

**DEPARTMENT OF COMMERCE****International Trade Administration****North American Free-Trade Agreement, Article 1904 NAFTA Panel Reviews; Request for Panel Review**

**AGENCY:** NAFTA Secretariat, United States Section, International Trade Administration, Department of Commerce.

**ACTION:** Notice of first request for panel review.

**SUMMARY:** On September 1, 1998, U.S. Steel, LTV Steel Company, Inc., Bethlehem Steel Corp., National Steel Corporation, and Inland Steel Industries, Inc. (collectively) filed a First Request for Panel Review with the Canadian Section of the NAFTA Secretariat pursuant to Article 1904 of the North American Free Trade Agreement. Panel review was requested of the final order rescinding the injury finding made by the Canadian International Trade Tribunal, respecting Certain Cold-reduced Flat-rolled sheet Products of Carbon Steel (including high-strength low-alloy steel) Originating In or Exported from the Federal Republic of Germany, France, Italy, the United Kingdom and the United States of America. This determination was published in the *Canada Gazette*, Part I, Volume 132, No. 32, at page 2030, on August 8, 1998. The NAFTA Secretariat has assigned Case Number CDA-USA-98-1904-02 to this request.

**FOR FURTHER INFORMATION CONTACT:** James R. Holbein, United States Secretary, NAFTA Secretariat, Suite 2061, 14th and Constitution Avenue, Washington, D.C. 20230, (202) 482-5438.

**SUPPLEMENTARY INFORMATION:** Chapter 19 of the North American Free-Trade Agreement ("Agreement") establishes a mechanism to replace domestic judicial review of final determinations in antidumping and countervailing duty cases involving imports from a NAFTA country with review by independent binational panels. When a Request for Panel Review is filed, a panel is established to act in place of national courts to review expeditiously the final determination to determine whether it conforms with the antidumping or countervailing duty law of the country that made the determination.

Under Article 1904 of the Agreement, which came into force on January 1, 1994, the Government of the United States, the Government of Canada and the Government of Mexico established *Rules of Procedure for Article 1904*

*Binational Panel Reviews* ("Rules"). These Rules were published in the **Federal Register** on February 23, 1994 (59 FR 8686).

A first Request for Panel Review was filed with the Canadian Section of the NAFTA Secretariat, pursuant to Article 1904 of the Agreement, on September 1, 1998, requesting panel review of the order rescinding the injury finding described above.

The Rules provide that:

(a) A Party or interested person may challenge the final determination in whole or in part by filing a Complaint in accordance with Rule 39 within 30 days after the filing of the first Request for Panel Review (the deadline for filing a Complaint is October 1, 1998);

(b) A Party, investigating authority or interested person that does not file a Complaint but that intends to appear in support of any reviewable portion of the final determination may participate in the panel review by filing a Notice of Appearance in accordance with Rule 40 within 45 days after the filing of the first Request for Panel Review (the deadline for filing a Notice of Appearance is October 16, 1998); and

(c) The panel review shall be limited to the allegations of error of fact or law, including the jurisdiction of the investigating authority, that are set out in the Complaints filed in the panel review and the procedural and substantive defenses raised in the panel review.

Dated: September 8, 1998.

**James R. Holbein,**

*United States Secretary, NAFTA Secretariat.*  
[FR Doc. 98-26313 Filed 9-30-98; 8:45 am]

**BILLING CODE 3510-GT-P**

**DEPARTMENT OF COMMERCE****National Oceanic and Atmospheric Administration**

[I.D. 071798B]

**Marine Mammals; File No. 369-1440**

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

**ACTION:** Issuance of permit.

**SUMMARY:** Notice is hereby given that Dr. Bruce R. Mate, Oregon State University, Newport, Oregon 97365-5296, has been issued a permit to take various species of large whales and opportunistically take by Level B harassment other species of marine mammals, for purposes of scientific research.

**ADDRESSES:** The permit and related documents are available for review

upon written request or by appointment (See **SUPPLEMENTARY INFORMATION**).

**FOR FURTHER INFORMATION CONTACT:** Ruth Johnson or Sara Shapiro 301/713-2289.

**SUPPLEMENTARY INFORMATION:** On January 21, 1998, notice was published in the **Federal Register** (63 FR 3093) that a request for a scientific research permit to take various species of large whales by tag and biopsy sample, and to opportunistically conduct level B harassment on other marine mammal species encountered during tagging activities, had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 217-227), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

Permit No. 369-1440 was issued to the above named individual to satellite tag and biopsy sample seven species of large whales throughout the United States. No more than 24 of each species will be tagged/sampled in a year. NMFS prepared an Environmental Assessment of the authorized activities. The EA is available upon request.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Documents are available for review in the following locations:

Permits and Documentation Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910 (301/713-2289);

Regional Administrator, Alaska Region, NMFS, P.O. Box 21668 Juneau, AK 99802 (907/586-7221);

Regional Administrator, Northwest Region, NMFS, 7600 Sand Point Way, NE, BIN C15700, Seattle, WA 98115 (206/526-6150);

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (562/980-4015);

Coordinator, Pacific Area Office, NMFS, 2570 Dole Street, Room 106, Honolulu, HI 96822-2396 (808/955-8831);