

publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met. [FR Doc. 2010-25526 Filed 10-8-10; 8:45 am]

BILLING CODE 4191-02-P

## DEPARTMENT OF STATE

[Public Notice 7201]

### Waiver Pursuant to Section 7076(d)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, P.L. 111-117) Relating to Assistance for the Government of Afghanistan

Pursuant to the authority vested in me as Secretary of State, including under section 7076(d)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Div. F, P.L. 111-117) (“the Act”), I hereby waive the requirement in section 7076(d)(2) of the Act to certify that the Government of Afghanistan is cooperating fully with United States efforts against the Taliban and Al Qaeda and to reduce poppy cultivation and illicit drug trafficking and report that it is vital to the national security interests of the United States to do so.

This waiver shall be reported to the Congress promptly and published in the **Federal Register**.

Dated: September 28, 2010.

**Hillary Rodham Clinton**,  
Secretary of State.

[FR Doc. 2010-25609 Filed 10-8-10; 8:45 am]

BILLING CODE 4710-17-P

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. USTR-2010-0025]

### WTO Dispute Settlement Proceeding Regarding United States—Final Antidumping Measures on Stainless Steel from Mexico

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

**ACTION:** Notice; request for comments.

**SUMMARY:** The Office of the United States Trade Representative (“USTR”) is providing notice that pursuant to a request by Mexico under the *Marrakesh Agreement Establishing the World Trade Organization* (“WTO Agreement”), the Dispute Settlement Body of the World Trade Organization (“WTO”) has referred a matter concerning the dispute *United States—Final Antidumping*

*Measures on Stainless Steel from Mexico* to a panel. The request may be found at <http://www.wto.org> in document WT/DS344/20. USTR invites written comments from the public concerning the issues raised in this dispute.

**DATES:** Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before November 12, 2010, to be assured of timely consideration by USTR.

**ADDRESSES:** Comments should be submitted electronically to [www.regulations.gov](http://www.regulations.gov), docket number USTR-2010-0025. If you are unable to provide submissions by <http://www.regulations.gov>, please contact Sandy McKinzy at (202) 395-9483 to arrange for an alternative method of transmission. If (as explained below), the comment contains confidential information, then the comment should be submitted by fax only to Sandy McKinzy at (202) 395-3640.

**FOR FURTHER INFORMATION CONTACT:** María L. Pagán, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395-7305.

**SUPPLEMENTARY INFORMATION:** USTR is providing notice that the Dispute Settlement Body (“DSB”) has, at the request of Mexico, referred a matter to a dispute settlement panel pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* (“DSU”). The panel will hold any meetings with the parties to the dispute in Geneva, Switzerland.

### Major Issues Raised by Mexico

In its request for the establishment of a panel, Mexico alleges that the United States has not fully implemented the recommendations and rulings of the DSB in the dispute *United States—Final Antidumping Measures on Stainless Steel from Mexico*. The recommendations and rulings stem from the DSB’s adoption of the panel and Appellate Body reports in that dispute, which can be found at <http://www.wto.org> in documents WT/DS344/R and WT/DS344/AB/R, respectively.

Mexico states that the DSB made recommendations and rulings that the use of simple zeroing in administrative reviews is “as such” inconsistent with Article VI:2 of the GATT 1994 and Article 9.3 of the Antidumping Agreement. Mexico alleges that the United States has taken no steps to eliminate simple zeroing in administrative reviews, thereby failing to implement the DSB’s

recommendations and rulings in this regard by the end of the reasonable period of time (“RPT”) or thereafter. Mexico alleges that the United States continues to act inconsistently with Articles 17.14, 21.1, and 21.3 of the DSU, Articles 2.1, 2.4, and 9.3 of the Antidumping Agreement, and Article VI:2 of the GATT 1994.

In addition, Mexico states that the DSB made recommendations and rulings that the United States acted inconsistently with Article VI:2 of the GATT 1994 and Article 9.3 of the Antidumping Agreement by applying simple zeroing in five administrative reviews at issue in the dispute (identified as cases 1 through 5 in the Annex to Mexico’s request). Mexico alleges that the margins of dumping calculated in these five administrative reviews continue to have legal effects after the end of the RPT and have been relied upon by the U.S. Department of Commerce (“USDOC”) in several subsequent closely connected measures, including in the 2005 and 2010 “sunset” reviews and in revocation decisions made in the context of subsequent antidumping administrative reviews, including the 7th and 9th administrative reviews. Mexico alleges that the United States has failed to adopt any measures by the end of the RPT or thereafter to implement the DSB’s recommendations and rulings regarding the use of simple zeroing in administrative reviews 1 through 5, and therefore is acting inconsistently with Articles 17.14, 21.1, and 21.3 of the DSU, Articles 2.1, 2.4, and 9.3 of the Antidumping Agreement, and Article VI:2 of the GATT 1994.

Furthermore, Mexico alleges that the United States has failed to take action to bring certain “closely connected measures” into compliance with U.S. WTO obligations and, that by continuing to use simple zeroing in subsequent “closely connected measures,” has imposed, assessed, and/or collected antidumping duties in excess of the proper margin of dumping. Mexico alleges that the United States is therefore imposing duties on the importation of Mexican goods in excess of the duties permitted under the U.S. Schedule of Concessions and otherwise nullifies or impairs benefits accruing to Mexico under the covered agreements. Mexico alleges that as a result the United States is acting inconsistently with Articles 17.14, 21.1, and 21.3 of the DSU, Articles 2.1, 2.4, 9.3, 11.2, and 11.3 of the Antidumping Agreement, and Article VI:2 of the GATT 1994. The alleged “closely connected measures” are:

(i) The six subsequent administrative reviews of the same antidumping duty