

and training); consumer protection; and e-government. The Joint E-Commerce Committee will make further recommendations to trade ministers for their consideration at the next FTAA Ministerial meeting in October 2002.

2. Private Sector Participation

During 1998–1999, 13 U.S. private sector representatives, reflecting a balance of interests and electronic commerce issue expertise, participated in the work of the Joint E-Commerce Committee. Nineteen (19) U.S. private sector representatives participated during 2000–2001. All had responded to notices in the **Federal Register** (63 FR 42090, August 6, 1998, 64 FR 26811, May 17, 1999, 65 FR 40, February 29, 2000 and 65 FR 150, August 3, 2000) or to requests to official trade advisors inviting expressions of interest and qualifications to participate in the work of the Joint E-Commerce Committee.

As the Joint E-Commerce Committee focuses on its work for 2001–2002, the TPSC is seeking to solicit interest in new U.S. private sector participation on the Joint E-Commerce Committee. In order to assist the TPSC in identifying U.S. private sector experts on issues related to the Joint E-Commerce Committee's upcoming work, members of the public are invited to submit written notice of their interest and describe their qualifications. Qualifications of interest include: demonstrated expertise in one or more aspects of electronic commerce, such as the digital divide, consumer protection, e-government; knowledge of the Western Hemisphere, including established contacts with foreign private sector interests in the region; an ability and willingness to broadly solicit views from and disseminate information to private sector interests; and familiarity with U.S. and foreign trade and investment policies and obligations and developments in electronic commerce fora.

Written Expression of Interest

Persons wishing to make written expressions of interest should provide the original plus twenty (20) typed copies, to Gloria Blue, Executive Secretary, Trade Policy Staff Committee, Office of the U.S. Trade Representative, 1724 F St., NW, Washington, D.C., 20508, (202) 395–3475, no later than noon, September 6, 2001. If possible, expressions of interest should be submitted before this date.

Business confidential information will be subject to the requirements of 15 CFR 2003.6. Any business confidential material must be clearly marked as such on the cover letter or page and each

succeeding page, and must be accompanied by a nonconfidential summary thereof. If the submission contains business confidential information, twenty copies of a public version that does not contain confidential information must be submitted. A justification as to why the information contained in the submission should be treated confidentially must be included in the submission. In addition, any submissions containing business confidential information must be clearly marked "Confidential" at the top and bottom of the cover page (or letter) and each succeeding page of the submission. The version that does not contain confidential information should also be clearly marked, at the top and bottom of each page, "public version" or "non-confidential."

Nonconfidential submissions will be available for public inspection in the USTR Reading Room in the Annex of the Office of the USTR, 1724 F Street, N.W., Room Three, Washington, DC. An appointment to review the file may be made by calling Brenda Webb (202) 395–6186. The Reading Room is open to the public from 10:00 a.m. to 12 noon, and from 1 p.m. to 4 p.m. Monday through Friday.

To be assured of consideration for participation in this round of discussions, expressions of interest should be submitted no later than 12 noon on September 13, 2001.

Carmen Suro-Bredie,

Chair, Trade Policy Staff Committee.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS—]

WTO Dispute Settlement Proceeding Regarding the U.S. Department of Commerce Preliminary Countervailing Duty Determination and Preliminary Critical Circumstances Determination Concerning Certain Softwood Lumber From Canada, and Section 777a(e)(2)(A) and (B) of the Tariff Act of 1930

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 August 21, 2001, the United States received from Canada a request for consultations under the Marrakesh Agreement

Establishing the World Trade Organization (WTO Agreement) regarding the U.S. Department of Commerce (DOC) preliminary countervailing duty determination and preliminary critical circumstances determination concerning certain softwood lumber from Canada, as well as section 777a(e)(2)(A) and (B) of the Tariff Act of 1930 (19 U.S.C. 1677f–1(e)(2)(A) and (B)). Canada alleges that:

- DOC's preliminary countervailing duty determination is inconsistent with Articles 1, 2, 10, 14, 17.1, 17.5, 19.4, and 32.1 of the Agreement on Subsidies and Countervailing Measures (SCM Agreement) and Article VI:3 of the General Agreement on Tariffs and Trade 1994 (GATT 1994);

- DOC's preliminary critical circumstances determination is inconsistent with Articles 17.1, 17.3, 17.4, 19.4, and 20.6 of the SCM Agreement; and

- Section 777A(e)(2)(A) and (B) of the Tariff Act of 1930, 19 CFR §§ 351.214(k) and 351.213(b) and (k), and the operation of these provisions in the DOC countervailing duty investigation of certain softwood lumber products from Canada are inconsistent with U.S. obligations under Article XVI:4 of the WTO Agreement, Article VI:3 of the GATT 1994, and Articles 10, 19.3, 19.4, 21.1, 21.2, 32.1, and 32.5 of the SCM 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 September 20, 2001 to be assured of timely consideration by USTR.

ADDRESSES: Submit comments to Sandy McKinzy, Monitoring and Enforcement Unit, Office of the General Counsel, Room 122, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C., 20508, Attn: Softwood Lumber dispute. Telephone: (202) 395–3582.

FOR FURTHER INFORMATION CONTACT: Willis S. Martyn, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, N.W., Washington, D.C., (202) 395–3582.

SUPPLEMENTARY INFORMATION: Section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)) requires that notice and opportunity for comment be provided after the United States submits or receives a request for the establishment of a WTO dispute settlement panel. Consistent with this obligation, but in

an effort to provide additional opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO Dispute Settlement Understanding. 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 six to nine months after it is established.

Major Issues Raised by Canada

The notice of the DOC preliminary countervailing duty determination and preliminary critical circumstances determination concerning certain softwood lumber from Canada was published in the **Federal Register** on August 17, 2001. The notice explains the basis for DOC's preliminary determinations that Canada provides countervailable subsidies to the Canadian lumber industry and that critical circumstances exist. The notice further states that DOC will instruct the U.S. Customs Service to suspend liquidation of all entries of certain softwood lumber from Canada that are entered, or withdrawn from warehouse, for consumption on or after May 19, 2001. In addition, importers will be required to post a cash deposit or bond equal to the 19.31 percent ad valorem subsidy rate calculated by DOC for all imports that are entered, or withdrawn from warehouse, for consumption on or after August 17, 2001. In its panel request, Canada describes its claims against DOC's determinations in the following manner:

Regarding the preliminary countervailing duty determination, Canada considers this determination to be inconsistent with U.S. obligations under Articles 1, 2, 10, 14, 17.1, 17.5, 19.4, and 32.1 of the SCM Agreement and Article VI(3) of GATT 1994. Such inconsistencies include the determination's treatment of stumpage as a "financial contribution", its finding that stumpage is "specific", its presumption that an alleged benefit from stumpage passes through an arm's-length transaction to a downstream recipient, its measurement of the "adequacy of remuneration" by reference to conditions in another country rather than prevailing market conditions in Canada, and its inflation of the subsidy found by calculating a "weighted average country-wide rate" based upon only a portion of Canadian exports of softwood lumber to the United States.

With respect to the preliminary critical circumstances determination, Canada considers this determination to be inconsistent with Articles 17.1, 17.3, 17.4, 19.4, and 20.6 of the SCM Agreement because it is based upon an alleged export subsidy that was found to be *de minimis*, purports to

apply a rate that is in excess of the rate determined for subsidies found to have been bestowed inconsistently with GATT 1994 and the SCM Agreement, was made without the requisite finding of injury caused by massive imports of softwood lumber benefiting from this alleged export subsidy, and was based on a distorted finding of "massive imports". Furthermore, there is no basis in the SCM Agreement for the application of provisional measures pursuant to such a determination.

Section 777a(e)(2)(A) and (B) of the Tariff Act of 1930 provides that, in certain situations, DOC may limit its investigation to less than all known exporters or producers of the subject merchandise or calculate a single, country-wide subsidy rate to be applied to all exporters and producers. The regulations at 19 CFR 351.214(k) and § 351.213(b) and (k) concern administrative reviews of countervailing duty orders. In its panel request, Canada describes its claims against section 777a(e)(2)(A) and (B) and the regulations in the following manner:

The U.S. measures at issue with regard to expedited and administrative reviews are section 777A(e)(2)(A) and (B) of the Tariff Act of 1930, U.S. Department of Commerce regulations at 19 CFR 351.214(k) and § 351.213(b) and (k), and the operation of these measures in the ongoing U.S. countervailing duty proceeding against certain softwood lumber products from Canada. Canada considers these measures to be inconsistent with U.S. obligations under Article VI:3 of the GATT 1994 and Articles 10, 19.3, 19.4, 21.1, 21.2 and 32.1 of the SCM Agreement. Canada also considers that the United States has failed to ensure that its laws and regulations are in conformity with its WTO obligations as required by Article 32.5 of the SCM Agreement and Article XVI:4 of the WTO Agreement.

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. 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 commenter. 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 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)), USTR will maintain a file on this dispute settlement proceeding, accessible to the public, in the USTR Reading Room, which is located at 1724 F Street, N.W., Washington, D.C. 20508. The public file will include non-confidential comments received by USTR from the public with respect to the dispute; if a dispute settlement panel is convened, the U.S. submissions to that panel, 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 panel; and, if applicable, the report of the Appellate Body. An appointment to review the public file (Docket WTO/DS—, Softwood Lumber Dispute) 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.

Julia Christine Bliss,

Acting Assistant United States Trade Representative for Monitoring and Enforcement.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Availability of a Tier 1 Draft Environmental Impact Statement (DEIS) for FAA Site Approval and Land Acquisition by the State of Illinois for a Proposed South Suburban Airport, and Notice of Public Comment Period and Schedule of Public Hearing

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of availability, notice of public comment period, notice of public hearing.

SUMMARY: The Federal Aviation Administration (FAA) is issuing this notice to advise the public that a Tier 1 Draft Environmental Impact Statement (DEIS)—FAA Site Approval and Land Acquisition by the State of Illinois for a