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**Stanford K. McCoy,**

*Assistant U.S. Trade Representative for Intellectual Property and Innovation.*

[FR Doc. 2011–24523 Filed 9–21–11; 8:45 am]

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Request for Public Comments on Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice and Request for Comments.

**SUMMARY:** The African Growth and Opportunity Act Implementation Subcommittee of the Trade Policy Staff Committee (the “Subcommittee”) is requesting written public comments for the annual review of the eligibility of sub-Saharan African countries to receive the benefits of the African Growth and Opportunity Act (the AGOA). The Subcommittee will consider these comments in developing recommendations on AGOA country eligibility for calendar year 2012 for the President. Comments received related to the child labor criteria may also be considered by the Secretary of Labor in the preparation of the Department of Labor’s report on child labor as required under section 412(c) of the Trade and Development Act of 2000. This notice identifies the eligibility criteria that must be considered under the AGOA, and lists those sub-Saharan African countries that are currently eligible for the benefits of the AGOA and those that were ineligible for such benefits in 2011.

**DATES:** To ensure consideration, public comments must be submitted to the Office of the U.S. Trade Representative (USTR) by October 11, 2011.

**ADDRESSES:** USTR strongly prefers electronic submissions made at <http://www.regulations.gov>, docket number USTR-. See “Requirements for Submission,” below. If you are unable to make a submission at [www.regulations.gov](http://www.regulations.gov), please contact Laura Newport, Trade Policy Staff Committee, at (202) 395–3475 to make other arrangements.

**FOR FURTHER INFORMATION CONTACT:** For procedural questions, please contact Laura Newport, Office of the U.S. Trade Representative, 600 17th Street, NW.,

Room F516, Washington, DC 20508, at (202) 395–3475. All other questions should be directed to Constance Hamilton, Deputy Assistant U.S. Trade Representative for Africa, Office of the U.S. Trade Representative, at (202) 395–9514.

**SUPPLEMENTARY INFORMATION:** The AGOA (Title I of the Trade and Development Act of 2000, Public Law 106–200) (19 U.S.C. 3721 *et seq.*), as amended, authorizes the President to designate sub-Saharan African countries as beneficiary sub-Saharan African countries eligible for duty-free treatment for certain additional products under the Generalized System of Preferences (GSP) (Title V of the Trade Act of 1974 (19 U.S.C. 2461 *et seq.*) (the “1974 Act”)), as well as for the preferential treatment the AGOA provides for certain textile and apparel articles.

The President may designate a country as a beneficiary sub-Saharan African country eligible for both the additional GSP benefits and the textile and apparel benefits of the AGOA for countries meeting certain statutory requirements intended to prevent unlawful transshipment of such articles, if he determines that the country meets the eligibility criteria set forth in: (1) Section 104 of the AGOA (19 U.S.C. 3703); and (2) section 502 of the 1974 Act (19 U.S.C. 2462).

Section 104 of the AGOA includes requirements that the country has established or is making substantial progress toward establishing: a market-based economy; the rule of law, political pluralism, and the right to due process; the elimination of barriers to U.S. trade and investment; economic policies to reduce poverty; a system to combat corruption and bribery; and protection of internationally recognized worker rights. In addition, the country may not engage in activities that undermine U.S. national security or foreign policy interests or engage in gross violations of internationally recognized human rights. Please see section 104 of the AGOA and section 502 of the 1974 Act for a complete list of the AGOA eligibility criteria.

For 2011, 37 countries have been designated as beneficiary sub-Saharan African countries. These countries, as well as the countries currently ineligible, are listed below. Section 506A of the 1974 Act provides that the President shall monitor and review annually the progress of each sub-Saharan African country in meeting the foregoing eligibility criteria in order to determine whether each beneficiary sub-Saharan African country should continue to be eligible, and whether

each sub-Saharan African country that is currently not a beneficiary sub-Saharan African country, should be designated as such a country. Section 506A of the 1974 Act requires that, if the President determines that a beneficiary sub-Saharan African country is not making continual progress in meeting the eligibility requirements, he must terminate the designation of the country as a beneficiary sub-Saharan African country.

The Subcommittee is seeking public comments in connection with the annual review of the eligibility of beneficiary sub-Saharan African countries for the AGOA’s benefits. The Subcommittee will consider any such comments in developing recommendations on country eligibility for the President. Comments related to the child labor criteria may also be considered by the Secretary of Labor in making the findings required under section 504 of the 1974 Act. The following sub-Saharan African countries were designated as beneficiary sub-Saharan African countries in 2011:

Angola, Republic of Benin, Republic of Botswana, Burkina Faso, Burundi, Republic of Cape Verde, Republic of Cameroon, Republic of Chad, Federal Islamic Republic of Comoros, Republic of Congo, Republic of Djibouti, Ethiopia, Gabonese Republic, The Gambia, Republic of Ghana, Republic of Guinea-Bissau, Republic of Kenya, Kingdom of Lesotho, Republic of Liberia, Republic of Malawi, Republic of Mali, Islamic Republic of Mauritania, Republic of Mauritius, Republic of Mozambique, Republic of Namibia, Federal Republic of Nigeria, Republic of Rwanda, Sao Tome & Principe, Republic of Senegal, Republic of Seychelles, Republic of Sierra Leone, Republic of South Africa, Kingdom of Swaziland, United Republic of Tanzania, Republic of Togo, Republic of Uganda, Republic of Zambia.

Three countries that were not designated as AGOA beneficiary countries for 2011 are the subject of a separate out-of-cycle review that is ongoing, so they are not part of this annual review. These countries are Cote d’Ivoire, Guinea, and Niger. Written public comments regarding AGOA eligibility for these three countries were separately solicited through a notice in the **Federal Register** (76 FR 50284, August 12, 2011).

The following sub-Saharan African countries that were not designated as beneficiary sub-Saharan African countries in 2011 that are up for review are:

Central African Republic, Democratic Republic of Congo, Republic of Equatorial Guinea, State of Eritrea,

Republic of Madagascar, Somalia, Republic of Sudan, Republic of Zimbabwe.

Requirements for Submissions: Comments must be submitted in English. To ensure the most timely and expeditious receipt and consideration of petitions, USTR has arranged to accept on-line submissions via <http://www.regulations.gov>. To submit petitions via this site, enter docket number USTR-2011-0010 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" on search-results page and click on the link entitled "Submit a Comment." (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the Web site by clicking on "Help" at the top of the home page.)

The <http://www.regulations.gov> Web site provides the option of making submissions by filling in a "Type Comment" field, or by attaching a document. USTR prefers comments to be submitted as attachments. When doing this, it is sufficient to type "See attached" in the "Type Comment" field. Submissions in Microsoft Word (.doc) or Adobe Acrobat (pdf) are preferred.

Persons wishing to file comments containing business confidential information must submit both a business confidential version and a public version. Persons submitting business confidential information should write "See attached BC comments" in the "Type Comment" field. Any page containing business confidential information must be clearly marked "Business Confidential" on the top of that page. Persons submitting a business confidential comment must also submit a separate public version of that comment with the business confidential information deleted. Persons should write "See attached public version" in the "Type Comment" field of the public submission. Submissions should not attach separate cover letters; rather, information that might appear in the cover letter should be included in the comments you submit. Similarly, to the extent possible, please include any exhibits, annexes, or other attachments to a submission in the same file as the submission itself and not as separate files.

Public versions of all documents relating to this review will be available for review no later than two weeks after the due date at <http://www.regulations.gov>, docket number USTR-2011-0010.

[www.regulations.gov](http://www.regulations.gov), docket number USTR-2011-0010.

Donald W. Eiss,

Acting Chair, Trade Policy Staff Committee.

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## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Determination Regarding Waiver of Discriminatory Purchasing Requirements With Respect to Goods and Services of Armenia

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Determination Regarding Waiver of Discriminatory Purchasing Requirements under the Trade Agreements Act of 1979.

**DATES:** *Effective Date:* September 15, 2011.

**FOR FURTHER INFORMATION CONTACT:** Jean Heilman Grier, Senior Procurement Negotiator, Office of the United States Trade Representative, (202) 395-9476.

**SUPPLEMENTARY INFORMATION:** On December 7, 2010, the WTO Committee on Government Procurement approved the accession of Armenia to the World Trade Organization ("WTO") Agreement on Government Procurement ("GPA"). Armenia submitted its instrument of accession to the Secretary-General of the WTO on August 16, 2011. The GPA will enter into force for Armenia on September 15, 2011. The United States, which is also a party to the GPA, has agreed to waive discriminatory purchasing requirements for eligible products and suppliers of Armenia beginning on September 15, 2011.

Section 1-201 of Executive Order 12260 of December 31, 1980 delegated the functions of the President under sections 301 and 302 of the Trade Agreements Act of 1979 ("the Trade Agreements Act") (19 U.S.C. 2511, 2512) to the United States Trade Representative.

*Determination:* In conformity with sections 301 and 302 of the Trade Agreements Act, and in order to carry out U.S. obligations under the GPA, I hereby determine that:

1. Armenia has become a party to the GPA and will provide appropriate reciprocal competitive government procurement opportunities to United States products and services and suppliers of such products and services. In accordance with section 301(b)(1) of the Trade Agreements Act, Armenia is so designated for purposes of section 301(a) of the Trade Agreements Act.

2. Accordingly, beginning on September 15, 2011, with respect to eligible products (namely, those goods and services covered under the GPA for procurement by the United States) of Armenia and suppliers of such products, the application of any law, regulation, procedure, or practice regarding government procurement that would, if applied to such products and suppliers, result in treatment less favorable than that accorded—

(A) To United States products and suppliers of such products, or

(B) To eligible products of another foreign country or instrumentality which is a party to the GPA and suppliers of such products, shall be waived. This waiver shall be applied by all entities listed in United States Annexes 1 and 3 of GPA Appendix 1.

3. The Trade Representative may modify or withdraw the designation in paragraph 1 and the waiver in paragraph 2.

Ronald Kirk,

United States Trade Representative.

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Application of Jet-A, LLC for Certificate Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2011-9-8). Docket DOT-OST-2010-0120.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should issue an order finding Jet-A, LLC fit, willing, and able to operate interstate charter air transportation of persons, property and mail, using one large aircraft.

**DATES:** Persons wishing to file objections should do so no later than September 28, 2011.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2010-0120 and addressed to U.S. Department of Transportation, Docket Operations, (M-30, Room W12-140), 1200 New Jersey Avenue, SE., West Building Ground Floor, Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Catherine J. O'Toole, Air Carrier Fitness Division (X-56, Room W86-489), U.S.