

opportunity for comment, USTR is providing notice that consultations have been requested pursuant to the WTO Dispute Settlement Understanding ("DSU"). 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 Korea

With respect to the measures at issue, Korea's request for consultations refers to the following:

- The affirmative preliminary CVD determination by the U.S. Department of Commerce ("DOC"), 68 FR 16766 (April 7, 2003);
- The affirmative final CVD determination by the DOC, 68 FR 37122 (June 23, 2003);
- The affirmative preliminary injury determination by the U.S. International Trade Commission ("USITC"), 67 FR 79418 (December 27, 2002);
- Any subsequent determinations that may be made during the USITC's injury investigation in *DRAMs and DRAM Modules from Korea* (Inv. No. 701-TA-431); and
- The related laws and regulations, including section 771 of the Tariff Act of 1930 and 19 CFR 351.

With respect to the claims of WTO-inconsistency, Korea's request for consultations refers to the following:

- The DOC failed to demonstrate the existence of a financial contribution by the Government of Korea.
- The DOC failed to examine each separate alleged government measure at issue in the investigation.
- The DOC failed to demonstrate that a benefit was conferred on the respondent Hynix Semiconductor Inc., given available market benchmarks.
- The "creditworthy," "equityworthy," and other analysis required by section 771(5) of the Tariff Act of 1930 and 19 CFR 351.
- Section 771(5) and (5A) of the Tariff Act of 1930 and 19 CFR 351 impose and the DOC applied an improper burden of proof on respondents and, in turn, the DOC did not base its decisions on affirmative, objective, and verifiable evidence.
- The DOC did not base its decision to initiate its CVD investigation on sufficient evidence.
- The DOC conducted various verification meetings over the explicit objection of the Government of Korea.
- The DOC imposed provisional measures based on a flawed analysis of

financial contribution, benefit, and other factual and legal issues.

- The DOC failed to provide all relevant information on the matters of fact and law and reasons for its determinations.
  - The DOC failed to conduct its investigation and make determinations in accordance with fundamental substantive and procedural requirements.
- The consultation request does not refer to any WTO-inconsistent action by the USITC, nor does it refer to any WTO-inconsistencies with respect to those provisions of U.S. laws and regulations dealing with injury determinations in CVD investigations.

### Requirements for Submissions

Interested persons are invited to submit written comments concerning the issues raised in this dispute. Persons submitting comments may either send one copy by fax to Sandy McKinzy at (202) 395-3640, or transmit a copy electronically to [FR0084@ustr.gov](mailto:FR0084@ustr.gov), with "Korea DRAMS (DS296)" in the subject line. For documents sent by fax, USTR requests that the submitter provide a confirmation copy electronically. 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.

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 submitter. Confidential business information must be clearly marked "BUSINESS CONFIDENTIAL" at the top and bottom of the cover page and each succeeding page of the submission.

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 submitting person believes that information or advice may qualify as such, the submitting person:

- (1) Must 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 of the submission; 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, 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 No. WT/DS-296, Korea DRAMS) may be made by calling the USTR Reading Room at (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.

**Daniel E. Brinza,**

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

[FR Doc. 03-18465 Filed 7-18-03; 8:45 am]

BILLING CODE 3190-01-M

---

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. OST-2003-15660]

### Notice of Request for Renewal of a Currently Approved Information Collection

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 this notice announces the Department of Transportation's (DOT's) intention to request an extension for a currently approved information collection.

**DATES:** Comments on this notice must be received by September 19, 2003.

**ADDRESSES:** You may submit comments [identified by DOT DMS Docket Number OST-2003-15660] by any of the following methods:

- **Web Site:** <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site.
- **Fax** 1-202-493-2251.

- **Mail:** Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001.

- **Hand Delivery:** Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington DC, between 9 a.m. and 5 p.m., Monday through Friday, except on Federal holidays.

- **Federal eRulemaking Portal:** Go to <http://www.regulations.gov>. Follow the online instructions for submitting comments.

**Instructions:** All submissions must include the agency name and docket number or Regulatory Identification Number (RIN) for this rulemaking. For detailed instructions on submitting comments and additional information on the rulemaking process, see the Public Participation heading of the Supplementary Information section of this document. Note that all comments received will be posted without change to <http://dms.dot.gov> including any personal information provided. Please see the Privacy Act heading under Regulatory Notes.

**Docket:** For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal Holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Luther Dietrich, Office of the Secretary, Office of Aviation Analysis, X-53, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-1046.

#### **SUPPLEMENTARY INFORMATION:**

**Title:** Air Carrier's Claim for Subsidy and Air Carrier's Report of Departures Flown in Scheduled service.

**OMB Control Number:** 2106-0044.

**Type of Request:** Extension for a currently approved information collection.

**Abstract:** In 14 CFR 271 of its Aviation Economic Regulations, the Department provided that subsidy to air carriers for providing essential air service will be paid to the carriers monthly, and that payments will vary according to the actual amount of service performed during the month. The reports of subsidized air carriers of essential air service performed on the Department's Forms 397, "Air Carrier's Report of Departures Flown in Scheduled Service", and 398, "Air Carrier's Claim for Subsidy," establish the fundamental basis for paying these

air carriers on a timely basis. Typically, subsidized air carriers are small businesses and operate only aircraft of limited size over a limited geographical area. The collection permits subsidized air carriers to submit their monthly claims in a concise, orderly, easy-to-process form, without having to devise their own means of submitting support for these claims.

The collection involved here requests only information concerning the subsidy-eligible flights (which generally constitute only a small percentage of the carriers' total operations) of a small number of air carriers. The collection permits the Department to timely pay air carriers for providing essential air service to certain eligible communities that would not otherwise receive scheduled passenger air service.

**Respondents:** Small air carriers selected by the Department in docketed cases to provide subsidized essential air service.

**Estimated Number of Respondents:** 21.

**Total Annual Responses:** 816.

**Estimated Total Burden on Respondents:** 4,176 hours.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper functioning of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Issued in Washington, DC on July 15, 2003.

**Randall D. Bennett,**

*Director, Office of Aviation Analysis.*

[FR Doc. 03-18495 Filed 7-18-03; 8:45 am]

**BILLING CODE 4910-62-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

**[Docket Nos. OST-03-15138 and OST-03-15139]**

### **Application of Aviation Concepts, Inc. for Certificate Authority**

**AGENCY:** Department of Transportation.

**ACTION:** Notice of order to show cause (order 2003-7-18).

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Aviation Concepts, Inc., fit, willing, and able, and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property and mail.

**DATES:** Persons wishing to file objections should do so no later than July 29, 2003.

**ADDRESSES:** Objections and answers to objections should be filed in Dockets OST-03-15138 and OST-03-15139 and addressed to the Department of Transportation Dockets (SVC-124.1, Room PL-401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jim Lawyer, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202) 366-1064.

Dated: July 14, 2003.

**Michael W. Reynolds,**

*Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 03-18380 Filed 7-18-03; 8:45 am]

**BILLING CODE 4910-62-P**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Aviation Administration**

### **Public Notice for Waiver of Aeronautical Land-Use Assurance; Presque Isle County/Rogers City Airport, Rogers City, Michigan**

**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 the airport from aeronautical use to non-aeronautical use and to authorize the exchange of the airport property. The proposal consists of one parcel totaling approximately 5.28 acres. Current use and present condition is undeveloped vacant land. The land was originally sold to the County from Bradley Reality Company, December 27, 1935. There are no impacts to the airport by allowing the airport to dispose of the property. The proposed land will be exchanged for school district property needed to meet the Object Free Area requirements