

program or system in which those rights are furnished to an enterprise in exchange for compensation by that enterprise that is less than the current price for comparable stumpage rights on government lands in the United States.<sup>-27</sup> The Gibbons bill would add a category of "resource-input subsidy" to the current definition. Included would be a resource product or removal right, which is provided or sold by a government or government-regulated entity for input use within that country at a domestic price lower than fair-market value, where the product or right constitutes a significant portion of the total cost of the manufacture or production of the merchandise under investigation. For an input product, fair-market value would mean "the price that, in the absence of government regulation or control, a willing buyer would pay a willing seller for that product from the exporting country in an arms-length transaction." For a removal right, fair-market value would be "the price paid for a comparable removal right in a comparable region in another country which has the largest number of arms-length sales of such rights" — in other words, the United States.<sup>28</sup>

These two bills are nothing more than specific attempts to overturn recent IIA negative determinations in the Canadian Softwood Products case and the Mexican Anhydrous Ammonia, Carbon Black, and Cement cases. In all of these cases, U.S. domestic producers complained that foreign competitors had lower production costs because their governments sold them resources — that is, stumpage rights, natural gas, petroleum feedstock, and heavy fuel oil, respectively -- at rates much lower than those available to domestic producers in the United States for comparable inputs. When the IIA applied the specificity test to reject their requests for countervailing duties, disgruntled U.S. producers lobbied hard to launch a lateral attack in Congress. Congressman Gibbons introduced a bill in 1984, HR4784, which included a definition of natural resource subsidy designed to counter the