

DEPARTMENT OF STATE

[Public Notice 4903]

**International Joint Commission
Boundary Waters Treaty of 1909**

The International Joint Commission (IJC) will hold public hearings on the report of its International Missisquoi Bay Task Force.

In May of this year, the Canadian and United States federal governments asked the IJC to review plans by the State of Vermont to modernize the Alburg-Swanton Bridge, involving the partial removal of the existing causeway, and to provide advice on whether the plans comply with Article IV of the Boundary Waters Treaty of 1909. Article IV states, in part, that "boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other."

In June, the IJC appointed an International Missisquoi Bay Task Force with members from the two federal governments, the state of Vermont and province of Quebec. IJC Commissioners and the Task Force held public consultation sessions in Saint-Georges-de-Clarenceville, Quebec and Swanton, Vermont in August. After reviewing the full range of available information, the Task Force reported to the IJC in October. Following the scheduled public hearings, the IJC will prepare its final report to the governments of the United States and Canada.

All interested organizations and citizens are invited to speak at the public hearings on the Task Force report to be held at the following times and locations:

Monday, December 6, 2004 from 7 p.m. to 9:30 p.m. at the Centre des Loisirs—1 rue Tourangeau in Saint-Georges-de-Clarenceville, Quebec.

Tuesday, December 7, 2004 from 7 p.m. to 9:30 p.m. at the Missisquoi Valley Union High School, 100 Thunderbird Drive, Swanton, Vermont.

As time will be limited, speakers are encouraged to highlight their comments at the public hearings and provide more detailed comments in writing. Written comments may also be sent to either address below for receipt by January 4, 2005:

Secretary, Canadian Section, 234 Laurier Avenue West, 22nd Floor, Ottawa, Ontario K1P 6K6, Fax: (613) 993-5583, Voice: (613) 995-2984, Email: Commission@ottawa.ijc.org
Secretary, United States Section, 1250 23rd Street NW., Suite 100, Washington, DC 20440, Fax: (202) 467-0746, Voice: (202) 736-9024,

Email:

Commission@washington.ijc.org

The International Joint Commission is an international organization established by the Boundary Waters Treaty of 1909. It assists the governments in managing waters along the border for the benefit of both countries in a variety of ways including examining issues referred to it by the two Federal governments.

More information, including the full text of the International Missisquoi Bay Task Force Report, may be found on the Commission's Web site, at <http://www.ijc.org>.

November 17, 2004.

James G. Chandler,*Acting Secretary, United States Section,
Department of State.*

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DEPARTMENT OF STATE

[Public Notice 4891]

**Industry Advisory Panel: Meeting
Notice**

The Industry Advisory Panel of the Overseas Buildings Operations will meet on Thursday, December 9, 2004 from 9:45 a.m. until 3:30 p.m. Eastern Standard Time. The meeting will be held at the Department of State, 2201 C Street, NW., (entrance on 23rd Street), Washington, DC. The majority of the meeting is devoted to an exchange of ideas between the Department's Bureau of Overseas Buildings Operations' senior management and the panel members, on design, operations and building maintenance. Members of the public are asked to kindly refrain from joining the discussion until Director Williams opens the discussion to the public.

Due to limited seating space for members of the public, we ask that you kindly e-mail your information. To participate in this meeting, simply register by e-mail at IAPR@STATE.GOV before December 3, 2004. Your email should include the following information; Date of birth, social security number, company name and title. This information is required to issue a temporary pass to enter the building.

For questions, please contact PinzinoLE3@state.gov or call tel: 703/875-6872;

Ms. Gina Pinzino; or
SpragueMA@state.gov tel: 703/875-7173 for Michael Sprague.

Charles E. Williams,*Director/Chief Operating Officer, Overseas
Buildings Operations, Department of State.*

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**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE****Request for Public Comment With
Respect to the Annual National Trade
Estimate Report on Foreign Trade
Barriers**

AGENCY: Office of the United States Trade Representative.

ACTION: Notice.

SUMMARY: Pursuant to section 303 of the Trade and Tariff Act of 1984, as amended, USTR is required to publish annually the National Trade Estimate Report on Foreign Trade Barriers (NTE). With this notice, the Trade Policy Staff Committee (TPSC) is requesting interested parties to assist it in identifying significant barriers to U.S. exports of goods, services and overseas direct investment for inclusion in the NTE. Particularly important are impediments materially affecting the actual and potential financial performance of an industry sector. The TPSC invites written comments that provide views relevant to the issues to be examined in preparing the NTE. In order to ensure the most timely processing of submissions, the Department of Commerce will receive comments in response to this Notice.

DATES: Public comments are due not later than Tuesday, December 21, 2004. This deadline is firm. No submissions will be accepted after December 21.

ADDRESSES: *Paper submissions:* NTE Comments, U.S. Department of Commerce, USA Trade Center Room, 14th & Constitution Ave., NW., Ronald Reagan Building, Washington, DC 20230.

Submissions by electronic mail:
ntecomments@ita.doc.gov.

FOR FURTHER INFORMATION CONTACT: Procedural questions about transmitting comments or viewing public submissions should be directed to Mrs. Lisa Leyser on (202-482-3433), U.S. Department of Commerce. Questions regarding the report or its subject matter should be directed to Ms. Gloria Blue, Office of Policy Coordination, Office of the United States Trade Representative (202-395-3475).

SUPPLEMENTARY INFORMATION: Last year's report may be found on USTR's Internet Home Page (<http://www.ustr.gov>) under the section on Reports. In order to ensure compliance with the statutory mandate for reporting foreign trade barriers that are significant, we will focus particularly on those restrictions where there has been active private sector interest.

The information submitted should relate to one or more of the following ten categories of foreign trade barriers:

- (1) Import policies (e.g., tariffs and other import charges, quantitative restrictions, import licensing, and customs barriers);
- (2) Standards, testing, labeling, and certification (including unnecessarily restrictive application of phytosanitary standards, refusal to accept U.S. manufacturers' self-certification of conformance to foreign product standards, and environmental restrictions);
- (3) Government procurement (e.g., "buy national" policies and closed bidding);
- (4) Export subsidies (e.g., export financing on preferential terms and agricultural export subsidies that displace U.S. exports in third country markets);
- (5) Lack of intellectual property protection (e.g., inadequate patent, copyright, and trademark regimes);
- (6) Services barriers (e.g., limits on the range of financial services offered by foreign financial institutions, regulation of international data flows, restrictions on the use of data processing, quotas on imports of foreign films, and barriers to the provision of services by professionals (e.g., lawyers, doctors, accountants, engineers, nurses, etc.);
- (7) Investment barriers (e.g., limitations on foreign equity participation and on access to foreign government-funded R&D consortia, local content, technology transfer and export performance requirements, and restrictions on repatriation of earnings, capital, fees and royalties);
- (8) Anticompetitive practices with trade effects tolerated by foreign governments (including anticompetitive activities of both state-owned and private firms that apply to services or to goods and that restrict the sale of U.S. products to any firm, not just to foreign firms that perpetuate the practices);
- (9) Trade restrictions affecting electronic commerce (e.g., tariff and non-tariff measures, burdensome and discriminatory regulations and standards, and discriminatory taxation); and
- (10) Other barriers (i.e., barriers that encompass more than one category, e.g.,

bribery and corruption, or that affect a single sector).

As in the case of last year's NTE, we are asking that particular emphasis be placed on any practices that may violate U.S. trade agreements. We are also interested in receiving any new or updated information pertinent to the barriers covered in last year's report as well as new information. Please note that the information not used in the NTE will be maintained for use in future negotiations.

It is most important that your submission contain estimates of the potential increase in exports that would result from the removal of the barrier, as well as a clear discussion of the method(s) by which the estimates were computed. Estimates should fall within the following value ranges: Less than \$5 million; \$5 to \$25 million; \$25 million to \$50 million; \$50 million to \$100 million; \$100 million to \$500 million; or over \$500 million. Such assessments enhance USTR's ability to conduct meaningful comparative analyses of a barrier's effect over a range of industries.

Please note that interested parties discussing barriers in more than one country should provide a separate submission (i.e., one that is self-contained) for each country.

Written Comments: In order to ensure the most timely receipt and consideration of comments submitted in response to this Notice, the following guidelines and special procedures have been established:

- (1) All comments will be received at the U.S. Department of Commerce rather than the Office of the United States Trade Representative;
- (2) The Department of Commerce has arranged to accept non-confidential, public submissions by electronic mail (e-mail). An automatic reply confirming receipt of e-mail submissions will be sent. E-mail submissions in Microsoft Word or Corel WordPerfect are preferred. If a word processing application other than those two is used, please advise us in your submission of the specific application used;
- (3) In order to facilitate prompt processing of submissions, the Department of Commerce strongly urges and prefers e-mail submission of non-confidential, public comments;
- (4) To ensure security, submissions containing business confidential information should not be sent by e-mail, but via the U.S. Postal Service or commercial express delivery (see paragraph 6 and 7 below for special requirements applying to such submissions). If a submission contains

business confidential information, a non-confidential public version must also be submitted along with the business confidential version.

(5) Business-confidential submissions must be accompanied by a justification as to why the information contained in the submission should be treated confidentially. 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 of 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".

(6) When comments are submitted using the U.S. Postal Service or commercial couriers, it is strongly recommended that submitters notify the Department of Commerce by e-mail (ntecomments@ita.doc.gov) as to the date of transmittal and method of delivery (U.S. Postal Service or name of courier company).

(7) All submissions must be in English and should conform to the information requirements of 15 CFR 2003. If submissions are made via U.S. Postal Service or commercial express delivery, the submission should be accompanied by a computer disk containing a machine-readable version. The disk should have a label identifying the software used, the submitter and the title of the submission. In addition, business confidential and public or non-confidential submissions should be submitted on separate disks which are clearly marked "business confidential" or "non-confidential", as appropriate.

Submissions must be received at the Department of Commerce no later than Tuesday, December 21, 2004.

After the filing deadline, arrangements can be made to view these non-proprietary public comments at the U.S. Department of Commerce's USA Trade Center, in the Trade Reference Library. The USA Trade Center is located in the Ronald Reagan Building, Suite 800 on the Mezzanine Level, at 1300 Pennsylvania Ave., NW., Washington, DC 20004. The Trade Reference Library is open from 8:30 a.m. to 5 p.m., Monday through Friday. Call 202-482-0200 to confirm. Questions regarding the operation of the library should be directed to Mrs. Lisa Leyser at 202-482-3433.

Carmen Suro-Bredie,

Chair, Trade Policy Staff Committee.

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