

to hold consultations with the relevant Congressional committees. We also requested the advice of the U.S. International Trade Commission and the relevant Industry Sector Advisory Committees.

CITA has determined that the domestic industry can supply a product substitutable for the two fabrics described above in commercial quantities in a timely manner. On the basis of currently available information, including review of the request, public comment and advice received, and its understanding of the industry, CITA has determined that there is domestic capacity to supply a substitutable product in commercial quantities in a timely manner. Levi Strauss and Co.'s request is denied.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.04-6939 Filed 3-24-04; 3:16 pm]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denial of Commercial Availability Request under the African Growth and Opportunity Act (AGOA), the United States-Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA)

March 24, 2004.

AGENCY: The Committee for the Implementation of Textile Agreements (CITA).

ACTION: Denial of the request alleging that three patented fusible interlining fabrics, used in the construction of waistbands, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the CBTPA, and the ATPDEA.

SUMMARY: On January 20, 2004, the Chairman of CITA received a petition from Levi Strauss and Co. alleging that three patented fusible interlining fabrics, of the specifications detailed below, classified in subheading 5903.90.2500 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested that apparel containing waistbands of such fabrics be eligible for preferential treatment under the AGOA, the CBTPA, and the ATPDEA.

FOR FURTHER INFORMATION CONTACT: Richard Stetson, International Trade Specialist, Office of Textiles and

Apparel, U.S. Department of Commerce, 202-482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 112(b)(5)(B) of the AGOA; Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act, as added by Section 211(a) of the CBTPA; Sections 1 and 6 of Executive Order No. 13191 of January 17, 2001; Presidential Proclamations 7350 and 7351 of October 4, 2000; Section 204 (b)(3)(B)(ii) of the ATPDEA, Presidential Proclamation 7616 of October 31, 2002, Executive Order 13277 of November 19, 2002, and the United States Trade Representative's Notice of Further Assignment of Functions of November 25, 2002.

BACKGROUND:

The AGOA, the CBTPA, and the ATPDEA provide for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns and fabrics formed in the United States or a beneficiary country. The AGOA, the CBTPA, and the ATPDEA also provide for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary countries from fabric or yarn that is not formed in the United States, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191 (66 FR 7271) and pursuant to Executive Order No. 13277 (67 FR 70305) and the United States Trade Representative's Notice of Redlegation of Authority and Further Assignment of Functions (67 FR 71606), CITA has been delegated the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, the CBTPA, or the ATPDEA. On March 6, 2001, CITA published procedures that it will follow in considering requests (66 FR 13502).

On January 20, 2004, the Chairman of CITA received a petition from Levi Strauss and Co. alleging that certain fusible composition material, of the specifications detailed below, classified in HTSUS subheading 5903.90.2500, for use in waistbands of apparel articles, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the AGOA, the CBTPA, and the ATPDEA for apparel articles that are both cut and sewn in one or more beneficiary countries utilizing such fabrics.

The three fabrics at issue are:

Fusible A - Composition

A knitted outer-fusible material. The fusible width variance is not less the 3/4 inches wide (18 to 20 mm) or more the 6 inches (153 to 155 mm) wide. The fabric substrate is, synthetic fiber based (made of 49 percent polyester / 43 percent elastomeric filament / 8 percent nylon with an average weight of 4.4 ounces, not greater than 5 ounces, a 110/110 stretch, and a dull yarn), stretch elastomeric material with an adhesive (thermoplastic resin) coating. This fusible may have a fiber variance of up to 3 percent for each fiber.

Fusible B - Composition

A knitted inner and outer fusible material with an adhesive (thermoplastic resin) coating that is applied after going through a finishing process to remove all shrinkage from the product. The fabric is a synthetic fiber based stretch elastomeric fusible consisting of 80 percent nylon type 6 / 20 percent elastomeric filament with a weight of 4.4 ounces, not greater than 5 ounces, a 110/110 stretch, and a dull yarn. The fusible width variance is not less the 3/4 inches wide (18 to 20 mm) or more than 6 inches (153 to 155 mm) wide. This fusible may have a fiber variance of up to 3 percent for each fiber.

Fusible C - Composition

A knitted fusible material used to shape countour waistbands and is applied on top of the main fusible only a reinforcement. The fusible width variance is not less than 1/4 inches wide (5 to 6 mm) or more than 1 inch (25 to 27 mm) wide. The fabric is 11.2 percent nylon / 34.4 percent polyester / 54.4 percent elastomeric at a weight of 300 grams to not greater than 400 grams per square meter. This fusible may have a fiber variance of up to 3 percent for each fiber.

With each of these, the following applies:

- a) In the length it exhibits excellent stretch and recovery properties at low extension levels.
- b) It is delivered pre-shrunk with no potential for relaxation shrinkage during high temperature washing or fusing and delivered lap laid, i.e., tension free.
- c) It is supplied pre-coated with an adhesive that will adhere to 100 percent cotton and other composition materials such polyester/cotton blend during fusing at a temperature of 180 degrees Celsius.
- d) The adhesive is of a melt flow index which will not strike back

through the interlining substrate or strike through the fabric to which it is fused and whose adhesion level will be maintained or improved through garment processing temperatures of up to 350 degrees Fahrenheit and dwell times of 20 minute durations.

- e) The duration and efficacy of the bond will be such that the adhesive will not, during industrial washing, later garment wear or after-care of 30 home washes, become detached from the fabric or base substrate.

The finished interlining fabric is a fabric that has been coated with an adhesive coating after going through a finishing process to remove all shrinkage from the product and impart a stretch to the fabric. This finishing process of imparting stretch to fabric is patented, U.S. Patent 5,987,721.

On February 2, 2004, CITA solicited public comments regarding this request, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. On February 18, 2004, CITA and the Office of the U.S. Trade Representative offered to hold consultations with the relevant Congressional committees. We also requested the advice of the U.S. International Trade Commission and the relevant Industry Sector Advisory Committees.

CITA has determined that the domestic industry can supply a product substitutable for the three fabrics described above in commercial quantities in a timely manner. On the basis of currently available information, including review of the request, public comment and advice received, and its understanding of the industry, CITA has determined that there is domestic capacity to supply a substitutable product in commercial quantities in a timely manner. Levi Strauss and Co.'s request is denied.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.04-6940 Filed 3-24-04; 3:16 pm]

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DEPARTMENT OF DEFENSE

Defense Contract Management Agency; Proposed Collection; Comment Request

AGENCY: Defense Contract Management Agency, DoD.

ACTION: Notice.

In compliance with Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Defense Contract Management Agency announces the proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency'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 information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received by May 25, 2004.

ADDRESSES: Written comments and recommendations on the proposed information collection should be sent to Director, Defense Contract Management Agency, Attn: Gary Moorman, 6350 Walker Lane, Suite 300 Alexandria, VA 22310.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address, or call Mr. Gary Moorman, at 703-254-2134.

Title; Associated Form; and OMB Number: Request for Government Approval for Aircrew Qualifications and Training, DD Form 2627, OMB No. 0704-0347; Request for Approval of Contractor Flight Crewmember, DD Form 2627, OMB No. 0704-0347 (both forms have the same OMB number).

Needs and Uses: The information collection requirement is necessary to request qualification training for contractor crewmembers. The DD Form 2628 requests approval for contractor personnel to function as a flight crewmember.

Affected Public: Individuals; business or other for profit; not-for-profit institutions; State, local or tribal government.

Annual Burden Hours: 7.

Number of Respondents: 42.

Responses Per Respondent: 2.

Average Burden Per Response: 5 minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION:

Summary of Information Collection

The requirement to have government approval of contract flight crewmembers is in Defense Contract Management Agency Directive 1, Chapter 8, Contractor's Flight and Ground Operations. The contractor provides a personal history and requests the government approve training in a particular type government aircraft (Form 2627). The contractor certifies the crewmember has passed a flight evaluation and, with the Form 2628, requests approval for the personnel to operate and fly government aircraft. Without the approvals, the contractor cannot use their personnel as requested.

Dated: March 22, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 04-6762 Filed 3-25-04; 8:45 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

TRICARE; Implementation of the TRICARE Home Health Agency Prospective Payment System

AGENCY: Office of the Secretary, Department of Defense

ACTION: Notice of implementation of Home Health Agency Prospective Payment System.

SUMMARY: This notice is to advise interested parties of the phased-in implementation of the Home Health Agency Prospective Payment System (HHA PPS). Public notification of HHA PPS implementation was required under a previous interim final rule (67 FR 40597) published in the **Federal Register** on June 13, 2002, if TRICARE was unable to effectively and efficiently implement the HHA PPS within the specified statutory effective date of August 12, 2002.

The HHA PPS will be implemented with the start health care delivery date of the following regional groupings of states under each of the TRICARE Next Generation of Contracts (T-Nex); *e.g.*, as of June 1, 2004, home health agency services in the state of Washington will be processed and paid under the HHA PPS as part of the West T-Nex regional contract.