

DEPARTMENT OF STATE**Office of the Deputy Assistant Secretary for Energy, Sanctions, and Commodities**

[Public Notice 3055]

Receipt of Application for a Presidential Permit for Pipeline Facilities To Be Constructed and Maintained on the Border of the United States

AGENCY: Department of State.

SUMMARY: The Department of State has received an application from City of Sumas, Washington requesting a Presidential permit, pursuant to Executive Order 11423 of August 16, 1968, as amended by Executive Order 12847 of May 17, 1993, authorizing City of Sumas to construct and maintain a pipeline to establish an intertie between the municipal water systems of the City of Sumas, Washington and the City of Abbotsford, British Columbia, Canada. The project consists of one 12-inch diameter pipeline of approximately 4,10021 feet in length crossing the International Boundary between the United States and Canada.

DATES: Interested parties are invited to submit, in duplicate, comments relative to this proposal on or before June 13, 1999.

FOR FURTHER INFORMATION CONTACT: Matthew McManus, Division Chief, Energy Producer Country Affairs, Department of State, Washington, D.C. 20520, (202) 647-4557.

Matthew McManus,
Division Chief.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-161]

WTO Dispute Settlement Proceeding Regarding Korea—Measures Affecting Imports of Fresh, Chilled, and Frozen Beef

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 of the request by the United States for the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade organization ("WTO"), to examine: (1) Korea's retail distribution

system, which discriminates against beef from the United States by imposing sales and other requirements on such beef from which Korean beef is exempt; (2) Korea's imposition of charges that exceed the other duties or charges provided for in Korea's WTO Schedule of concessions; (3) Korea's provision of excessive domestic support to agricultural producers; and (4) other Korean Government measures that have disrupted market access and impaired the ability of U.S. producers to fill the quota allotted by the Korean government for beef imports. In this dispute, the United States alleges that the Korean measures are inconsistent with the obligations of Korea under the General Agreement on Tariffs and Trade (GATT) 1994, the Agreement on Agriculture, and the Agreement on Import Licensing Procedures. The 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 by July 15, 1999, to be assured of timely consideration by the USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: Korea Beef Dispute, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508.

FOR FURTHER INFORMATION CONTACT: James Lyons, Associate General Counsel, Office of the United States Trade Representative, (202) 395-7305 or Mary Latimer, Director for Korea, (202) 395-6813.

SUPPLEMENTARY INFORMATION: Pursuant to section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), the USTR is providing notice that on April 15, 1999, the United States requested the establishment of a WTO dispute settlement panel to examine whether Korea's discriminatory retail distribution requirements for imported beef, an additional charge not provided for in Korea's Schedule of concessions, domestic support payments which exceed Korea's reduction commitments, and other restrictions on market access for imported beef are inconsistent with the WTO obligations of Korea. The WTO Dispute Settlement Body ("DSB") considered the United States' first request for the establishment of a panel on April 28, 1999, and the United States will present its second request at a

meeting of the DSB on May 26, 1999. A panel will be established at that time unless the DSB decides by consensus not to establish a panel.

Major Issues Raised by the EC and Legal Basis of the Complaint

The USTR believes that these measures are inconsistent with the obligations of Korea under several provisions of the WTO Agreements, including Articles II, III, X, XI, and XVII of the GATT 1994, Articles 3, 4, 6 and 7 of the Agreement on Agriculture, Articles 1 and 3 of the Agreement on Import Licensing Procedures.

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 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 commentator. 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 the 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 submitting persons believes that information or advice may qualify as such, the submitting person—

(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)), the 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 the USTR from the public with respect to the proceeding; the U.S. submissions to the panel in the proceeding, the