

the disclosure of which would seriously compromise the development by the United States Government of trade policy, priorities, negotiating objectives or bargaining positions with respect to the operation of any trade agreement and other matters arising in connection with the development, implementation and administration of the trade policy of the United States. The meeting will be open to the public and press from 1:15 p.m. to 2:00 p.m. when trade policy issues will be discussed. Attendance during this part of the meeting is for observation only. Individuals who are not members of the committee will not be invited to comment.

DATES: The meeting is scheduled for February 9, 1995, unless otherwise notified.

ADDRESSES: The meeting will be held at the Sheraton-Carlton Hotel, located at 16th and K streets, NW., Washington, DC, unless otherwise notified.

FOR FURTHER INFORMATION CONTACT: Michael Burstin, Director of Public Liaison, Office of the United States Trade Representative, (202) 395-6120.

Michael Kantor,

United States Trade Representative.

[FR Doc. 95-3336 Filed 2-9-95; 8:45 am]

BILLING CODE 3190-01-M

[Docket No. 301-98]

Initiation of Section 302 Investigation Concerning Certain Discriminatory Canadian Communications Practices; Proposed Determination; and Request for Public Comment

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of initiation of investigation under section 302(a) of the Trade Act of 1974, as amended (19 U.S.C. 2412(a)); notice of proposed determination; request for written comment.

SUMMARY: The United States Trade Representative (USTR) has initiated an investigation under section 302(a) of the Trade Act of 1974, as amended (the Trade Act), with respect to certain acts, policies and practices of the Government of Canada that have resulted in the denial of market access for U.S.-owned programming services to be distributed in Canada via cable carriage and in the termination of the authorization of a U.S.-owned programming service, Country Music Television (CMT), to be distributed in Canada via cable carriage. The USTR invites written comments from the public on the matters being investigated, particularly with respect to the amount

of burden or restriction on U.S. commerce caused by the Canadian government's acts, policies and practices. In addition, the USTR is seeking public comment concerning a proposed determination that certain acts, policies and practices of Canada with respect to the granting or termination of authorizations for U.S.-owned programming services to be distributed in Canada via cable carriage are unreasonable or discriminatory and constitute a burden or restriction on U.S. commerce.

DATES: This investigation was initiated on February 6, 1995. Written comments from the public are due on or before noon on March 6, 1995.

ADDRESSES: Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20506.

FOR FURTHER INFORMATION CONTACT: Claude Burcky, Director for Canadian Affairs, (202) 395-3412, or Vanessa Sciarra, Assistant General Counsel, (202) 395-7305.

SUPPLEMENTARY INFORMATION: On December 23, 1994, CMT filed a petition pursuant to Section 302(a) of the Trade Act alleging that acts, policies and practices of the Canadian government regarding the authorization for distribution via cable carriage of U.S.-owned programming services are discriminatory and are actionable under Section 301.

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 unreasonable or discriminatory and burden or restrict U.S. commerce. 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.

On February 6, 1995, the USTR determined that an investigation should be initiated to determine whether certain acts, policies or practices of the Government of Canada that have resulted in the denial of market access for U.S.-owned programming services to be distributed in Canada via cable carriage and in the termination of the authorization of a U.S.-owned programming service to be distributed in Canada via cable carriage are

unreasonable or discriminatory and burden or restrict U.S. commerce. The acts, policies or practices at issue include the policy of the Canadian Radio-television and Telecommunications Commission (CRTC), set forth in Public Notice CRTC 1984-81, to terminate authorizations of non-Canadian-owned programming services which, in the CRTC's opinion, could be considered either totally or partially competitive with existing or newly-available Canadian-owned programming services. This policy limits the ability of U.S.-owned programming services to compete in the Canadian market and acts as a disincentive to such service providers to attempt to enter the Canadian market.

Consultations and Proposed Determination

Pursuant to section 303(a) of the Trade Act, the USTR has requested consultations with the Government of Canada 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.

If the issues which are the basis of this investigation are not resolved expeditiously, the USTR proposes to determine pursuant to Section 304(a)(1) of the Trade Act that acts, policies and practices of the Canadian Government with respect to the granting or termination of authorizations for U.S.-owned programming services to be distributed in Canada via cable carriage are unreasonable or discriminatory and constitute a burden or restriction on U.S. commerce.

If this determination is affirmative, the USTR must also determine what action would be appropriate under the statute. Actions that would be permitted in the case of an affirmative determination include action to suspend, withdraw or prevent the application of benefits of trade agreement concessions to Canada; imposition of duties or other import restrictions on goods of Canada or fees or restrictions on services of Canada; and restriction or denial of service sector access authorizations with respect to services of Canada.

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,