

required by Article 2.4 of the Anti-Dumping Agreement;

- The determinations with respect to SSPC and SSSS are inconsistent with past Commerce practice and decisions of U.S. courts in various respects, and thus failed to result in a "fair comparison" as required by Article 2.4 of the Anti-Dumping Agreement;
- The determinations with respect to SSPC and SSSS failed to set forth "in sufficient detail the findings and conclusions on all issues of fact and law" and to provide "all relevant information on the matters of fact and law and reasons which have led to the imposition of final measures" as required by Articles 12.2 and 12.2.2 of the Anti-Dumping Agreement;
- For the above reasons, the measures are applied pursuant to investigations which were not conducted in accordance with the provisions of the Anti-Dumping Agreement as required by Article 1 of the Anti-Dumping Agreement and Article VI of the GATT 1994;
- For the above reasons, Commerce did not administer the antidumping laws in a "uniform, impartial and reasonable manner," as required by Article X:3 of GATT 1994.

#### Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Comments must be in English and provided in fifteen copies to Sandy McKinzy at the address provided above. 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 submitting person. 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 that 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, NW, Washington, DC 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/DS 179 ("U.S.-Anti-Dumping Duties on Stainless Steel Plate in Coils and Stainless Steel Sheet and Strip in Coils from Korea")) 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 U.S. Trade Representative for Monitoring and Enforcement.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2000-6729; Notice 1]

#### Kolcraft Enterprises, Inc.; Receipt of Application for Decision of Inconsequential Noncompliance

Kolcraft Enterprises of Chicago, Illinois, has determined that 27,624 child restraint systems fail to comply with Federal Motor Vehicle Safety Standard (FMVSS) No. 213, "Child Restraint Systems," and has filed an appropriate report pursuant to 49 CFR Part 573, "Defects and Noncompliance Reports." Kolcraft has also applied to be exempted from the notification and remedy requirements of 49 U.S.C. Chapter 301—"Motor Vehicle Safety" on the basis that the noncompliance is inconsequential to motor vehicle safety.

This notice of receipt of an application is published under 49 U.S.C. 30118 and 30120 and does not represent any agency decision or other exercise of judgement concerning the merits of the petition.

FMVSS No. 213, S5.5.2(j) requires each child restraint system equipped with an anchorage strap to include the following statement on a permanent label:

Secure the top anchorage strap provided with this child restraint as specified in the manufacturer's instructions.

Kolcraft has determined that certain child restraints it manufactured have been shipped without the label required by S5.5.2(j). The child restraints containing the noncompliance are Performa and Automate model convertible child restraints equipped with tether straps that were both manufactured and shipped before November 19, 1999. Kolcraft has shipped 27,484 Performas and 140 Automates with tether straps and without the statement required by the standard. When Kolcraft discovered the noncompliance, it stopped shipment until the restraints in inventory could be labeled with the required statement. Thus, some restraints that were manufactured before November 19, 1999 are in compliance because they were labeled before shipment at the plant.

Kolcraft supports its application for inconsequential noncompliance with the following:

Kolcraft inadvertently overlooked this provision when it was redesigning its restraints to include anchorage straps, because Kolcraft relied on the changes made in the March 5, 1999 final rule regarding tether anchorage straps to identify the changed performance requirements. Since S5.5.2(j) was already in the standard, and not changed by the March 5, 1999 final rule, the labeling requirement was overlooked by Kolcraft until a routine compliance verification test identified the missing language.

Kolcraft did, however, permanently label the tether anchorage strap itself on all of the affected restraints with language warning of the safety risk of improper installation. The label reads: "Failure to properly adjust and secure tether to correctly installed tether anchor can result in serious injury or death. Only use with a vehicle tether anchor installed by dealer or factory." And, the instruction manual of each affected restraint includes full instructions for proper tether attachment.

Kolcraft believes that the noncompliance here should be found to be inconsequential because the safety goal of the labeling requirement has been satisfied by the language on the tether strap itself. Any person attempting to attach a tether strap to an anchorage will see the language emphasizing the need for proper installation, because the language is permanently labeled on the strap itself.

Kolcraft does not question the value of notifying consumers to check the instruction manual. Under these circumstances, however, where the substance of the notification requirement is achieved, located

on a place on the product where it is likely to be seen by the consumer, the noncompliance does not present a consequential risk to motor vehicle safety. Kolcraft respectfully requests that NHTSA grant its petition for exemption.

Interested persons are invited to submit written data, views, and arguments on the application of Kolcraft described above. Comments should refer to the docket number and be submitted to: U.S. Department of Transportation Docket Management, Room PL-401, 400 Seventh Street, SW, Washington, DC 20590. It is requested, but not required, that two copies be submitted.

All comments received before the close of business on the closing date indicated below will be considered. The application and supporting materials, and all comments received after the closing date, will also be filed and will be considered to the extent possible. When the application is granted or denied, the notice will be published in the **Federal Register** pursuant to the authority indicated below.

Comment closing date: March 2, 2000.

(49 U.S.C. 30118 and 30120; delegations of authority at 49 CFR 1.50 and 501.8)

Issued on: January 27, 2000.

**Stephen R. Kratzke,**  
*Acting Associate Administrator for Safety Performance Standards.*

[FR Doc. 00-2129 Filed 1-31-00; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF VETERANS AFFAIRS

### Means Test Thresholds

**AGENCY:** Department of Veterans Affairs.

#### **ACTION:** Notice.

**SUMMARY:** As required by law, the Department of Veterans Affairs (VA) is hereby giving notice of cost-of-living adjustments (COLA) for means test income limitations. These adjustments are based on the rise in the Consumer Price Index (CPI) during the one-year period ending September 30, 1999.

**DATES:** These rates are effective January 1, 2000.

#### **FOR FURTHER INFORMATION CONTACT:**

Roscoe Butler, Chief Policy and Operations, Health Administration Service, (10C3), Veterans Health Administration, VA, 810 Vermont Avenue, NW, Washington, DC 20420, (202) 273-8302. (This is not a toll-free number.)

**SUPPLEMENTARY INFORMATION:** Title 38, United States Code (U.S.C.) § 1722(c), requires that on January 1 of each year, the Secretary increase the means test threshold amounts by the same percentage the maximum rates of pension benefits were increased under section 5312(a) during the preceding calendar year. Under the provisions of 38 U.S.C. section 5312 and section 306 of Public Law 95-588, VA is required to increase the benefit rates and income limitations in the pension and parents' indemnity compensation (DIC) program by the same percentage, and effective the same date, as increases in the benefit amount payable under Title II of the Social Security Act.

On October 25, 1999, for the period beginning December 1, 1999, the Social Security Administration announced in volume 64, Number 205 of the **Federal Register**, a 2.4 percent cost-of-living increase in Social Security Benefits under Title II of the Social Security Act.

The Veteran Benefits Administration has indicated Pension benefits will be increased by a 2.4 percent cost-of-living increase effective December 1, 1999. Therefore, applying the same percentage and rounding up in accordance with 38 CFR 3.29, the following income limitations for the Means Test Thresholds will be effective January 1, 2000.

#### **Table 1.—Means Test Thresholds**

- (1) Veterans with no dependents:
  - (a) Category A: \$22,887
  - (b) Category C: \$22,888
- (2) Veterans with 1 dependent:
  - (a) Category A: \$27,468
  - (b) Category C: \$27,469
- (3) Veterans with 2 dependents:
  - (a) Category A: \$29,000
  - (b) Category C: \$29,001
- (4) Veterans with 3 dependents:
  - (a) Category A: \$30,532
  - (b) Category C: \$30,533
- (5) Veterans with 4 dependents:
  - (a) Category A: \$32,064
  - (b) Category C: \$32,065
- (6) Veterans with 5 dependents:
  - (a) Category A: \$33,596
  - (b) Category C: \$33,597
- (7) Child Income Exclusion is: \$7,200
- (8) The Medicare deductible is \$776
- (9) Maximum annual Rate of Pension effective 12/1/1999 are:
  - (a) The base rate is \$8,989
  - (b) The base rate with one dependent is \$11,773
  - (c) Add \$1,532 each additional dependent

Dated: January 20, 2000.

**Togo D. West, Jr.,**

*Secretary of Veterans Affairs.*

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**BILLING CODE 8320-01-P**