

identified in the notice for such hearing, which was published in 78 FR 38782, June 27, 2013, was subject to a comment deadline of August 26, 2013. Written comments pertaining to any other matters listed for action at the business meeting may be mailed to the Susquehanna River Basin Commission, 4423 North Front Street, Harrisburg, Pennsylvania 17110-1788, or submitted electronically through <http://www.srbcc.net/pubinfo/publicparticipation.htm>. Any such comments mailed or electronically submitted must be received by the Commission on or before December 6, 2013, to be considered.

**SUPPLEMENTARY INFORMATION:** The business meeting will include actions or presentations on the following items: (1) Informational presentation of general interest on the lower Susquehanna River; (2) resolution concerning FY-2015 federal funding of the Susquehanna Flood Forecast and Warning System and National Streamflow Information Program; (3) 2013 update of the *Comprehensive Plan for the Water Resources of the Susquehanna River*; (4) sale of the former headquarters property at 1721 North Front Street, Harrisburg, Pa.; (5) ratification/approval of contracts/grants; and (6) Regulatory Program projects. Projects listed for Commission action are those that were the subject of a public hearing conducted by the Commission on November 13, 2013, and identified in the notice for such hearing, which was published in 78 FR 64260, October 28, 2013.

**Authority:** Public Law 91-575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: November 7, 2013.

**Andrew D. Dehoff,**  
Executive Director.

[FR Doc. 2013-27652 Filed 11-18-13; 8:45 am]

**BILLING CODE 7040-01-P**

## TRADE REPRESENTATIVE

### North American Free Trade Agreement; Invitation for Applications for Inclusion on the Chapter 19 Roster

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Invitation for applications.

**SUMMARY:** Chapter 19 of the North American Free Trade Agreement ("NAFTA") provides for the establishment of a roster of individuals to serve on binational panels convened to review final determinations in antidumping or countervailing duty ("AD/CVD") proceedings and

amendments to AD/CVD statutes of a NAFTA Party. The United States annually renews its selections for the Chapter 19 roster. Applications are invited from eligible individuals wishing to be included on the roster for the period April 1, 2014, through March 31, 2015.

**DATES:** Applications should be received no later than December 3, 2013.

**ADDRESSES:** Applications should be submitted (i) electronically to [www.regulations.gov](http://www.regulations.gov), docket number USTR-2012-0037 or (ii) by fax, to Sandy McKinzy at (202) 395-3640.

**FOR FURTHER INFORMATION CONTACT:** Arthur Tsao, Assistant General Counsel, Office of the United States Trade Representative, (202) 395-6987.

#### SUPPLEMENTARY INFORMATION:

#### Binational Panel Reviews Under NAFTA Chapter 19

Article 1904 of the NAFTA provides that a party involved in an AD/CVD proceeding may obtain review by a binational panel of a final AD/CVD determination of one NAFTA Party with respect to the products of another NAFTA Party. Binational panels decide whether such AD/CVD determinations are in accordance with the domestic laws of the importing NAFTA Party, and must use the standard of review that would have been applied by a domestic court of the importing NAFTA Party. A panel may uphold the AD/CVD determination, or may 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 three-member extraordinary challenge committee, selected from a separate roster composed of fifteen current or former judges.

Article 1903 of the NAFTA provides that a NAFTA Party may refer an amendment to the AD/CVD statutes of another NAFTA Party to a binational panel for a declaratory opinion as to whether the amendment is inconsistent with the General Agreement on Tariffs and Trade ("GATT"), the GATT Antidumping or Subsidies Codes, successor agreements, or the object and purpose of the NAFTA with regard to the establishment of fair and predictable conditions for the liberalization of trade. If the panel finds that the amendment is inconsistent, the two NAFTA Parties shall consult and seek to achieve a mutually satisfactory solution.

#### Chapter 19 Roster and Composition of Binational Panels

Annex 1901.2 of the NAFTA provides for the maintenance of a roster of at least

75 individuals for service on Chapter 19 binational panels, with each NAFTA Party selecting at least 25 individuals. A separate five-person panel is formed for each review of a final AD/CVD determination or statutory amendment. To form a panel, the two NAFTA Parties involved each appoint two panelists, normally by drawing upon individuals from the roster. If the Parties cannot agree upon the fifth panelist, one of the Parties, decided by lot, selects the fifth panelist from the roster. The majority of individuals on each panel must consist of lawyers in good standing, and the chair of the panel must be a lawyer.

Upon each request for establishment of a panel, roster members from the two involved NAFTA Parties will be requested to complete a disclosure form, which will be used to identify possible conflicts of interest or appearances thereof. The disclosure form requests information regarding financial interests and affiliations, including information regarding the identity of clients of the roster member and, if applicable, clients of the roster member's firm.

#### Criteria for Eligibility for Inclusion on Chapter 19 Roster

Section 402 of the NAFTA Implementation Act (Pub. L. 103-182, as amended (19 U.S.C. 3432)) ("Section 402") provides that selections by the United States of individuals for inclusion on the Chapter 19 roster are to be based on the eligibility criteria set out in Annex 1901.2 of the NAFTA, and without regard to political affiliation. Annex 1901.2 provides that Chapter 19 roster members must be citizens of a NAFTA Party, must be of good character and of high standing and repute, and are to be chosen strictly on the basis of their objectivity, reliability, sound judgment, and general familiarity with international trade law. Aside from judges, roster members may not be affiliated with any of the three NAFTA Parties. Section 402 also provides that, to the fullest extent practicable, judges and former judges who meet the eligibility requirements should be selected.

#### Adherence to the NAFTA Code of Conduct for Binational Panelists

The "Code of Conduct for Dispute Settlement Procedures Under Chapters 19 and 20" ([see https://www.nafta-sec-alena.org/Default.aspx?tabid=99&language=en-US](https://www.nafta-sec-alena.org/Default.aspx?tabid=99&language=en-US)), which was established pursuant to Article 1909 of the NAFTA, provides that current and former Chapter 19 roster members "shall avoid impropriety and the appearance of impropriety and shall observe high

standards of conduct so that the integrity and impartiality of the dispute settlement process is preserved.” The Code of Conduct also provides that candidates to serve on chapter 19 panels, as well as those who are ultimately selected to serve as panelists, have an obligation to “disclose any interest, relationship or matter that is likely to affect [their] impartiality or independence, or that might reasonably create an appearance of impropriety or an apprehension of bias.” Annex 1901.2 of the NAFTA provides that roster members may engage in other business while serving as panelists, subject to the Code of Conduct and provided that such business does not interfere with the performance of the panelist’s duties. In particular, Annex 1901.2 states that “[w]hile acting as a panelist, a panelist may not appear as counsel before another panel.”

#### **Procedures for Selection of Chapter 19 Roster Members**

Section 402 establishes procedures for the selection by the Office of the United States Trade Representative (“USTR”) of the individuals chosen by the United States for inclusion on the Chapter 19 roster. The roster is renewed annually, and applies during the one-year period beginning April 1 of each calendar year.

Under Section 402, an interagency committee chaired by USTR prepares a preliminary list of candidates eligible for inclusion on the Chapter 19 Roster. After consultation with the Senate Committee on Finance and the House Committee on Ways and Means, USTR selects the final list of individuals chosen by the United States for inclusion on the Chapter 19 roster.

#### **Remuneration**

Roster members selected for service on a Chapter 19 binational panel will be remunerated at the rate of 800 Canadian dollars per day.

#### **Applications**

Eligible individuals who wish to be included on the Chapter 19 roster for the period April 1, 2014, through March 31, 2015, are invited to submit applications. Applications may be submitted either by fax to Sandy McKinzy at 202–395–3640 or electronically to [www.regulations.gov](http://www.regulations.gov), docket number USTR–2012–0037.

To submit an application via [www.regulations.gov](http://www.regulations.gov), enter docket number USTR–2012–0037 on the home page and click “search.” The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting “Notice” under “Document

Type” on the left side of the search-results page, and click on the link entitled “Comment Now!” (For further information on using the [www.regulations.gov](http://www.regulations.gov) Web site, please consult the resources provided on the Web site by clicking on the “How to Use Regulations.gov” on the bottom of the page.)

The [www.regulations.gov](http://www.regulations.gov) site provides the option of providing comments by filling in a “Type Comment” field or by attaching a document. USTR prefers applications to be provided in an attached document. If a document is attached, please type “Application for Inclusion on NAFTA Chapter 19 Roster” in the “Upload File” field.

Applications must be typewritten, and should be headed “Application for Inclusion on NAFTA Chapter 19 Roster.” Applications should include the following information, and each section of the application should be numbered as indicated:

1. Name of the applicant.
2. Business address, telephone number, fax number, and email address.
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 addresses of each prior position and a summary of responsibilities.
8. Relevant professional affiliations and certifications, including, if any, current bar memberships in good standing.
9. A list and copies of publications, testimony, and speeches, if any, concerning AD/CVD law. Judges or former judges should list relevant judicial decisions. Only one copy of publications, testimony, speeches, and decisions need be submitted.

10. Summary of any current and past employment by, or consulting or other work for, the Governments of the United States, Canada, or Mexico.

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 AD/CVD law regarding imports of U.S., Canadian, or Mexican products in which the 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 familiarity with international trade law and willingness and ability to make time commitments necessary for service on panels.

14. On a separate page, the names, addresses, telephone and fax numbers of three individuals willing to provide information concerning the applicant’s qualifications for service, including the applicant’s character, reputation, reliability, judgment, and familiarity with international trade law.

#### **Current Roster Members and Prior Applicants**

Current members of the Chapter 19 roster who remain interested in inclusion on the Chapter 19 roster only need to indicate that they are reapplying and submit updates (if any) to their applications on file. Current members do not need to resubmit their applications. Individuals who have previously applied but have not been selected must submit new applications to reapply. If an applicant, including a current or former roster member, has previously submitted materials referred to in item 9, such materials need not be resubmitted.

#### **Public Disclosure**

Applications normally will not be subject to public disclosure and will not be posted publicly on [www.regulations.gov](http://www.regulations.gov). They may be referred to other federal agencies and Congressional Committees in the course of determining eligibility for the roster, and shared with foreign governments and the NAFTA Secretariat in the course of panel selection.

#### **False Statements**

Pursuant to section 402(c)(5) of the NAFTA Implementation Act, false statements by applicants regarding their personal or professional qualifications, or financial or other relevant interests that bear on the applicants’ suitability for placement on the Chapter 19 roster or for appointment to binational panels, are subject to criminal sanctions under 18 U.S.C. 1001.

#### **Privacy Act**

The following statements are made in accordance with the Privacy Act of 1974, as amended (5 U.S.C. 552a). The authority for requesting information to be furnished is section 402 of the

NAFTA Implementation Act. Provision of the information requested above is voluntary; however, failure to provide the information will preclude your consideration as a candidate for the NAFTA Chapter 19 roster. This information is maintained in a system of records entitled "Dispute Settlement Panelists Roster." Notice regarding this system of records was published in the **Federal Register** on November 30, 2001. The information provided is needed, and will be used by USTR, other federal government trade policy officials concerned with NAFTA dispute settlement, and officials of the other NAFTA Parties to select well-qualified individuals for inclusion on the Chapter 19 roster and for service on Chapter 19 binational panels.

**Juan Millan,**

*Assistant United States Trade Representative for Monitoring and Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

[Docket No. FHWA-2013-0050]

#### Designation of the Primary Freight Network

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice; Request for Comments.

**SUMMARY:** This notice publishes the draft initial designation of the highway Primary Freight Network (PFN), which is established by the Secretary of Transportation as required by 23 U.S.C. 167(d), and provides information about designation of Critical Rural Freight Corridors (CRFC), which are designated by the States, and establishment of the National Freight Network (NFN), which combines the two, along with the portions of the Interstate System not designated as part of the highway PFN. This notice also solicits comments on the draft initial designation of the highway PFN and other critical aspects of the NFN. A notice published in the **Federal Register** on February 6, 2013 (78 FR 8686), introduced the process for designation of the highway PFN, NFN, and CRFCs.

**DATES:** Comments must be received on or before December 19, 2013.

**ADDRESSES:** To ensure that you do not duplicate your docket submissions, please submit them by only one of the following means:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov> and follow

the online instructions for submitting comments.

- *Mail:* Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Ave. SE., W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Ave. SE., between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 366-9329.

- *Instructions:* You must include the agency name and docket number at the beginning of your comments. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

**FOR FURTHER INFORMATION CONTACT:** For questions about this program, contact Ed Strocko, FHWA Office of Freight Management and Operations, (202) 366-2997, or by email at [Ed.Strocko@dot.gov](mailto:Ed.Strocko@dot.gov). For legal questions, please contact Michael Harkins, FHWA Office of the Chief Counsel, (202) 366-4928, or by email at [Michael.Harkins@dot.gov](mailto:Michael.Harkins@dot.gov). Business hours for the FHWA are from 8:00 a.m. to 4:30 p.m., e.t., Monday through Friday, except Federal holidays.

#### SUPPLEMENTARY INFORMATION:

##### Electronic Access

You may retrieve a copy of the notice through the Federal eRulemaking portal at: <http://www.regulations.gov>. The Web site is available 24 hours each day, every day of the year. Electronic submission and retrieval help and guidelines are available under the help section of the Web site. An electronic copy of this document may also be downloaded from Office of the Federal Register's home page at: [http://www.archives.gov/federal\\_register](http://www.archives.gov/federal_register) and the Government Printing Office's Web page at: <http://www.gpoaccess.gov>.

##### Background

Section 167(c) of title 23 United States Code (U.S.C.), created by Section 1115 of the Moving Ahead for Progress in the 21st Century Act (MAP-21), directs the Secretary to establish a NFN to assist States in strategically directing resources toward improved system performance for efficient movement of freight on the highway portion of the Nation's freight transportation system, including the National Highway System (NHS), freight intermodal connectors, and aerotropolis transportation systems. The U.S. Department of Transportation (DOT) approaches this with a full understanding that with regard to surface freight transportation, significant tonnage moves over rail,

water, and pipeline networks and that this highway PFN designation does not fully reflect those aspects of the U.S. freight system.

Under 23 U.S.C. 167(c), the NFN will consist of three components: the highway PFN, the portions of the Interstate System not designated as part of the highway PFN, and CRFCs, which are designated by the States.

Congress limited the highway PFN to not more than 27,000 centerline miles of existing roadways that are most critical to the movement of freight. Congress allowed an additional 3,000 centerline miles (that may include existing or planned roads) critical to the future efficient movement of goods on the highway PFN.

Congress instructed DOT to base the highway PFN on an inventory of national freight volume conducted by the FHWA Administrator, in consultation with stakeholders, including system users, transport providers, and States. Congress defined eight factors to consider in designating the highway PFN.

The eight factors are:

1. Origins and destinations of freight movement in the United States;
2. Total freight tonnage and value of freight moved by highways;
3. Percentage of annual average daily truck traffic in the annual average daily traffic on principal arterials;
4. Annual average daily truck traffic on principal arterials;
5. Land and maritime ports of entry;
6. Access to energy exploration, development, installation, or production areas;
7. Population centers; and
8. Network connectivity.

#### Purpose of the Notice

The purpose of this notice is to publish the draft initial designation of the highway PFN as required by 23 U.S.C. 167(d), provide information regarding State designation of CRFCs and the establishment of the complete NFN, and to solicit comments on aspects of the NFN. The five areas for comment are: (1) Specific route deletions, additions, or modifications to the draft initial designation of the highway PFN contained in this notice; (2) the methodology for achieving a 27,000-mile final designation; (3) how the NFN and its components could be used by freight stakeholders in the future; (4) how the NFN may fit into a multimodal National Freight System; and (5) suggestions for an urban-area route designation process.