

China also maintains measures that grant refunds, reductions, or exemptions from taxes otherwise due to the government on the condition that the beneficiary enterprises meet certain export performance criteria. The United States believes that, as such, these measures are inconsistent with China's obligations under Article 3.1(a) and 3.2 of the SCM Agreement and, consequently, paragraph 10.3 of Part I of China's Protocol of Accession, and paragraph 1.2 of Part I of its Protocol of Accession (to the extent that it incorporates paragraph 167 of the Report of the Working Party on the Accession of China).

#### Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments should be submitted (i) electronically, to [FR0507@ustr.eop.gov](mailto:FR0507@ustr.eop.gov), with "China Prohibited Subsidies (DS358)" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above.

USTR encourages the submission of documents in Adobe PDF format as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Comments must be in English. 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 designated as such and "BUSINESS CONFIDENTIAL" must be marked at the top and bottom of the cover page and each succeeding page. Persons who submit confidential business information are encouraged also to provide a non-confidential summary of the information.

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 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) 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, NW., Washington, DC 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 or in the event of an appeal from such a panel, the U.S. submissions, the submissions, or non-confidential summaries of submissions, received from other participants in the dispute; the report of the panel and, if applicable, the report of the Appellate Body. The USTR Reading Room is open to the public, by appointment only, from 10 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday. An appointment to review the public file (Docket WTO/DS-358, China Prohibited Subsidies Dispute) may be made by calling the USTR Reading Room at (202) 395-6186.

#### Daniel Brinza,

*Assistant United States Trade Representative for Monitoring and Enforcement.*

[FR Doc. E7-17357 Filed 8-30-07; 8:45 am]

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#### OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-360]

#### WTO Dispute Settlement Proceeding Regarding India—Additional and Extra Additional Duties on Imports

**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 in accordance with the *Marrakesh Agreement Establishing the World Trade Organization* (WTO Agreement), the United States has requested the establishment of a dispute settlement panel regarding additional and extra additional duties India applies to imports from the United States. India applies these duties to products that

include, but are not limited to, imports of wines and distilled spirits. That request may be found at [www.wto.org](http://www.wto.org) contained in a document designated as WT/DS360/5. 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, comments should be submitted on or before September 14, 2007 to be assured of timely consideration by USTR.

**ADDRESSES:** Comments should be submitted (i) electronically, to [FR0706@ustr.eop.gov](mailto:FR0706@ustr.eop.gov), with "India Alcohol Duties (DS/360)" in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above, in accordance with the requirements for submission set out below.

#### FOR FURTHER INFORMATION CONTACT:

Amy A. Karpel, Assistant General Counsel, Office of the United States Trade Representative, 600 17th Street, NW., Washington, DC 20508, (202) 395-3150.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 127(b) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), USTR is providing notice that the United States has requested the establishment of a WTO dispute settlement panel pursuant to the *WTO Understanding on Rules and Procedures Governing the Settlement of Disputes* (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 the United States

India imposes an additional duty and an extra additional duty on imports from the United States. India applies these duties to products that include, but are not limited to, imports of wines and distilled spirits. These duties appear to subject imports to ordinary customs duties or other duties or charges in excess of those in India's WTO Tariff Schedule. These duties include the following, as well as any amendments and related or implementing measures:

- Sections 2 and 3, and First Schedule, of the Customs Tariff Act, 1975; ("basic customs duty," "additional duty" and "extra additional duty")
- Section 12 of the Customs Act, 1962 ("basic customs duty")

- Customs Notification No. 5/2004 (January 8, 2004) (“basic customs duty” inter alia on spirits);
- Customs Notification No. 20/1997 (March 1, 1997) (“basic customs duty” inter alia on wine);
- Customs Notification No. 32/2003 (March 1, 2003) (“additional duty” inter alia on wine and spirits); and
- Customs Notification No. 19/2006 (March 1, 2006) (“extra additional duty” inter alia on wine and spirits).

As a result of the duties, products from the United States do not appear to be exempt from ordinary customs duties or other charges in excess of those set forth in India’s WTO Tariff Schedule and appear to be accorded less favorable treatment than that provided in India’s WTO Tariff Schedule. Even if these duties were considered to be internal taxes applied at the time of importation, the duties appear to subject imports from the United States to internal taxes in excess of those applied to like domestic products or directly competitive or substitutable domestic products.

USTR believes these measures are inconsistent with India’s obligations under Article II:1(a) and (b), Articles III:2 and III:4 of the General Agreement on Tariffs and Trade 1994.

#### Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in the dispute. Comments should be submitted (i) electronically, to [FR0706@ustr.eop.gov](mailto:FR0706@ustr.eop.gov), with “India Alcohol Duties (DS360)” in the subject line, or (ii) by fax, to Sandy McKinzy at (202) 395-3640, with a confirmation copy sent electronically to the electronic mail address above.

USTR encourages the submission of documents in Adobe PDF format as attachments to an electronic mail. Interested persons who make submissions by electronic mail should not provide separate cover letters; information that might appear in a cover letter should be included in the submission itself. Similarly, to the extent possible, any attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Comments must be in English. 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 designated

as such and BUSINESS CONFIDENTIAL must be marked at the top and bottom of the cover page and each succeeding page. Persons who submit confidential business information are encouraged to also provide a non-confidential summary of the information.

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 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) 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, NW., Washington, DC 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 or in the event of an appeal from such a panel, the U.S. submissions, the submissions, or non-confidential summaries of submissions, received from other participants in the dispute; the report of the panel and, if applicable, the report of the Appellate Body. The USTR Reading Room is open to the public, by appointment only, from 10 a.m. to noon and 1 p.m. to 4 p.m., Monday through Friday. An appointment to review the public file (Docket WTO/DS-340, China Auto Parts Dispute) may be made by calling the USTR Reading Room at (202) 395-6186.

#### Daniel E. Brinza,

*Assistant United States Trade Representative for Monitoring and Enforcement.*

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#### OFFICE OF PERSONNEL MANAGEMENT

##### Federal Salary Council

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice of meeting.

**SUMMARY:** The Federal Salary Council will meet at the time and location

shown below. The Council is an advisory body composed of representatives of Federal employee organizations and experts in the fields of labor relations and pay policy. The Council makes recommendations to the President’s Pay Agent (the Secretary of Labor and the Directors of the Office of Management and Budget and the Office of Personnel Management) about the locality pay program for General Schedule employees under section 5304 of title 5, United States Code. The Council’s recommendations cover the establishment or modification of locality pay areas, the coverage of salary surveys, the process of comparing Federal and non-Federal rates of pay, and the level of comparability payments that should be paid.

The Council will review the results of pay comparisons and formulate its recommendations to the President’s Pay Agent on pay comparison methods, locality pay rates, and locality pay area boundaries for 2009. The Council anticipates it will complete its work for this year at this meeting and has not scheduled any additional meetings for 2007. The public may submit written materials about the locality pay program to the Council at the address shown below. The meeting is open to the public.

**DATES:** October 3, 2007, at 10 a.m.

*Location:* Office of Personnel Management, 1900 E Street, NW., Room 7310, Washington, DC.

#### FOR FURTHER INFORMATION CONTACT:

Charles D. Grimes III, Deputy Associate Director for Performance and Pay Systems, Office of Personnel Management, 1900 E Street, NW., Room 7H31, Washington, DC 20415-8200. Phone (202) 606-2838; Fax (202) 606-4264; or e-mail at [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov).

For the President’s pay agent:

**Linda M. Springer,**

*Director.*

[FR Doc. E7-17221 Filed 8-30-07; 8:45 am]

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#### RAILROAD RETIREMENT BOARD

##### Correction to Agency Forms Submitted for OMB Review, Request for Comments

**SUMMARY:** In the document appearing on page 47086, FR Doc. E7-16592, Agency Forms Submitted for OMB Review, Request for Comments dated August 22, 2007, the Railroad Retirement Board is making a correction to the Item titled “Changes Proposed”. As published, the