

information for assessing the effect of the acts, policies and practices. Any comments that include quantitative loss claims should be accompanied by the methodology used in calculating such estimated losses. Comments must be in English and provided in twenty copies. A submitter requesting that information contained in a comment be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly marked "business confidential" in a contrasting color ink at the top of each page of each copy. A non-confidential version of the comment must also be provided.

All comments should be sent to Sybia Harrison, Special Assistant to the Section 301 committee, Room 100A, 600 17th Street, NW., Washington, DC 20508, and must be received no later than 12:00 noon on Friday, February 16, 2001.

Public Inspection of Submissions

Within one business day of receipt, non-confidential submissions will be placed in a public file, open for inspection at the USTR reading room, in Room 101, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC. An appointment to review the file may be made by calling Brenda Webb, (202) 395-6186. The USTR reading room is open to the public from 10 a.m. to 12 noon and from 1 p.m. to 4 p.m., Monday through Friday.

Joseph S. Papovich,
Assistant USTR for Services, Investment and Intellectual Property.
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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/D-217]

WTO Consultations Regarding The Continued Dumping and Subsidy Offset Act of 2000

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 on December 21, 2000, Australia, Brazil, the European Communities ("EC"), India Indonesia, Japan, Korea, and Thailand, acting jointly and severally, requested consultations with the United States

under the Understanding on Rules and Procedures Governing the Settlement of Disputes ("DSU"), the General Agreement Regarding Tariffs and Trade 1994 ("GATT 1994"), the Agreement on the Implementation of Article VI of GATT 1994 ("Antidumping Agreement") and the Agreement on Subsidies and Countervailing Duties ("SCM Agreement") regarding the Continued Dumping and Subsidy Offset Act of 2000 ("Offset Act"), Public Law No. 106-387. The requesting parties allege that the Offset Act is inconsistent with certain obligations of the United States under GATT 1994, the Antidumping Agreement and the SCM Agreement. Pursuant to Article 4.3 of the DSU, such consultations are to take place within a period of 30 days from the date of the request, or within a period otherwise mutually agreed between the United States and the requesting parties. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: although the USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted on or before February 9, 2001, to be assured of timely consideration by USTR.

ADDRESSES: Submit comments to Sandy McKinzy, Monitoring and Enforcement Unit, Office of the General Counsel, Room 122, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC, 20508, Attn: Byrd Amendment, Telephone: (202) 395-3582.

FOR FURTHER INFORMATION CONTACT: Rhonda K. Schnare, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC, (202) 395-3582.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, but in an effort to provide additional opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO Dispute Settlement Understanding. If such consultations should fail to resolve the matter and a dispute settlement panel is established pursuant to the DSU, such panel, which would hold its meetings in Geneva, Switzerland, would be expected to issue a report on its findings and recommendations within six to nine months after it is established.

Major Issues Raised by the Consultation Request

The Continued Dumping and Subsidy Offset Act of 2000 amends the Tariff Act of 1930 to provide that duties collected pursuant to an antidumping duty order, a countervailing duty order or a finding under the Antidumping Act of 1921 are to be annually distributed to the affected domestic producers for their qualifying expenses.

The consultation request alleges the Offset Act constitutes a specific action against dumping or subsidization that is not contemplated by GATT 1994, the Antidumping Agreement or the SCM Agreement. The request further alleges that the Offset Act prevents the reasonable and impartial administration of the U.S. laws implementing the provisions of the Antidumping Agreement and the SCM Agreement regarding standing determinations and undertakings. Specifically, the request alleges that the Offset Act is inconsistent with

Article 18.1 of the Antidumping Agreement, in conjunction with Article VI:2 of GATT 1994 and Article 1 of the Antidumping Agreement;

Article 32.1 of the SCM Agreement, in conjunction with Article VI:3 of GATT 1994 and Articles 4.10, 7.9 and 10 of the SCM Agreement;

Article X(3)(a) of GATT 1994;

Article 5.4 of the Antidumping Agreement and Article 11.4 of the SCM Agreement;

Article 8 of the Antidumping Agreement and Article 18 of the SCM Agreement; and

Article XVI:4 of the Marrakesh Agreement Establishing the World Trade Organization ("WTO Agreement"), Article 18.4 of the Antidumping Agreement and Article 32.5 of the SCM Agreement.

In addition, the request alleges that the offsets paid under the Act constitute specific subsidies with the meaning of Article 1 of the SCM Agreement which may cause adverse effects to the requesting parties' interests within the meaning of Article 5 of the SCM Agreement.

Finally, the request asserts that, whether or not in conflict with the cited agreements, the Offset Act may nullify or impair benefits accruing to the requesting parties in a manner described in Article XXIII:1(b) of GATT 1994.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments must be in English and

provided in fifteen copies. A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the commenter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" in a contrasting color ink at the top of each page of each copy.

Information or advice contained in a comment submitted, other than business confidential information, may be determined by USTR to be confidential in accordance with section 135(g)(2) of the Trade Act of 1974 (19 U.S.C. 2155(g)(2)). If the submitter believes that information or advice may qualify as such, the submitter—

(1) Must so designate the information or advice;

(2) Must clearly mark the material as "SUBMITTED IN CONFIDENCE" in a contrasting color ink at the top of each page of each copy; and

(3) Is encouraged to provide a non-confidential summary of the information or advice.

Pursuant to section 127(e) of the URAA (19 U.S.C. 3537(e)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room: Room 101, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508. The public file will include a listing of any comments received by USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding, the submissions, or non-confidential summaries of submissions, to the panel received from other participants in the dispute, as well as the report of the dispute settlement panel, and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/D-217, Byrd Amendment Dispute) may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 9:30 a.m. to 12 noon and 1 p.m. to 4 p.m., Monday through Friday.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance; Willoughby Lost Nation Municipal Airport, Willoughby, OH

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change a portion of airport land from aeronautical use to non-aeronautical use and to authorize the lease of the airport property. The proposal consists of one parcel of land totaling approximately 12.903 acres for an outdoor soccer facility. Current use and present condition is vacant grassland. There are no impacts to the airport by allowing the airport to dispose of the property. The land was acquired under FAA Project Nos.: AIP-3-39-0090-0185 and AIP-3-39-0090-0589. Approval does not constitute a commitment by the FAA to financially assist in the lease of the subject airport property nor a determination that all measures covered by the program are eligible for Airport Improvement Program funding from the FAA. The disposition of proceeds from the lease of the airport property will be in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999. Together this proposal is for approximately 12.903 acres in total.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose. The proposed land will be used for the development of soccer-specific facilities, which have proven to enhance the economy for many Ohio communities in recent years. With over 55,000 registered players in Ohio-North alone, the opportunity to bring major and minor events into the Willoughby area would be significant. This development will also aide in increasing the positive tax revenue stream to the City, and add to the vitality of the existing sports complex during the spring, summer & fall months.

The proceeds from the lease of the land will be used for airport improvements and operation expenses at Willoughby Lost Nation Municipal Airport.

DATES: Comments must be received on or before February 15, 2001.

FOR FURTHER INFORMATION CONTACT: Ms. Stephanie R. Swann, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO-670.5, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (734) 487-7277. Documents reflecting this FAA action may be reviewed at this same location or at Willoughby Lost Nation Municipal Airport, Willoughby, Ohio.

SUPPLEMENTARY INFORMATION: Following are legal descriptions of the property:

Legal Description of a 12.903 Acre Parcel Being Part of Land of the City of Willoughby Who Claims Title Through Instrument Recorded in Volume 212, Page 908 of the Lake County Records

Situated in the City of Willoughby, County of Lake and State of Ohio and known as being part of Original Lot No. 6, Douglas Tract as is further bounded and described as follows:

Beginning at a monument in the center of the cul-de-sac of Jet Center Place, as recorded in Volume 16, Page 34 of the Lake County Map Records.

Thence North 14°02'00" East 68.50 feet to an iron pin found in the westerly line of a 6.8187 acre parcel of land of the City of Willoughby recorded in Vol. 680, Page 252 of Lake County Official Records;

Thence North 1°14'52" East, along said line, 82.96 feet to an iron pin found at the northwesterly corner of said land and being the principal place of beginning;

Course I: Thence North 1°44'30" East, along a line, 903.33 feet to an iron pin found at the southerly line of land conveyed to Lost Nation Parkway Ltd. by Document No. 980042081 of the Lake County Records;

Course II: Thence South 88°15'30" East, along said southerly line and its prolongation easterly, 623.50 feet to an iron pin set;

Course III: Thence South 1°44'30" West 899.57 feet to an iron pin found at the northeasterly corner of said land of the City of Willoughby;

Course IV: Thence North 88°36'14" West, along said land, 623.51 feet to the principal place of beginning and containing 12.903 acres of land according to a survey made in May, 2000 by Richard J. Bilski, Ohio Professional Surveyor No. 5244 of CT Consultants, Inc., 35000 Kaiser Court, Willoughby, Ohio 44094;

The bearing stated herein are based upon the recorded centerline of Jet Center Place. All the iron pins, either set or found are 5/8 iron rebar with yellow caps marked "CT Consultants, Inc."