

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA)

August 26, 2004.

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

**ACTION:** Request for public comments  
concerning two petitions for  
determinations that certain woven  
fabrics cannot be supplied by the  
domestic industry in commercial  
quantities in a timely manner under the  
CBTPA.

**SUMMARY:** On August 24, 2004, the  
Chairman of CITA received two  
petitions from Sharretts, Paley, Carter &  
Blauvelt, P.C., on behalf of Fishman &  
Tobin, alleging that certain woven  
fabrics, of the specifications detailed  
below, classified in the indicated  
subheadings 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 petitions request  
that apparel articles of such fabrics  
assembled in one or more CBTPA  
beneficiary countries be eligible for  
preferential treatment under the CBTPA.  
CITA hereby solicits public comments  
on these petitions, in particular with  
regard to whether these fabrics can be  
supplied by the domestic industry in  
commercial quantities in a timely  
manner. Comments must be submitted  
by September 15, 2004 to the Chairman,  
Committee for the Implementation of  
Textile Agreements, Room 3001, United  
States Department of Commerce, 14th  
and Constitution, N.W., Washington,  
D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:**  
Martin J. Walsh, International Trade  
Specialist, Office of Textiles and  
Apparel, U.S. Department of Commerce,  
(202) 482-2818.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 213(b)(2)(A)(v)(II) of the  
CBERA, as added by Section 211(a) of the  
CBTPA; Section 6 of Executive Order No.  
13191 of January 17, 2001.

#### BACKGROUND:

The CBTPA provides for quota- and  
duty-free treatment for qualifying textile  
and apparel products. Such treatment is  
generally limited to products  
manufactured from yarns or fabrics  
formed in the United States. The CBTPA  
also provides 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  
CBTPA 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, the  
President delegated to CITA the  
authority to determine whether yarns or  
fabrics cannot be supplied by the  
domestic industry in commercial  
quantities in a timely manner under the  
CBTPA and directed CITA to establish  
procedures to ensure appropriate public  
participation in any such determination.  
On March 6, 2001, CITA published  
procedures that it will follow in  
considering requests. (66 FR 13502).

On August 24, 2004, the Chairman of  
CITA received two petitions on behalf of  
Fishman & Tobin alleging that certain  
woven fabrics, of the specifications  
detailed below, classified in the  
indicated HTSUS subheadings, cannot  
be supplied by the domestic industry in  
commercial quantities in a timely  
manner and requesting quota- and duty-  
free treatment under the CBTPA for  
apparel articles that are cut and sewn in  
one or more CBTPA beneficiary  
countries from such fabrics.

#### Specifications:

<b>Fabric 1</b>	<b>Fancy polyester/rayon blend suiting fabric</b>
HTS Subheading:	5515.11.00.05
Fiber Content:	65% polyester/35% rayon
Width:	58/59 inches
Construction:	Made on the worsted wool system with two-ply combed and ring spun yarns in the warp and fill
Dyeing:	Yarns are made from dyed fi- bers
<b>Fabric 2</b>	<b>Fancy polyester/rayon blend suiting fabric</b>
HTS Subheading:	5515.11.00.05
Fiber Content:	65% polyester/35% rayon
Width:	58/59 inches
Construction:	Made on the synthetic system with two-ply carded and ring spun yarns in the warp and fill
Dyeing:	Yarns are made from dyed fi- bers

CITA is soliciting public comments  
regarding these requests, particularly  
with respect to whether these fabrics  
can be supplied by the domestic  
industry in commercial quantities in a  
timely manner. Also relevant is whether  
other fabrics that are supplied by the  
domestic industry in commercial  
quantities in a timely manner are  
substitutable for the fabric for purposes  
of the intended use. Comments must be  
received no later than September 15,  
2004. Interested persons are invited to

submit six copies of such comments or  
information to the Chairman, Committee  
for the Implementation of Textile  
Agreements, room 3100, U.S.  
Department of Commerce, 14th and  
Constitution Avenue, N.W.,  
Washington, DC 20230.

If a comment alleges that this fabric  
can be supplied by the domestic  
industry in commercial quantities in a  
timely manner, CITA will closely  
review any supporting documentation,  
such as a signed statement by a  
manufacturer of the fabric stating that it  
produces the fabric that is the subject of  
the request, including the quantities that  
can be supplied and the time necessary  
to fill an order, as well as any relevant  
information regarding past production.

CITA will protect any business  
confidential information that is marked  
"business confidential" from disclosure  
to the full extent permitted by law.  
CITA will make available to the public  
non-confidential versions of the request  
and non-confidential versions of any  
public comments received with respect  
to a request in room 3100 in the Herbert  
Hoover Building, 14th and Constitution  
Avenue, N.W., Washington, DC 20230.  
Persons submitting comments on a  
request are encouraged to include a non-  
confidential version and a non-  
confidential summary.

**D. Michael Hutchinson,**

*Acting Chairman, Committee for the  
Implementation of Textile Agreements.*

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**BILLING CODE 3510-DR-S**

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading  
Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the  
Paperwork Reduction Act (44 U.S.C.  
3501 *et seq.*), this notice announces that  
the Information Collection Request (ICR)  
abstracted below has been forwarded to  
the Office of Management and Budget  
(OMB) for review and comment. The  
ICR describes the nature of the  
information collection and its expected  
costs and burden; it includes the actual  
data collection instruments [if any].

**DATES:** Comments must be submitted on  
or before September 30, 2004.

**FOR FURTHER INFORMATION OR A COPY  
CONTACT:** John P. Dolan at (202) 418-  
5220; Fax: (202) 418-5524; e-mail:  
[jdolan@cftc.gov](mailto:jdolan@cftc.gov)