

**DEPARTMENT OF STATE**

[Public Notice 6776]

**Bureau of Western Hemisphere Affairs, Executive Order 11423, as Amended; Notice of Receipt of Application for a Presidential Permit for an International Pedestrian Bridge on the U.S.-Mexico Border Near San Diego, California and Tijuana, Baja California, Mexico****AGENCY:** Department of State.**ACTION:** Notice.

**SUMMARY:** The Department of State hereby gives notice that, on September 18, 2009, it received from Otay-Tijuana Venture, L.L.C., an application for a Presidential permit to authorize the construction, operation, and maintenance of a new international pedestrian bridge called the San Diego-Tijuana Airport Cross Border Facility (CBF) on the U.S.-Mexico border near San Diego, California and Tijuana, Baja California, Mexico. According to the application, Otay-Tijuana Venture, L.L.C., is a company created under Delaware law and consists of companies owned by American and Mexican investors with experience in real estate, corporate investing, and airport operations. Otay-Tijuana Venture, L.L.C. states that it is undertaking the project as a for-profit, commercial activity. According to the application, the CBF would enable ticketed airline passengers to travel between Mexico's Tijuana International Airport (TIJ) and San Diego, California, via an enclosed, elevated pedestrian bridge. The CBF will consist of: a main building on the U.S. side of the border housing U.S. Customs and Border Protection (CBP) inspection facilities along with shops and services to accommodate travelers; an approximately 525-foot pedestrian bridge from the main building on the U.S. side connecting into TIJ's passenger terminal on the Mexican side; and parking facilities and areas for car rentals and potentially bus service on the U.S. side. According to the application, the CBF would allow passengers to bypass San Diego's congestion-prone ports of entry and avoid driving through the City of Tijuana.

The Department's jurisdiction over this application is based upon Executive Order 11423 of August 16, 1968, as amended. As provided in E.O. 11423, the Department is circulating this application to relevant Federal and State agencies for review and comment. Under E.O. 11423, the Department has the responsibility to determine, taking into account input from these agencies and other stakeholders, whether

issuance of a Presidential permit for this proposed bridge would be in the U.S. national interest.

**DATES:** Interested members of the public are invited to submit written comments regarding this application on or before December 31, 2009 to Mr. Stewart Tuttle, U.S.-Mexico Border Affairs Coordinator, via e-mail at [WHA-BorderAffairs@state.gov](mailto:WHA-BorderAffairs@state.gov), or by mail at WHA/MEX—Room 3909, Department of State, 2201 C St. NW., Washington, DC 20520.

**FOR FURTHER INFORMATION CONTACT:** Mr. Stewart Tuttle, U.S.-Mexico Border Affairs Coordinator, via e-mail at [WHA-BorderAffairs@state.gov](mailto:WHA-BorderAffairs@state.gov); by phone at 202-647-9894; or by mail at WHA/MEX—Room 3909, Department of State, 2201 C St. NW., Washington, DC 20520. General information about Presidential Permits is available on the Internet at <http://www.state.gov/p/wha/rt/permit/>.

**SUPPLEMENTARY INFORMATION:** This application and supporting documents are available for review in the Office of Mexican Affairs during normal business hours.

Dated: September 28, 2009.

**Alex Lee,**

*Director, Office of Mexican Affairs,  
Department of State.*

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**OFFICE OF THE UNITED STATES  
TRADE REPRESENTATIVE**

[Docket No. WTO/DS399/1]

**WTO Dispute Settlement Proceeding  
Regarding United States—Certain  
Measures Affecting Imports of Certain  
Passenger Vehicle and Light Truck  
Tires From China****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 September 14, 2009, the People's Republic of China ("China") requested consultations with the United States under the *Marrakesh Agreement Establishing the World Trade Organization* ("WTO Agreement") with respect to certain measures affecting the import of certain passenger vehicle and light truck tires from China (China tires) into the United States. That request may be found at <http://www.wto.org> contained in a document designated as WT/DS399/1. 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 October 30 to be assured of timely consideration by USTR.

**ADDRESSES:** Public comments should be submitted electronically to <http://www.regulations.gov>, docket number USTR-2009-0035. 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) 395-9626.

**SUPPLEMENTARY INFORMATION:** USTR is providing notice that consultations have been requested pursuant to the WTO *Understanding on Rules and Procedures Governing the Settlement of Disputes* ("DSU"). 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 nine months after it is established.

**Major Issues Raised by China**

On September 14, 2009, China requested consultations regarding restrictions recently announced by the United States on imports of Chinese tires. According to China, these restrictions take the form of substantially higher tariffs over the next three years well in excess of the tariff rates permitted under U.S. international obligations to China. The restrictions were announced on September 11, 2009, by U.S. authorities following an investigation pursuant to section 421 of the Trade Act of 1974, as amended (19 U.S.C. 2451). The report by the U.S. International Trade Commission issued as part of the investigation can be found at *Certain Passenger Vehicle and Light Truck Tires from the People's Republic of China*, Investigation No. TA-421-7, USITC Publication No. 4085 (July 2009). The decision by the President can be found in the Proclamation issued by President Obama on September 11, 2009. The measures are to take effect on September 26, 2009. The request purports to include any other measures