

rate will continue to be the most recent rate published in the final determination or final results for which the manufacturer or exporter received a company-specific rate; (4) for Russian manufacturers or exporters not covered in the LTFV investigation or in this or prior administrative reviews, the cash deposit rate will continue to be the Russia-wide rate; and (5) the cash deposit rate for non-Russian exporters of subject merchandise from Russia that were not covered in the LTFV investigation or in this or prior administrative reviews will be the rate applicable to the Russian supplier of that exporter. These deposit rates, when imposed, shall remain in effect until publication of the final results of the next administrative review.

This notice also serves as a final reminder to importers of their responsibility under 19 CFR 353.26(b) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this review period. Failure to comply with this requirement could result in the Secretary's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

This notice also serves as the only reminder to parties subject to administrative protective order (APO) in this review of their responsibility concerning the disposition of proprietary information disclosed under APO in accordance with 19 CFR 353.34(d). Timely written notification of the return/destruction of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and the terms of an APO is a sanctionable violation.

This administrative review and notice are in accordance with section 751(a)(1) of the Act (19 U.S.C. 1675(a)(1)).

Dated: November 8, 1996.

Robert S. LaRussa,

Acting Assistant Secretary for Import Administration.

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**North American Free Trade Agreement
Article 1904 Binational Panel Reviews:
Applications of Individuals To Serve
on Binational Dispute Settlement
Panels for Review of Antidumping and
Countervailing Duty Matters**

AGENCY: Department of Commerce,
International Trade Administration,
NAFTA Secretariat, U.S. Section.

ACTION: Invitation for applications from U.S. candidates for nomination to the roster of persons eligible to serve on binational panels convened to review antidumping and countervailing duty matters under Chapter 19 of the North American Free Trade Agreement.

SUMMARY: Chapter 19 of the North American Free Trade Agreement (NAFTA) provides for the establishment of a roster of individuals, unaffiliated with the U.S., Canadian or Mexican Governments, who are willing to serve on binational panels convened to review: (1) Final determinations in U.S., Canadian or Mexican antidumping or countervailing duty (AD/CVD) proceedings involving imports from other countries party to NAFTA; and (2) amendments to a NAFTA Party's antidumping or countervailing duty statutes. This notice invites applications from U.S. citizens wishing to be considered for inclusion on the roster of candidates eligible to be selected to serve on such panels and summarizes eligibility criteria for roster members and panelists.

DATES: Eligible citizens are encouraged to apply by November 22, 1996 to be considered for nomination to the roster in January 1997.

FOR FURTHER INFORMATION CONTACT: For further information concerning the form of the application, contact Sybia Harrison, Legal Assistant, Office of the General Counsel, Office of the U.S. Trade Representative (USTR) at (202) 395-3432. For information concerning Chapter 19 or the duties involved, contact Amelia Porges, Senior Counsel for Dispute Settlement, USTR, (202) 395-7305, or James R. Holbein, U.S. Secretary, NAFTA Secretariat (202) 482-5438.

SUPPLEMENTARY INFORMATION:

(1) Review of AD/CVD Determinations

Chapter 19 of NAFTA does not affect the right of NAFTA Parties (Canada, Mexico and the United States) to impose antidumping or countervailing duties in accordance with their national laws, including against products of other NAFTA Parties. Final administrative determinations under those laws are subject to review by binational panels, rather than by national courts, if requested by an appropriate U.S., Canadian or Mexican party to the proceeding, to the extent that such determinations involve products of a NAFTA Party. Binational panels decide whether such determinations are in accordance with the relevant national law, using the standard of review that would have been applied by a national

court in such circumstances. A panel may uphold the determination or remand it to the national administering authority for action not inconsistent with the panel's decision. Panel decisions may be reviewed in specific circumstances by a binational "Extraordinary Challenge Committee" composed of current and former judges. The United States, Canada and Mexico are obligated under Chapter 19 to give effect to final panel decisions.

(2) Review of Amendments to AD/CVD Statutes

Chapter 19 also provides that at the request of the United States, Canada or Mexico, a binational panel will review and issue a declaratory opinion concerning whether an amendment to another NAFTA Party's AD/CVD statutes made after entry into force of the NAFTA is inconsistent with the provisions of the General Agreement on Tariffs and Trade (GATT), the GATT Antidumping or Subsidies Codes, any successor agreements to which all three Parties are a party, or the object and purposes of the NAFTA.

Composition of Panels

Chapter 19 provides for the development of a roster of at least 75 potential panelists, with each government selecting at least 25 individuals. A separate five-person panel will be formed for each review of an AD/CVD administrative determination or statutory amendment. To form a panel, the two governments involved will each appoint two panelists, normally by drawing upon individuals from the roster. If the governments cannot agree upon the fifth panelist, they will decide by lot which of them shall select the fifth panelist from the roster. The majority of individuals on each panel must be lawyers in good standing, and the chair of the panel must be a lawyer.

Criteria for Eligibility

Chapter 19 sets out a number of criteria for determining the eligibility of individuals to be included on the roster. Roster members must be U.S., Canadian or Mexican citizens, and must be of good character and of high standing and repute. They are to be chosen strictly on the basis of their objectivity, reliability, sound judgment and general familiarity with international trade law. Panelists may not be affiliated with any of the three governments.

Judges and retired judges are particularly encouraged to apply.

Selection Criteria and Procedures

Section 402 of the NAFTA Implementation Act and the accompanying Statement of Administrative Action establish U.S. implementing procedures and requirements for the selection of U.S. members of the roster. Section 402 provides that U.S. roster members are to be selected in accordance with the eligibility criteria set out in Chapter 19 of the NAFTA and without regard to political affiliation. Individuals who would have a conflict of interest in the exercise of the duties of a panelist will not be selected as roster members.

Under section 402, an interagency group, chaired by the United States Trade Representative (the USTR) must prepare a list of candidates qualified to be chosen by the United States as roster members. After consulting with the Senate Committee on Finance and the House Committee on Ways and Means in accordance with the requirements and schedule set out in section 402, the USTR will select the final list of U.S. candidates to serve on the roster.

Remuneration

Panelists will be remunerated at the rate of 400 Canadian dollars per day (approximately US\$300 at current exchange rates) for each day of actual service, if they are chosen to serve on a panel.

Procedures for Applications

Applications must be typewritten and submitted along with 12 copies by November 22, 1996 to: Section 402 Committee, Room 223, Office of the General Counsel, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20506. Applications should be headed "Application for Inclusion on NAFTA Chapter 19 Roster on Panelists" and must include the following information:

1. Name of the applicant.
2. Business address, telephone number and, if available, fax number.
3. Citizenship(s).
4. Current employment, including title, description of responsibility, and name and address of employer.
5. Relevant education and professional training.
6. Spanish language fluency, written and spoken.
7. Post-education employment history, including the dates and address of each prior position and a summary of responsibilities.
8. Relevant professional affiliations and certifications, including current bar admissions, if any.
9. A list and copies of publications, testimony and speeches, concerning

subsidies or antidumping or countervailing duty law. Judges or former judges should list relevant judicial decisions.

10. Summary of any current and past employment by, or consulting or other work for, the U.S., Canadian or Mexican Governments.

11. The names and nationalities of all foreign principals for whom the applicant is currently or has previously been registered pursuant to the Foreign Agents Registration Act, 22 U.S.C. 611 et seq., and the dates of all registration periods.

12. List of proceedings brought under U.S., Canadian or Mexican antidumping or countervailing duty laws regarding imports of U.S., Canadian or Mexican products in which applicant advised or represented (for example, as consultant or attorney) any U.S., Canadian or Mexican party to such proceeding and, for each such proceeding listed, the name and country of incorporation of such party.

13. A short statement of qualifications and availability for service on Chapter 19 panels, including information relevant to the applicant's: (a) familiarity with international trade law; and (b) willingness and ability to make time commitments necessary for service or panels.

14. Names, addresses, telephone and, if available, fax number of three individuals willing to provide information to USTR concerning the applicant's qualifications for service, including the applicant's familiarity with international trade laws, character, reputation, reliability, and judgment.

Note: Information provided by applicants in response to the above questions will be used by the interagency group for the purpose of initial screening of candidates. Further information regarding financial interest and affiliations may be requested from prospective candidates at a later stage of the selection process for purposes of assessing conflicts of interest, and the appearance of such conflicts, in respect to service on panels. Individuals selected as roster members may be required to make additional, specific disclosures in regard to conflicts and appearance of conflicts in connection with their appointment to particular panels. Copies of publications and speeches submitted under item 8 above will be returned to the applicant upon request. Information submitted will be subject to public disclosure. Any information that should not be disclosed to the public should be clearly indicated as such on each page of the submission.

Current Members

Current members of the Chapter 19 roster who are interested in continuing to serve on Chapter 19 panels should provide any updated information in

response to this notice. Current members who are no longer interested in serving on panels should notify USTR so that they can be removed from the list. Individuals who have previously applied but have not been selected for a final candidate list may reapply.

False Statements

Pursuant to section 402(c)(5) of the Act, false statements by an applicant to USTR regarding their personal or professional qualification, or financial or other relevant interest, which bear on the applicant's suitability for placement on rosters and appointment to panels are subject to criminal sanctions under 18 U.S.C. 1001.

Dated: October 23, 1996.

James R. Holbein,

United States Secretary, NAFTA Secretariat.

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National Institute of Standards and Technology

Public Meeting on a National Council for Laboratory Accreditation (NACLA)

AGENCY: National Institute of Standards and Technology (NIST), Commerce.

ACTION: Notice.

SUMMARY: This notice announces a public meeting to discuss a proposal to establish a National Council for Laboratory Accreditation (NACLA). The ACIL (formerly American Council of Independent Laboratories), the American National Standards Institute (ANSI), and the National Institute of Standards and Technology (NIST) organized and have been co-sponsoring an informal Laboratory Accreditation Working Group (LAWG) with the aim of reducing inefficient duplication of accreditation requirements. The LAWG now seeks consensus to implement a unified and comprehensive U.S. infrastructure to meet national laboratory accreditation needs in both the public and private sectors. All interested parties are invited to attend this meeting and to participate in discussions of proposed implementation plans.

The proposed organization is intended to serve as an infrastructure with broad U.S. acceptance that provides uniform procedures for accreditation and recognition of laboratory competence in product testing or calibration. Meeting participants will have an opportunity to review and discuss documents and concepts developed as a basis for realizing and implementing a more