

DSU provides the rules for settlement of disputes concerning rights and obligations under the Uruguay Round agreements administered by the WTO. Interested persons are invited to submit their comments by June 25, 1998.

FOR FURTHER INFORMATION CONTACT: Amelia Porges, Senior Counsel for Dispute Settlement, Office of the USTR, (202) 395-7305, or William Kane, Associate General Counsel, Office of the USTR, (202) 395-6800.

SUPPLEMENTARY INFORMATION: The DSU provides a mechanism for the settlement of disputes between the governments which are members of the WTO, concerning rights and obligations under the Uruguay Round agreements. A panel of neutral experts conducts each dispute settlement proceeding and issues a report, which is considered by the Dispute Settlement Body (DSB) in which representatives of all WTO members participate. The DSB must adopt all panel reports within 60 days after they are circulated, unless one of the parties to the dispute notifies the DSB that it will appeal the decision (or the DSB decides by consensus to reject the report). Appeals are heard by the WTO Appellate Body (AB), which also issues a report. The DSB must adopt an appellate body report within 30 days after circulation (unless there is a consensus not to do so).

When it finds a measure is inconsistent with one of the covered agreements, a panel or the AB must recommend that the government concerned bring that measure into conformity with the agreement. At a DSB meeting held within 30 days after the panel or AB report is adopted, that government must state its compliance plans. The "reasonable period" for compliance can be determined by obtaining DSB approval of a time period proposed by that government, or by agreement between the disputing parties, or by binding arbitration. If a government does not comply with the recommendation to bring a measure into conformity with its WTO obligations, it must negotiate with the complaining government(s) on compensation, and the negotiations must start by the end of the "reasonable period". If there is no agreement on compensation by 20 days after the end of the "reasonable period", a complaining government may ask the DSB to authorize it to suspend trade benefits with respect to the non-complying party. By 30 days after the end of the "reasonable period", the DSB must grant such a request to suspend benefits (unless there is consensus otherwise). Such a suspension must be equivalent to the benefits the defending

country is impairing by its WTO-inconsistent actions.

A Decision of trade ministers agreed on April 15, 1994, at the conclusion of the Uruguay Round of multilateral trade negotiations, invites the WTO Ministerial Conference to complete a "full review" of WTO dispute settlement rules and procedures within four years after the entry into force of the WTO Agreement and "to take a decision on the occasion of its first meeting after the completion of the review, whether to continue, modify or terminate" those rules and procedures. Under the WTO Agreement, this work may be carried out by the WTO's General Council. Discussions have begun on the organization of the review. A principal objective of the United States in the WTO, including in this review, is to enhance the openness and transparency of WTO meetings, decisions and dispute settlement proceedings.

Detailed information on the WTO and dispute settlement is available on the Internet at <http://www.ustr.gov/reports/tpa/1998/iv.pdf>; the text of the DSU is available on the Internet at <http://www.wto.org/wto/dispute/dsu.htm>.

Interested persons are invited to submit their comments on whether the WTO should continue, modify or terminate the DSU; on specific modifications which should be made to WTO dispute settlement rules and procedures; and on specific policies which the United States should pursue in this review. Comments should be filed no later than June 25, 1998. Comments must be in English and provided in 20 copies to Gloria Blue, Executive Secretary, Trade Policy Staff Committee, Office of the United States Trade Representative, Room 501, 600 17th Street, Washington, DC 20508. Commenters are requested to submit only non-confidential information and not to submit business confidential information. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading Room, Room 101, Monday through Friday, 10:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. For an appointment call Brenda Webb on 202-395-6186.

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Initiation of Section 302 Investigation and Request for Public Comment: Mexican Practices Affecting High Fructose Corn Syrup (HFCS)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of initiation of investigation and request for comments.

SUMMARY: The United States Trade Representative (USTR) has initiated a Section 301 investigation with respect to certain acts, policies and practices of the Government of Mexico that affect access to the Mexican market for High Fructose Corn Syrup (HFCS). The USTR invites written comments from the public on the matters being investigated and the determinations to be made at the end of that investigation.

DATES: This investigation was initiated on May 15, 1998. Written comments from the public are due on or before noon on Friday, June 19, 1998.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street NW., Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT: John Melle, Senior Director, North American Affairs, (202) 395-3412 or Audrey Winter, Associate General Counsel, (202) 395-7305.

SUPPLEMENTARY INFORMATION: On April 2, 1998, the Corn Refiners Association, Inc., filed a petition pursuant to section 302(a) of the Trade Act of 1974, as amended, (the Trade Act) (19 U.S.C. 2411) alleging that certain acts, policies and practices of the Government of Mexico affecting HFCS are unreasonable, deny fair and equitable market opportunities for U.S. exporters of HFCS and are actionable under section 301. In particular, the petition alleges the following: In September 1997, with the support and encouragement of the Government of Mexico, representatives of the Mexican sugar industry and the Mexican soft drink bottling industry entered into an agreement to limit the soft drink industry's consumption of HFCS. The purpose and effect of this agreement are to restrict both the volume of HFCS imports from the United States and the manufacture of HFCS by the U.S. companies that have made investments in Mexican production facilities. In exchange for the soft drink industry's limitation of HFCS consumption, the Mexican sugar industry agreed to supply sugar to the soft drink bottlers at discounted, below-market prices. The Government of Mexico is actively

supporting this restraint agreement. The agreement has reduced U.S. exports of HFCS to Mexico and therefore burdened and restricted U.S. commerce.

Section 302(a) of the Trade Act authorizes the USTR to initiate an investigation under chapter 1 of Title III of the Trade Act (commonly referred to as "section 301") in response to the filing of a petition pursuant to section 302(a)(1). Matters actionable under section 301 include, *inter alia*, acts, policies, and practices of a foreign country that are unjustifiable, unreasonable, or discriminatory and burden or restrict U.S. commerce. An act, policy or practice is unjustifiable if it is in violation of, or inconsistent with the international legal rights of the United States. An act, policy or practice is unreasonable if the act, policy or practice, while not necessarily in violation of, or inconsistent with, the international legal rights of the United States, is otherwise unfair or inequitable. Unreasonable acts, policies or practices include, *inter alia*, denial of fair and equitable market opportunities.

Initiation of Investigation and Consultations

On May 15, 1998, the USTR determined that an investigation should be initiated to determine whether certain acts, policies or practices of the Government of Mexico affecting access to the Mexican market for HFCS are unreasonable and burden or restrict U.S. commerce and are, therefore, actionable under section 301.

Pursuant to section 303(a) of the Trade Act, the USTR has requested consultations with the Government of Mexico concerning the issues under investigation. USTR will seek information and advice from the appropriate representatives provided for under section 135 of the Trade Act in preparing the U.S. presentations for such consultations.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the petition and any other submissions to USTR in this investigation. In particular, comments are invited regarding (i) the acts, policies and practices of the Government of Mexico that are the subject of this investigation; (ii) the amount of burden or restriction on U.S. commerce caused by these act, policies and practices; (iii) the determinations required under section 304 of the Trade Act; and (iv) appropriate action under section 301 which could be taken in response.

Comments must be filed in accordance with the requirements set forth in 15 CFR 2006.8(b) (55 FR 20593) and must be filed on or before noon on Friday, June 19, 1998. Comments must be in English and provided in twenty copies to: Sybia Harrison, Staff Assistant to the Section 301 Committee, Room 223, Office of the U.S. Trade Representative, 600 17th Street, NW., Washington, DC 20508.

Comments will be placed in a file (Docket 301-118) open to public inspection pursuant to 15 CFR 2006.13, except confidential business information exempt from public inspection in accordance with 15 CFR 2006.15. Confidential business information submitted in accordance with 15 CFR 2006.15 must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page on each of 20 copies, and must be accompanied by a nonconfidential summary of the confidential information. The nonconfidential summary shall be placed in the file that is open to public inspection. Copies of the public version of the petition and other relevant documents are available for public inspection in the USTR Reading Room. An appointment to review the docket (Docket No. 301-118) 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 1:00 p.m. to 4:00 p.m., Monday through Friday, and is located in Room 101.

Irving A. Williamson,
Chairman, Section 301 Committee.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

[Docket No. OST-96-1436]

Filing Procedures for the DOT Docket; Electronic Submission

AGENCY: Office of the Secretary (OST), DOT.

ACTION: Notice requesting comment.

SUMMARY: The Department of Transportation (DOT) is requesting the public to comment on its plan to revise its document filing requirements to provide for electronic submission of information to its central dockets management system (DMS). Electronic submission would provide more convenience than the current requirement to submit paper, by allowing DOT customers to file

documents from their desktop computers. It also would streamline docket processing to accommodate the anticipated increases in volume.

DATES: Comments must be submitted by July 27, 1998.

ADDRESSES: Comments should be addressed to the Central Docket Management Facility, (CDMF) SVC-124.1, PL-401, Docket No. OST-96-1436, Department of Transportation, 400 7th Street, SW., Washington, DC 20590. Any person wishing acknowledgment that his/her comments have been received should include a self-addressed stamped postcard. Comments received will be available for public inspection and copying in the CDMF, Room PL-401, from 10 a.m. to 5 p.m. ET Monday through Friday, except Federal Holidays.

FOR FURTHER INFORMATION CONTACT: Ms. Dorothy W. Walker, Chief Dockets, SVC-124, (202) 366-9329.

SUPPLEMENTARY INFORMATION: DOT consolidated its nine separate docket facilities into a central DMS and is continuing the conversion from a paper-based system to an optical imaging system for more efficient receipt, storage, management, and retrieval of docketed information. In order to complete this phased transition to an electronic docket system, DOT plans to develop an Electronic Submission (ES) enhancement for its DMS that would allow customers to submit documents electronically from their desktops into the Docket. Currently all filings must be submitted as a paper hard copy to the DMS. The paper documents are then processed into the DMS by entering a document database record, scanning the paper, and performing quality assurance (QA) on the document images and data to resolve any errors.

DOT also plans to revise its document filing requirements to provide for ES. ES is not intended to replace the current paper-based submission process since not all filers will have access to computers. DMS will retain the paper-based filing process and continue to accept paper. DOT also is considering a direct dial-in capability for those without Internet access and to provide a backup capability in the event Internet access is temporarily unavailable. All documents that are electronically submitted would be stored in a separate database for ES waiting to be processed by DMS staff. DMS staff would need to perform QA review of ES filings prior to saving the documents into the production DMS.

For the sake of simplicity, the Office of the Secretary is issuing this notice on behalf of all of DOT's constituent