on or before January 14, 1999.

**ADDRESSES:** Send comments to Rebecca Lent, Chief, Highly Migratory Species Management Division (F/SF1), NMFS, 1315 East-West Highway, Silver Spring, MD 20910. The EFP applications and copies of the regulations under which EFPS are subject may also be requested from this address.

**FOR FURTHER INFORMATION CONTACT:** Margo Schulze, 301–713–2347; fax: 301–713–1917.

**SUPPLEMENTARY INFORMATION:** EFPs are requested and issued under the authority of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 *et seq.*) and regulations at 50 CFR 600 concerning scientific research activity, exempted fishing, and exempted educational activity.

Issuance of EFPs is necessary because possession of five large coastal shark species is prohibited, possession of billfish on board commercial fishing vessels is prohibited, and because the commercial fisheries for swordfish and large coastal sharks may be closed for extended periods.

NMFS is seeking public comment on its intention to issue EFPs for the purpose of collecting biological samples under commercial observer programs. NMFS intends to issue an EFP to any NMFS or NMFS-approved observer to bring onboard and possess, for scientific research purposes (e.g., biological sampling, measurement, etc), any Atlantic swordfish, Atlantic shark, or Atlantic billfish provided the fish is a recaptured tagged fish, a dead fish prior to being brought onboard, or specifically authorized for sampling by the Southeast Fisheries Science Center or Northeast Fisheries Science Center. NMFS intends to authorize 500 Atlantic swordfish, 225 Atlantic billfish, and 575 Atlantic sharks under an EFP. In 1998, a total of one billfish was collected under an EFP.

NMFS is also seeking public comment on its intention to issue EFPs for the collection of restricted species of sharks for the purposes of public display. In 1998, a total of 13 requests for EFPs were received for a total collection of 565 sharks from the large coastal and prohibited species groups. To date, NMFS has received reports from two EFP recipients who collected a total of 8 sand tiger sharks under 1998 EFPs. NMFS has preliminarily determined that up to 500 sharks of the restricted shark species, of which a maximum of 75 sand tiger sharks, would be consistent with the current quota and the most recent environmental assessment prepared for this fishery. NMFS believes that this amount will have a minimal impact on the stock.

The proposed collections involve activities otherwise prohibited by regulations implementing the FMPs for Atlantic Swordfish, Atlantic Billfish, and Sharks of the Atlantic Ocean. The EFPs, if issued, would authorize recipients to fish for and to possess swordfish and large coastal sharks outside the Federal commercial seasons and to fish for and to possess prohibited species.

NMFS does not intend to issue EFPs for the entire 1999 calendar year, as has been customary, but intends to issue any EFPs from January 1, 1999, until 30 days after the final rule implementing the Final HMS FMP is effective. NMFS intends to send, via certified mail, notification that the final rule is effective and that EFP holders must reapply under the new procedures within 30 days.

A final decision on issuance of EFPs will depend on the submission of all required information, NMFS' review of public comments received on the applications, conclusions of any environmental analyses conducted pursuant to the National Environmental Policy Act, and on any consultations with any appropriate Regional Fishery Management Councils, states, or Federal agencies.

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: December 23, 1998.

**Gary C. Matlock,**

*Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 98–34452 Filed 12–29–98; 8:45 am]

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## DEPARTMENT OF COMMERCE

## National Oceanic and Atmospheric Administration

## Notice of Sea Grant Review Panel Meeting

**AGENCY:** National Oceanic and Atmospheric Administration.

**ACTION:** Notice of Open Meeting.

**SUMMARY:** This notice sets forth the schedule and proposed agenda of a forthcoming meeting of the Sea Grant Review Panel. The members of the Review Panel and other participants will discuss matters related to the functions and operations of the Reveiw Panel, issues related to strategic planning and program evaluation, the status of on-going Sea Grant programs and initiatives, and recommendations on the application for designation of a Sea Grant College.

**DATES:** The ammounced meeting is scheduled during two days: January 7-8, 1999.

**ADDRESSES:** National Sea Grant College Program; 1315 East-West Highway, Room 4527; Silver Spring, Maryland 20910.

**FOR FURTHER INFORMATION CONTACT:** Dr. Ronald C. Baird, Director; National Sea Grant College Program; National Oceanic and Atmospheric Administration; 1315 East-West Highway, Room 11716; Silver Spring, Maryland 20910; (301) 713-2448.

**SUPPLEMENTARY INFORMATION:** The Panel, which consists of balanced represeentation from academia, industry, state government, and citizen's groups, was established in 1976 by Section 209 of the Sea Grant Improvement Act (Public Law 94-461, 33 U.S.C. 1128) and advises the Secretary of Commerce, the Under Secretary for Oceans and Atmosphere, also the Administrator of NOAA, and the Director of the Natioanl Sea Grant College Program with respect to operations under the act, and such other matters as the Secretary refers to the Panel for review and advice. The agenda for the meeting is as follows:

*Thursday, January 7, 1999*

8:30–8:45—Opening of Meeting
8:45–9:00—Sea Grant Leadership Meeting Report
9:30–10:00—Sea Grant Association Report
10:00–10:30—Executive Committee Report
10:30–10:45—Break
10:45–12:00—Strategic Planning—''Theme Teams''
12:00–1:00—Lunch
1:00–1:45—NOAA and OAR Update
1:45–2:30—Congressional Update
2:30–3:00—Sea Grant Media Center
3:00–3:15—Break
3:15–4:30—National Sea Grant Office Update
4:30–5:00—Education Programs Update
5:00–5:15—Recognition Ceremony

*Friday, January 8, 1999*

8:30–8:45—Sea Grant Review Panel Election
8:45–10:00—Program Evaluation
10:00–10:15—Break
10:15–11:15—National Strategic Investments
11:15–Noon—Science Presentation
Noon–1:00—Lunch