OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Generalized System of Preferences (GSP): Notice Regarding the Acceptance of Petitions To Grant a Competitive Need Limitation (CNL) Waiver

AGENCY: Office of the United States Trade Representative.

SUMMARY: The Office of the United States Trade Representative (USTR), in connection with the 2010 GSP Annual Review, has received petitions to waive the competitive need limitations (CNLs) on imports of certain products that are eligible for duty-free treatment under the GSP program. This notice announces those petitions that have been accepted for further review. All other petitions have been rejected. Authorization of the GSP program expires on December 31, 2010. If and when the program is reauthorized, a schedule for submission of public comments and for a public hearing on the petitions will be announced in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Tameka Cooper, GSP Program, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508. The telephone number is (202) 395-6971, the fax number is (202) 395-9674, and the e-mail address is Tameka_Cooper@ustr.eop.gov.

SUPPLEMENTARY INFORMATION: The GSP program provides for the duty-free importation of eligible articles when imported from designated beneficiary developing countries. The GSP program is authorized by Title V of the Trade Act of 1974 (19 U.S.C. 2461, et seq.), as amended (the “1974 Act”), and is implemented in accordance with Executive Order 11888 of November 24, 1975, as modified by subsequent Executive Orders and Presidential Proclamations.

In a Federal Register notice dated July 15, 2010, USTR announced that the deadline for the filing of petitions requesting CNL waivers for the 2010 GSP Annual Review was November 16, 2010 (75 FR 41274). Of the petitions submitted in response to this notice, the GSP Subcommittee of the Trade Policy Staff Committee has accepted for review petitions on the following four products: (1) Lysine and its esters from Brazil (HTS 2922.41.00); (2) pneumatic tires from Sri Lanka (HTS 4011.93.80); (3) certain rubber gloves from Thailand (HTS 4015.19.10); and (4) calcium silicon ferroalloys from Argentina (HTS 7202.99.20).

Additional information regarding the petitions with respect to these articles is provided in the “List of CNL Waiver Submissions Accepted in the 2010 GSP Annual Review” that is posted on the USTR Web site (http://www.ustr.gov). Acceptance of a petition for review does not indicate any opinion with respect to the disposition on the merits of the petition. Acceptance indicates only that the listed petitions have been found eligible for review and that such review will take place.

Section 505 of the Trade Act states that duty-free treatment provided under the GSP shall not remain in effect after December 31, 2010. If and when the program is reauthorized, a schedule for submission of public comments and for a public hearing on the petitions will be announced in the Federal Register.

Receipt of Advice from the USITC

In accordance with authority delegated to the U.S. Trade Representative by the President, the U.S. Trade Representative has requested, pursuant to section 332(g) of the Tariff Act of 1930 and in accordance with section 503(c)(2)(A) of the 1974 Act, that the U.S. International Trade Commission (USITC) provide its advice on whether any industry in the United States is likely to be adversely affected by a waiver of the CNL specified in section 503(c)(2)(A) of the 1974 Act for the country specified with respect to the products cited above. The USITC has also been asked to provide advice as to the probable economic effect on U.S. industries producing like or directly competitive articles, on total U.S. imports, and on U.S. consumers.

William D. Jackson,
Deputy Assistant U.S. Trade Representative for the Generalized System of Preferences, Office of the U.S. Trade Representative.

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BILLING CODE 4710–09–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

WTO Dispute Settlement Proceeding Regarding China—Subsidies on Wind Power Equipment

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 22, 2010, in accordance with the Marrakesh Agreement Establishing the World Trade Organization (“WTO Agreement”), the United States requested consultations regarding certain subsidies provided by the People’s Republic of China (China) on wind power equipment. The consultation request addresses a measure of China entitled the “Provisional Measures on Administration of Special Fund for Industrialization of Wind Power Equipment” (“Wind Power Equipment Fund”). The Wind Power Equipment Fund provides grants that appear to be contingent on the use of domestic over imported wind power equipment, and thus appears to be a prohibited subsidy that is inconsistent with China’s obligations under Article 3 of the Agreement on Subsidies and Countervailing Measures (“SCM Agreement”). In addition, as it appears that China has neither made available a translation of the measure into a WTO official language nor notified it to the WTO, China appears to have failed to comply with its transparency obligations under the WTO Agreement. 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 January 31, 2011, to be assured of timely consideration by USTR.

ADDRESSES: Non-confidential comments (as explained below) should be submitted electronically via the Internet at http://www.regulations.gov, docket number USTR–2010–0036. 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 comments contain confidential information, the person wishing to submit such comments should contact Sandy McKinzy at (202) 395–9483.

FOR FURTHER INFORMATION CONTACT: Eric Garfinkel, Chief Counsel for China Trade, (202) 395–3150, Joseph Rieras, Assistant General Counsel, (202) 395–3150, Terry McCartin, Deputy Assistant USTR for China Affairs, (202) 395–3900, or Jean Kemp, Director, Steel Trade Policy, (202) 395–5656 for questions concerning the issues in the dispute; or Sandy McKinzy, Legal Technician, (202) 395–9483, for questions concerning procedures for filing submissions in response to this advice.

SUPPLEMENTARY INFORMATION: USTR is providing notice that the United States has requested consultations with the Government of China pursuant to the WTO Understanding on Rules and Procedures Governing the Settlement of Disputes (“DSU”). If the 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.

The request for consultations follows from the decision of the United States Trade Representative (“Trade Representative”) to initiate an investigation under Section 302 of the Trade Act of 1974, as amended (“Trade Act”) in response to a petition filed by the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL–CIO CLC (“USW”). See Initiation of Section 302 Investigation and Request for Public Comment: China—Acts, Policies and Practices Affecting Trade and Investment in Green Technology, 75 FR 64776 (Oct. 20, 2010). In light of the number and diversity of the acts, policies, and practices covered by the petition, and after consulting with the petitioner, the Trade Representative decided, pursuant to Section 303(b) of the Trade Act, to delay for up to 90 days the request for consultations with the Government of China for the purpose of verifying and improving the petition. Id. at 64777.

Since the initiation of the investigation on October 15, 2010, USTR has sought information and advice from petitioners and the appropriate committees established pursuant to section 135 of the Trade Act, has taken account of the public comments submitted in response to the October 20, 2010 notice, and has conducted its own research and worked with other agencies in order to verify and improve the various claims set out in the USW petition. As a result of those efforts, USTR has verified and improved claims involving subsidies provided by China on wind power equipment under its Wind Power Equipment Fund. In particular, USTR has verified that China’s Wind Power Equipment Fund provides grants that appear to be contingent on the use of domestic over imported wind power equipment, and thus appears to be a prohibited subsidy that is inconsistent with China’s obligations under Article 3 of the SCM Agreement. In addition, as it appears that China has neither made available a translation of the measure into a WTO official language nor notified it to the WTO, China appears to have failed to comply with its transparency obligations under the WTO Agreement. In particular, China appears to have failed to comply with its obligations under Article XVI:1 of the GATT 1994, Article 25 of the SCM Agreement, and Part I, Paragraph 1.2, of the Protocol on the Accession of the People’s Republic of China (to the extent that it incorporates paragraph 334 of the Report of the Working Party on the Accession of China).

Accordingly, on December 22, 2010, the United States requested consultations under the DSU regarding China’s Wind Power Equipment Fund, on the bases described above. The consultation request will be published on the WTO Web site, http://www.wto.org, under “Disputes.”

Since the initiation of the investigation on October 15, 2010, USTR has not been able to verify and improve claims with respect to the remaining acts, policies, and practices covered in the USW petition. Those matters are not included in the request for consultations and are not being continued in the investigation under Section 302(b). However, the Trade Representative continues to have serious concerns with these acts, policies and practices and their effects on U.S. workers and businesses, and will continue to work with the petitioner and other stakeholders to develop additional information and effective means for addressing these matters.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the consultation request. Interested persons may submit public comments electronically to http://www.regulations.gov, docket number USTR–2010–0036. 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.

To submit comments via http://www.regulations.gov, enter docket number USTR–2010–0036 on the home page and click “Search.” The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting “Notice” under “Document Type.” Click on the reference to this notice, and then click “Submit Comment.” The http://www.regulations.gov site provides the option of submitting comments by filling in a “Type Comment & Upload File” field, or by attaching a document. Given the detailed nature of the comments sought by USTR, interested persons are requested to provide their comments in an attached document. If a document is attached, it is sufficient to type “See attached” in the “Type Comment & Upload File” field.

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 designated as such and the submission must be marked “BUSINESS CONFIDENTIAL” at the top and bottom of the cover page and each succeeding page.

USTR may determine that information or advice, other than business confidential information, is nonetheless confidential. If the submitter believes that information or advice may qualify as such, the submitter must:

1. Must clearly so designate the information or advice;
2. Must clearly mark the material as “SUBMITTED IN CONFIDENCE” at the top and bottom of the cover page and each succeeding page; and
3. Must provide a non-confidential summary of the information or advice.

Any comment containing information that is business confidential or submitted in confidence must be submitted by fax to Sandy McKinzy at (202) 395–3640. A non-confidential summary must be submitted to http://www.regulations.gov. The non-confidential summary will be placed in the docket and open to public inspection.
DEPARTMENT OF TRANSPORTATION

ITS Joint Program Office; Human Factors for IntelliDrive SM (HFID); Public Meeting; Notice of Public Meeting

AGENCY: Research and Innovative Technology Administration, U.S. Department of Transportation.

ACTION: Notice.

The U.S. Department of Transportation ITS Joint Program Office (ITS JPO) and the National Highway Transportation Safety Administration (NHTSA) will host a free public meeting to discuss the Human Factors for IntelliDrive (HFID) program on January 6, 2011 from 10 a.m. to 5:30 p.m. at the Flamingo Las Vegas, 3555 Las Vegas Boulevard South Las Vegas, Nevada 89109.

IntelliDrive is a research program under development that will allow vehicles to communicate wirelessly with other vehicles and the surrounding infrastructure, such as traffic signals and work zones. The program has the potential to significantly reduce vehicle crashes, enhance mobility and improve the environment. One of the supporting research programs is Human Factors for IntelliDrive (HFID), a program aimed at understanding the effects of providing drivers with critical safety warning messages. The vision of the HFID research is to address the number of new, competing visual and audible stimuli that put demands on a driver’s attention. The goal of the program is to develop guidelines to ensure future IntelliDrive interfaces are effective without increasing distraction. The HFID program will support all of the IntelliDrive applications—safety, mobility, and sustainability—for multiple vehicle types to include: passenger vehicles, passenger transit vehicles, and heavy trucks.

At this meeting, ITS JPO and NHTSA will provide an overview of the entire Human Factors for IntelliDrive program, including Vehicle to Vehicle (V2V) communication and Vehicle to Infrastructure (V2I) communication, heavy truck-related research, and environmental research related IntelliDrive. The presenters will also cover each of the five HFID research tracks and then lead a discussion to facilitate the exchange of ideas with stakeholders. The feedback obtained during the meeting will be considered for the current program and future HFID projects.

Registration will be available on-site. For additional questions, please contact Nicole Oliphant at noliphant@itsa.org or 202–721–4215.

Issued in Washington, DC, on the 22nd day of December 2010.

John Augustine,
Managing Director, ITS Joint Program Office.

FURTHER INFORMATION CONTACT: Habib Azarsina, Departmental Privacy Officer, Office of the Chief Information Officer, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or habib.azarsina@dot.gov.

FOR FURTHER INFORMATION CONTACT: Habib Azarsina, Departmental Privacy Officer, Office of the Chief Information Officer, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC 20590 or habib.azarsina@dot.gov or (202) 366–1965.

SUPPLEMENTARY INFORMATION: The Privacy Act (5 U.S.C. 552a) governs the means by which the United States Government collects, maintains, and uses personally identifiable information (PII) in a system of records. A “system of records” is a group of any records under the control of a Federal agency from which information about individuals is retrieved by name or other personal identifier. The Privacy Act requires each agency to publish in the Federal Register for public notice and comment, a system of records notice (SORN) identifying and