

Coordination, Office of the United States Trade Representative, (202) 395-3475.

**SUPPLEMENTARY INFORMATION:** Last year's report may be found on USTR's Internet Home Page ([www.ustr.gov](http://www.ustr.gov)) under the section on Reports. This year we are adding one other country, Romania, to the report, but are not making any change in the list of barrier categories. Finally, in order to ensure compliance with the statutory mandate for reporting foreign trade barriers that are significant, we will focus particularly on those restrictions where there has been active private sector interest.

The information submitted should relate to one or more of the following ten categories of foreign trade barriers:

(1) Import policies (e.g., tariffs and other import charges, quantitative restrictions, import licensing, and customs barriers);

(2) Standards, testing, labeling, and certification (including unnecessarily restrictive application of phytosanitary standards, refusal to accept U.S. manufacturers' self-certification of conformance to foreign product standards, and environmental restrictions);

(3) Government procurement (e.g., "buy national" policies and closed bidding);

(4) Export subsidies (e.g., export financing on preferential terms and agricultural export subsidies that displace U.S. exports in third country markets);

(5) Lack of intellectual property protection (e.g., inadequate patent, copyright, and trademark regimes);

(6) Services barriers (e.g., limits on the range of financial services offered by foreign financial institutions, regulation of international data flows, restrictions on the use of data processing, quotas on imports of foreign films, and barriers to the provision of services by professionals (e.g., lawyers, doctors, accountants, engineers, nurses, etc.));

(7) Investment barriers (e.g., limitations on foreign equity participation and on access to foreign government-funded R&D consortia, local content, technology transfer and export performance requirements, and restrictions on repatriation of earnings, capital, fees and royalties);

(8) Anticompetitive practices with trade effects tolerated by foreign governments (including anticompetitive activities of both state-owned and private firms that apply to services or to goods and that restrict the sale of U.S. products to any firm, not just to foreign firms that perpetuate the practices);

(9) Trade restrictions affecting electronic commerce (e.g., tariff and

non-tariff measures, burdensome and discriminatory regulations and standards, and discriminatory taxation; and

(10) Other barriers (i.e., barriers that encompass more than one category, e.g., bribery and corruption, or that affect a single sector).

As in the case of last year's NTE, we are asking that particular emphasis be placed on any practices that may violate U.S. trade agreements. We are also interested in receiving any new or updated information pertinent to the barriers covered in last year's report as well as new information. Please note that the information not used in the NTE will be maintained for use in future negotiations.

It is most important that your submission contain estimates of the potential increase in exports that would result from the removal of the barrier, as well as a clear discussion of the method(s) by which the estimates were computed. Estimates should fall within the following value ranges: Less than \$5 million; \$5 to \$25 million; \$25 million to \$50 million; \$50 million to \$100 million; \$100 million to \$500 million; or over \$500 million. Such assessments enhance USTR's ability to conduct meaningful comparative analyses of a barrier's effect over a range of industries.

Please note that interested parties discussing barriers in more than one country should provide a separate submission (i.e., one that is self-contained) for each country.

**Written Comments:** All written comments should be addressed to: Gloria Blue, Executive Secretary, Trade Policy Staff Committee, Office of the United States Trade Representative, 600 17th Street NW, Room 122, Washington, DC 20508.

All submissions must be in English and should conform to the information requirements of 15 CFR 2003. A party must provide ten copies of its submission which must be received at USTR no later than December 3, 1999.

If the submission contains business confidential information, ten copies of a confidential version must also be submitted. A justification as to why the information contained in the submission should be treated confidentially must be included in the submission. In addition, any submissions containing business confidential information must be clearly marked "Confidential" at the top and bottom of the cover page (or letter) and of each succeeding page of the submission. The version that does not contain confidential information should also be clearly marked, at the top and

bottom of each page, "public version" or "nonconfidential."

Written comments submitted in connection with this request, except for information granted "business confidential" status pursuant to 15 CFR 2003.6, will be available for public inspection shortly after the filing deadline. Inspection is by appointment only with the staff of the USTR Public Reading Room and can be arranged by calling Brenda Webb (202) 395-6186. The Reading Room is open to the public from 9:30 a.m. to 12 noon, and from 1 p.m. to 4 p.m., Monday through Friday.

**Frederick L. Montgomery,**

*Chairman, Trade Policy Staff Committee.*

[FR Doc. 99-28649 Filed 11-1-99; 8:45 am]

BILLING CODE 3190-01-M

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-178]

### WTO Dispute Settlement Proceeding Regarding United States—Safeguard Measure on Imports of Lamb Meat From Australia

**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 Australia's request for the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization ("WTO"). Australia challenges the United States' action in imposing temporary quantitative limitations on imports of lamb meat in an effort to prevent serious injury to the domestic industry and to facilitate its adjustment to import competition. In this dispute Australia alleges that the United States' safeguard measure is inconsistent with certain obligations under the WTO Agreement on Safeguards, and the General Agreement on Tariffs and Trade 1994 ("GATT 1994"). USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted by January 10, 1999, 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: Lamb Meat, Office of the United States Trade

Representative, 600 17th Street, NW, Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:**

Marjorie Florestal, Assistant General Counsel at (202) 395-3581 or Teresa Howes, Director for Asian Agricultural Affairs at (202) 395-9559.

**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 on October 14, 1999, Australia submitted a request for the establishment of a WTO dispute settlement panel to examine the U.S. safeguard measure on imports of lamb meat. The WTO Dispute Settlement Body ("DSB") is expected to establish a panel for this purpose in November, 1999.

**Major Issues Raised and Legal Basis of the Complaint**

Australia challenges the safeguard measure on imports of lamb meat established in Proclamation 7208 of July 7, 1999 (64 FR 37387) (July 9, 1999), and described in the President's Memorandum of July 7, 1999, entitled "Action Under Section 203 of the Trade Act of 1974 Concerning Lamb Meat" (64 FR 37393) (July 12, 1999). In its request for a panel to examine the measure, Australia alleges that the U.S. safeguard action on lamb meat is inconsistent with Articles 2, 3, 4, 5, 6, 11, and 12 of the Agreement on Safeguards, and Articles I, II, and XIX of the GATT 1994.

At Australia's request, on August 26, 1999, the United States and Australia participated in dispute settlement consultations held in Geneva; these consultations did not lead to a satisfactory resolution of the matter.

**Public Comment: Requirements for Submissions**

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Comments must be in English and provided in fifteen copies to Sandy McKinzy at the address provided above. 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 submitting person. 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 submitting person believes that information or advice may qualify as such, the submitting person—

(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, NW, Washington, DC 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 parties 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/DS-178, "Lamb Meat—Australia") 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 U.S. Trade Representative for Monitoring and Enforcement.*

[FR Doc. 99-28647 Filed 11-1-99; 8:45 am]

BILLING CODE 3190-01-P

**OFFICE OF THE UNITED STATES  
TRADE REPRESENTATIVE**

[Docket No. WTO/DS-177]

**WTO Dispute Settlement Proceeding  
Regarding United States—Safeguard  
Measure on Imports of Fresh, Chilled  
or Frozen Lamb Meat From New  
Zealand**

**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 New Zealand's request for the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization ("WTO").

New Zealand challenges the United States' action in imposing temporary quantitative limitations on imports of lamb meat in an effort to prevent serious injury to the domestic industry and to facilitate its adjustment to import competition. In this dispute New Zealand alleges that the United States' safeguard measure is inconsistent with certain obligations under the WTO Agreement on Safeguards, and the General Agreement on Tariffs and Trade 1994 ("GATT 1994"). USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted by January 10, 1999, 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: Lamb Meat, Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508.

**FOR FURTHER INFORMATION CONTACT:**

Marjorie Florestal, Assistant General Counsel at (202) 395-3581 or Teresa Howes, Director for Asian Agricultural Affairs at (202) 395-9559.

**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 on October 14, 1999, New Zealand submitted a request for the establishment of a WTO dispute settlement panel to examine the U.S. safeguard measure on imports of lamb meat. The WTO Dispute Settlement Body ("DSB") is expected to establish a panel for this purpose in November, 1999.

**Major Issues Raised and Legal Basis of the Complaint**

New Zealand challenges the safeguard measure on imports of lamb meat established in Proclamation 7208 of July 7, 1999 (64 FR 37387) (July 9, 1999), and described in the President's Memorandum of July 7, 1999, entitled "Action Under Section 203 of the Trade Act of 1974 Concerning Lamb Meat" (64 FR 37393) (July 12, 1999). In its request for a panel to examine the measure, New Zealand alleges that the U.S. safeguard action on lamb meat is inconsistent with Articles 2, 3, 4, 5, 11, and 12 of the Agreement on Safeguards, and Articles I, II, and XIX of the GATT 1994.