SUMMARY: The United States Trade Representative has determined that Swaziland has adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents in connection with shipments of textile and apparel articles and has implemented and follows, or is making substantial progress toward implementing and following, the customs procedures required by the African Growth and Opportunity Act. Therefore, imports of eligible products from Swaziland qualify for the enhanced trade benefits provided under the AGOA.

EFFECTIVE DATE: July 26, 2001.

FOR FURTHER INFORMATION CONTACT: Chris Moore, Director for African Affairs, Office of the United States Trade Representative, (202) 395–9514.

SUPPLEMENTARY INFORMATION: The African Growth and Opportunity Act (Title I of the Trade and Development Act of 2000, Pub. L. No. 106–200) (AGOA) provides preferential tariff treatment for imports of certain textile and apparel products of beneficiary sub-Saharan African countries. The textile and apparel trade benefits under the AGOA are available to imports of eligible products from countries that the President designates as ''beneficiary sub-Saharan African countries,'' provided that these countries (1) have adopted an effective visa system and related procedures to prevent unlawful transshipment and the use of counterfeit documents, and (2) have implemented and follow, or are making substantial progress toward implementing and following, certain customs procedures that assist the Customs Service in verifying the origin of the products.

In Proclamation 7400 (Jan. 17, 2001), the President designated Swaziland as a ''beneficiary sub-Saharan African country.'' Proclamation 7350 (Oct. 2, 2000) delegated to the United States Trade Representative (USTR) the authority to determine whether designated countries have met the two requirements described above. The President directed the USTR to announce any such determinations in the **Federal Register** and to implement them through modifications of the Harmonized Tariff Schedule of the United States (HTS). Based on actions that Swaziland has taken, I have determined that Swaziland has satisfied these two requirements.

Accordingly, pursuant to the authority vested in the USTR by Proclamation 7350, U.S. note 7(a) to subchapter II of chapter 98 of the HTS and U.S. note 1 to subchapter XIX of chapter 98 of the HTS are each modified by inserting ''Swaziland'' in alphabetical sequence in the list of countries. The foregoing modifications to the HTS are effective with respect to articles entered, or withdrawn from warehouse, for consumption on or after the effective date of this notice. Importers claiming preferential tariff treatment under the AGOA for entries of textile and apparel articles should ensure that those entries meet the applicable visa requirements. *See Visa Requirements Under the African Growth and Opportunity Act*, 66 Fed. Reg. 7837 (2001).

Robert B. Zoellick,

United States Trade Representative.

[FR Doc. 01–19805 Filed 8–7–01; 8:45 am]

BILLING CODE 3190–01–P

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS–221]

WTO Dispute Settlement Proceeding Regarding Section 129(c)(1) of the Uruguay Round Agreements Act

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 July 12, 2001, Canada requested the establishment of a WTO dispute settlement panel to examine Section 129(c)(1) of the Uruguay Round Agreements Act. 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 15, 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, NW., Washington, DC 20508, Attn: Section 129(c)(1) dispute. Telephone: (202) 395–3592.

FOR FURTHER INFORMATION CONTACT: David J. Ross, Associate General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC (202) 395–3581.

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. If a dispute settlement panel is established pursuant to the WTO Dispute Settlement Understanding (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

Section 129(c)(1) of the URAA (19 U.S.C. 3538(c)(1)) is provision of U.S. law that addresses the treatment of unliquidated entries of subject merchandise in situations where the United States responds to a WTO panel decision by revoking a U.S. antidumping or countervailing duty order. In its panel request, Canada describes its claims against Section 129(c)(1) in the following manner:

> The measure at issue is Section 129(c)(1) of the URAA (19 U.S.C. 3538(c)(1)). In situations in which the DSB has ruled that an antidumping or countervailing duty determination is inconsistent with the obligations of the United States under the AD Agreement or the SCM Agreement and the United States Trade Representative directs the U.S. Department of Commerce to implement a new determination, section 129(c)(1) of the URAA requires that the new determination shall apply only to entries of imports that are entered or withdrawn from warehouse for consumption on or after the date on which the United States Trade Representative directs the Department of Commerce to implement the new determination. Pursuant to section 129(c)(1), and as confirmed by the Statement of Administrative Action accompanying the URAA (H.R. Doc. No. 103–316. at page 1026 (1994)), unliquidated entries of imports that entered or were withdrawn from warehouse for consumption prior to that date (''prior unliquidated entries'') remain subject to assessment of duties pursuant to the original antidumping or countervailing duty determination, notwithstanding the adverse DSB ruling and notwithstanding that a final determination assessing those duties will be made after the date fixed for compliance in accordance with the DSU.
>
> Accordingly, section 129(c)(1) of the URAA requires that the Department of Commerce make determinations in future administrative reviews to assess duties on prior unliquidated entries pursuant to the original antidumping or countervailing duty determination notwithstanding that such determination has been found to be not in conformity with the AD Agreement or the SCM Agreement. Section 129(c)(1) requires that the United States make duty assessments in a manner that the DSB has ruled to be inconsistent with the requirements of Article VI of the GATT 1994 or the AD Agreement and the SCM Agreement.

Canada asserts on these grounds that Section 129(c)(1) is inconsistent with Articles VI:2, VI:3 and VI:6(a) of the GATT 1994; Articles 10, 19.4, 21.1, 32.1 and 32.5 of the SCM Agreement; and Articles 1, 9.3, 11.1, 18.1 and 18.4 of the AD Agreement. Canada further claims that:

Article 18.4 of the AD Agreement, Article 32.5 of the SCM Agreement and Article XVI:4 of the Marrakesh Agreement Establishing the World Trade Organization (''WTO Agreement'') require a Member to bring its laws, regulations and administrative procedures into conformity with its WTO obligations. The DSU . . . provides that a Member found in breach of its WTO obligations is to comply immediately or, where that is not practicable, within the reasonable period of time as determined under Article 21.3. With respect to determinations made after the date fixed for compliance and insofar as such determinations affect entries prior to that date, section 129(c)(1) precludes the United States from complying with a DSB ruling. This prevents rather than ensures compliance by the United States with its WTO obligations.

On these grounds, Canada asserts that Section 129(c)(1) is consistent with Article 18.4 of the AD Agreement; Article 32.5 of the SCM Agreement, Article XVI:4 of the WTO Agreement; and DSU Articles 3.2, 3.7, 19.1, 21.1, and 213.

Public Comment: Requirement 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'' St., N.W., Washington, DC 20508. The public file will include a listing of any 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–221, Section 129(c)(1) 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.

A. Jane Bradley,

Assistant United States Trade Representative for Monitoring and Enforcement.

[FR Doc. 01–19870 Filed 8–7–01; 8:45 am]

BILLING CODE 3190–01–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Public Notice for Waiver of Aeronautical Land-Use Assurance; Toledo Express Airport; Toledo, OH

AGENCY: Federal Aviation Administration, DOT.

ACTION: Notice of intent of waiver with respect to land.

SUMMARY: The Federal Aviation Administration (FAA) is considering a proposal to change a portion of airport land from aeronautical use to non-aeronautical use and to authorize the sale of the airport property. The proposal consists of fourteen parcels of land totaling approximately 58.64 acres for industrial land use. Current use and present condition is vacant grassland. There are no impacts to the airport by allowing the airport to dispose of this property. The land was acquired under FAA Project No(s). AIP–3–39–0077–1190, AIP–3–39–0077–1692, AIP–3–39–0077–2293, AIP–3–39–0077–2594, and AIP–3–39–0077–2794. Approval does not constitute a commitment by the FAA to financially assist in the sale of the subject airport property nor a determination that all measures covered by the program are eligible for Airport Improvement Program funding from the FAA. The disposition of proceeds from the sale of the airport property will be in accordance with the FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999. This proposal is for approximately 58.640 acres in total.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose. The proposed land will be used for warehousing and light commercial/industrial use, which will provide additional jobs and in economically challenged area and enhance the aesthetics of the surrounding community.

The proceeds from the sale of the land will be used for airport improvements and operation expenses at Toledo Express Airport.

DATES: Comments must be received on or before September 7, 2001.

FOR FURTHER INFORMATION CONTACT: Mr. Lawrence C. King, Federal Aviation Administration, Great Lakes Region, Detroit Airports District Office, DET ADO–670.2, Willow Run Airport, East, 8820 Beck Road, Belleville, Michigan 48111, (734) 487–7293. Documents reflecting this FAA action may be reviewed at this same location or at Toledo Express Airport, Toledo, Ohio.

SUPPLEMENTARY INFORMATION: Following is a legal description of the property located in Lucas County, Ohio and described as follows:

A parcel of land being part of the Southeast quarter of the Southwest quarter of Section 9, also being all of Rosonowski Addition Plat 1 (Plat Volume 94, Page 76), all of Original Lot 3 and part of Original Lots 6 and 7, in Section 16, all in Town 7 North, Range 9 East, Swanton Township, Lucas County, Ohio, and being more particularly described as follows:

Commencing at a found iron bolt at the Northwest corner of said Original Lot 3 also being the intersection of the centerline of Sager Road (right-of-way varies) and Wilkins Road (60 foot right-of-way), said point also being the TRUE POINT OF BEGINNING of the parcel herein described;

Thence North 00° 05′ 55″ East on the centerline of Wilkins Road, also being the West line of the Southeast quarter of the Southwest quarter of Section 9, a distance of 300.00 feet to the intersection with a line drawn 300.00 feet Northerly of and parallel to the