

also, as appropriate, inform such interests of significant requests or notifications made by the PRC under the Agreement, or significant developments under the Agreement.

#### **V. Information Sharing**

In the course of consulting with domestic interests, in particular prior to annual consultations under the Agreement, the Subcommittee may provide such information provided by the PRC as is allowed by the Agreement subject to business confidentiality.

#### **VI. Treatment of Business Confidential Information**

The Department of Transportation (DOT), as Chair of the Working Group, will have primary responsibility for soliciting and receiving, and will maintain information to be collected and reviewed by the Working Group for purposes of this Agreement.

Members of the U.S. industry, and other interested members of the public, are invited to submit written comments on issues related to the Agreement and its operation. Comments must be provided in twenty copies to the DOT Office of Commercial Space Transportation, Attention: Working

Group on Information for PRC Space Launch Services, 400 7th Street, SW., Room 5408, Washington, DC 20590-0001.

Submissions from the public will be placed in a file open to public inspection at the above address pursuant to 15 CFR 2003.5, except confidential business information exempt from public inspection in accordance with 15 CFR 2003.6. Confidential business information submitted in accordance with 15 CFR 2003.6 must be clearly marked "Business Confidential" at the top of the cover page or letter and each succeeding page, and must be accompanied by a nonconfidential summary of the confidential information.

#### **VII. Enforcement**

If, as a result of information obtained in any consultation or the comprehensive review required under Article VII of the Agreement or, on the basis of information presented to it by the Working Group, the Subcommittee is of the view that the PRC is not in compliance with the terms of the Agreement, the Subcommittee will notify the TPSC and recommend

consultations with the PRC if appropriate. If consultations proceed and satisfactory resolution is not achieved with the PRC or, if consultations are deemed to be inappropriate in the circumstances based on recommendations of the TPSC, the section 301 Committee may consider whether the USTR should initiate an investigation pursuant to the authority set forth in Section 301 of the Trade Act of 1974, as amended.

The USTR will, from time to time, advise the Secretary of State and the Secretary of Commerce of the status of the implementation of the Agreement in order that this information may be available to the Secretaries with respect to the State Department export license responsibilities under the Arms Export Control Act and its implementing regulations, the International Traffic in Arms Regulations (see 22 CFR parts 120-130), and the Commerce Department export license responsibilities under the Export Administration Act.

**Frederick L. Montgomery,**

*Chairman, Trade Policy Staff Committee.*

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