Review Board meeting. For more information, contact the NWTRB, Karyn Severson, External Affairs, 2300 Clarendon Boulevard, Suite 1300, Arlington, Virginia 22201–3367; (tel) 703–235–4473, (fax) 703–235–4495; (e-mail) info@nwtrb.gov.

The Nuclear Waste Technical Review Board was created by Congress in the Nuclear Waste Policy Amendments Act of 1987. The Board's purpose is to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy related to managing the disposal of the nation's spent nuclear fuel and high-level radioactive waste. In the same legislation, Congress directed the DOE to characterize a site at Yucca Mountain, Nevada, to determine its suitability as the location of a potential repository for the permanent disposal of spent nuclear fuel and high-level radioactive waste.

Dated: May 31, 2000.

William D. Barnard,

Executive Director, Nuclear Waste Technical Review Board.

[FR Doc. 00–14103 Filed 6–5–00; 8:45 am]

BILLING CODE 6820–AM–M

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D–194]

WTO Consultations Regarding Measures Treating Export Restraints as Subsidies

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (USTR) is providing notice that on May 19, 2000, Canada requested consultations with the United States under the Marrakesh Agreement Establishing the World Trade Organization (WTO Agreement), regarding U.S. measures that treat a restraint on exports of a product as a subsidy to other products made using or incorporating the restricted product if the domestic price of the restricted product is affected by the restraint. The measures identified by Canada in its consultation request are those provisions of the Statement of Administrative Action (SAA) accompanying the Uruguay Round Agreements Act (URAA) (H.R. 5110, H.R. Doc. 316, Vol. I, 103d Cong., 2d Sess., 656, in particular at 925–926 (1994)) and the Explanation of the Final Rules (the Explanation), U.S. Department of Commerce, Countervailing Duties, Final Rule (63 **Federal Register** 65,348, 65,349–51 (November 25, 1998)) interpreting section 771(5) of the Tariff Act of 1930 (19 U.S.C. 1677(5)), as amended by the URAA. Canada alleges that the SAA and the Explanation are inconsistent with Article 1.1, 10 (as well as Articles 11, 17 and 19, as they relate to the requirements of Article 10), and 32.1 of the WTO Agreement on Subsidies and Countervailing Measures (SCM Agreement). Canada also alleges that by maintaining these measures, the United States violates Article 32.5 of the SCM Agreement and Article XVI:4 of the WTO Agreement. Pursuant to Article 4.3 of the WTO Dispute Settlement Understanding (''DSU''), consultations are to take place within a period of 30 days from the date of receipt of the request, or within a period otherwise mutually agreed between the United States and Canada. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although the USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before June 12 to be assured of timely consideration by USTR.

ADDRESSES: Comments may be submitted to Sandy McKinzy, Litigation Assistant, the Monitoring and Enforcement Unit, Office of the General Counsel, Room 122, Attn: Export Restraint Dispute, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508, (202) 395–3582.

FOR FURTHER INFORMATION CONTACT: William D. Hunter, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C., (202) 395–3582.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, but in an effort to provide additional opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO Dispute Settlement Understanding . If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within six to nine months after it is established.

Major Issues Raised by Canada

In its consultation request, Canada alleges that the SAA and the Explanation are measures that treat an export restraint as a subsidy. Because Canada appears to allege that an export restraint cannot be considered to be a subsidy within the meaning of Article 1.1 of the SCM Agreement, Canada claims that the SAA and the Explanation are inconsistent with Articles 1.1, 10, 11, 17, 19 and 32.1 of the SCM Agreement. Canada also appears to allege that due to the existence of the SAA and the Explanation, the United States has failed to ensure that its laws, regulations and administrative procedures are in conformity with its WTO obligations as required by Article 32.5 of the SCM Agreement and Article XVI:4 of the WTO Agreement.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked ''BUSINESS CONFIDENTIAL'' in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as ''SUBMITTED IN CONFIDENCE'' in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street,

N.W., Washington, D.C. 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D–194, Export Restraint Dispute) may be made by calling Brenda Webb, (202) 395–6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 00–14209 Filed 6–5–00; 8:45 am]

BILLING CODE 3190–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS–184]

WTO Dispute Settlement Proceeding Regarding United States—Antidumping Measures on Certain Hot-Rolled Steel Products From Japan

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative (''USTR'') is providing notice of the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization (''WTO''), requested by the Government of Japan. The Government of Japan has asked the panel to review the determinations of the U.S. Department of Commerce (''DOC'') and the U.S. International Trade Commission (''ITC'') that led to the issuance of an antidumping duty order covering imports of certain hot-rolled steel products from Japan (64 FR 34778, June 29, 1999). Specifically, DOC published a preliminary determination of critical circumstances on November 30, 1998 (63 FR 65750), and preliminary and final determinations of sales at less than fair value on February 19, 1999 (64 FR 8291) and May 6, 1999 (64 FR 24329), respectively. The ITC published preliminary and final determinations of injury on November 25, 1998 (63 FR 65221) and June 23, 1999 (64 FR 33514), respectively.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted by July 3, 2000, to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: Hot-Rolled Steel Products from Japan, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: L. Daniel Mullaney, Assistant General Counsel, at (202) 395–3581.

SUPPLEMENTARY INFORMATION: Pursuant to section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), USTR is providing notice that the Government of Japan submitted a request for the establishment of a WTO dispute settlement panel to examine the imposition of antidumping duties on certain hot-rolled steel products from Japan. At its meeting on March 20, 2000, the WTO Dispute Settlement Body (''DSB'') established the panel, and the panel was composed on May 19, 2000. Pursuant to Article 8.7 of the WTO Dispute Settlement Understanding, the WTO Director-General appointed the following persons to serve as panelists in this dispute: Mr. Harsha V. Singh, Chairman; Mr. Yanyong Phuangrach, Member; and Ms. Lidia di Vico, Member. Under normal circumstances, the panel, which will hold its meetings in Geneva, Switzerland, is expected to issue a report detailing its findings and recommendations within six to nine months after it is established.

Major Issues Raised and Legal Basis of the Complaint

In its request for the establishment of a panel, the Government of Japan challenges the issuance of an antidumping duty order concerning certain hot-rolled carbon steel products from Japan (64 FR 34778 (June 29, 1999)), and the underlying determinations of DOC and the ITC. The Government of Japan alleges that these determinations, as well as the applicable law, regulations, policies and procedures, were not in accordance with several provisions of the Marrakesh Agreement, the General Agreement on Tariffs and Trade 1994 (''GATT 1994'') and the Agreement on Implementation of Article VI of GATT 1994 (''Antidumping Agreement'').

Specific allegations with respect to DOC's dumping margin calculations and critical circumstances findings include:

1. DOC's exclusion of certain home market sales to affiliated companies from the calculation of normal value, based on their price levels, was inconsistent with Articles 2.2.1 and 2.4 of the Antidumping Agreement;

2. DOC's application of facts available to Kawasaki Steel Corporation was inconsistent with the standards of Articles 2.3 and 6.8 and Annex II of the Antidumping Agreement; and the application of facts available to Nippon Steel Corporation and NKK Corporation was inconsistent with the standards of Article 2.4 and 6, in particular 6.1, 6.2, 6.6, 6.7, 6.8, 6.13, and Annexes I and II of the Antidumping Agreement;

3. DOC's calculation of the ''all others'' rate of dumping applicable to companies not investigated, which was based on the average of the rates of the investigated companies, was inconsistent with Article 9.4 of the Antidumping Agreement; and the law on which this calculation was based—section 735(c)(5)(A) of the Tariff Act of 1930, as amended—is itself inconsistent with this article;

4. DOC's calculation of dumping margins, due to the above alleged inconsistencies, is excessive and thus inconsistent with Article 9.3 of the Antidumping Agreement;

5. DOC's findings of critical circumstances, potentially subjecting to antidumping duties imports made up to 90 days prior to the preliminary determination of dumping, were inconsistent with Articles 10.1, 10.2, 10.4, 10.6, and 10.7 of the Antidumping Agreement; and the law under which DOC made these findings—sections 733(e) and 735(a)(3) of the Tariff Act of 1930, as amended, is itself inconsistent with these articles.

Specific allegations with respect to the injury determination by ITC include:

6. ITC's examination of the causal relationship between dumped imports and injury to the domestic industry, which the Government of Japan claims was not objective and not based on an examination of all of the evidence, was inconsistent with Articles 3.1, 3.4, and 3.5 of the Antidumping Agreement;

7. ITC's application of the ''captive production'' provision of U.S. law, which, under certain circumstances, causes the ITC to focus primarily on the merchant market for the subject merchandise, was inconsistent with Articles 3.1, 3.2, 3.4, 3.5, 3.6, and 4.1 of the Antidumping Agreement, because the ITC, due to its application of this provision, did not properly evaluate all relevant economic factors and indices bearing on the state of the U.S. industry, assess injury and causation in relation to the domestic production of the like