

TABLE 2 - FISHERIES CHARACTERIZATION, BYCATCH, AND REGULATIONS INFORMATION FRAMEWORK—Continued

Category	Information
.....	Is there a particular time of day that this fishery is prosecuted?.
.....	How is the gear used in fishing (e.g., the range and average soak times, the depth the net is set for fishing)?.
.....	What are the specifics of the gear used in this fishery (e.g., mesh size, pot configuration)?.
Bycatch	Has this gear type, within this fishery, been observed for sea turtle bycatch?.
.....	How many trips have been observed (e.g., what percentage of the total number of trips have been observed)?.
.....	During which seasons or months and years have vessels in this fishery been observed?.
.....	Has sea turtle bycatch been documented?.
.....	If yes, which species?.
.....	What are the observed lethal and non-lethal takes by season/month and year of observer coverage?.
.....	Is there an estimation of lethal and non-lethal takes for this fishery? What is the coefficient of variation of the estimation?.
Regulations	Are there regulations under the Endangered Species Act for sea turtles that apply to this fishery?.
.....	Are there regulations under the Marine Mammal Protection Act that apply to this fishery that may affect sea turtles?.
.....	Are there regulations under the Magnuson-Stevens Act that apply to this fishery that may affect sea turtles?.
.....	Are there state regulations that apply to this fishery that may affect sea turtles?.

The following lists criteria for evaluating gear types based upon documented or expected impact to sea turtles. These criteria will be applied to the information collected in table 2 to evaluate which fisheries or gear are of greatest concern and need to be considered first in actions under the Strategy. When commenting on the criteria list, please consider the following questions: Are the criteria appropriate for evaluating gear types relative to sea turtle bycatch? Would another approach be better? Are the criteria clear and objective? What other information should be added to improve this evaluation criteria?

Criteria for evaluating gear types

Characteristics of gear types that would be considered first priority relative to evaluating sea turtle bycatch:

- Widespread use of gear in areas with sea turtles
- Known/documented gear interactions with sea turtles are frequent
- Expected gear interactions with sea turtles are frequent
- Known/documented rate of sea turtle mortalities from gear interactions are high
- Expected rate of sea turtle mortalities from gear interactions are high
- Lack of effective management measures that benefit sea turtles

Characteristics of gear types that would be considered second priority relative to evaluating sea turtle bycatch:

- Moderate use of gear in areas with sea turtles
- Known/documented gear interactions with sea turtles are moderate in frequency

- Expected gear interactions with sea turtles are moderate in frequency
- Known/documented rate of sea turtle mortalities from gear interactions are moderate
- Expected rate of sea turtle mortalities from gear interactions are moderate
- Lack of effective management measures for sea turtles

Characteristics of gear types that would be considered third priority relative to evaluating sea turtle bycatch:

- Minimal use of gear in areas with sea turtles
- Known/documented gear interactions with sea turtles are rare
- Expected gear interactions with sea turtles are rare
- Known/documented rate of sea turtle mortalities from gear interactions are low
- Expected rate of sea turtle mortalities from gear interactions are low
- Effective management measures for sea turtles are in place

NMFS is continuing to seek input from the fishing industry, sea turtle experts, non-governmental organizations, academia, state representatives, and the public on a strategic approach to evaluate and reduce sea turtle interactions in the Atlantic Ocean and Gulf of Mexico fisheries. NMFS is requesting comments on the draft information framework and draft evaluation criteria and is seeking recommendations for additional analysis. Public involvement is critical to the successful implementation of the Strategy goals and will be sought in the development of conservation measures. Public meetings will be announced in a subsequent **Federal Register** notice and

draft documents will be made available to the public for comment.

Dated: May 21, 2004.

Laurie K. Allen,

*Director, Office of Protected Resources,
National Marine Fisheries Service.*

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Designations under the Textile and Apparel Commercial Availability Provision of 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)

May 24, 2004.

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

ACTION: Designation.

SUMMARY: The Committee has determined that certain combed compact yarns, of wool or fine animal hair, classified in subheadings 5107.10, 5107.20, or 5108.20 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in apparel articles, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, CBTPA, and ATPDEA. The Committee hereby designates apparel articles that are both cut and sewn or otherwise assembled in one or more eligible beneficiary sub-Saharan African

countries or in one or more eligible CBTPA beneficiary countries from U.S. formed fabrics containing such yarns as eligible to enter free of quotas and duties under HTSUS subheading 9819.11.24 or 9820.11.27, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States. The Committee also hereby designates such yarns as eligible under HTSUS subheading 9821.11.10, if used in apparel sewn or otherwise assembled in an eligible ATPDEA beneficiary country from U.S. formed fabric containing such yarns; such apparel containing such yarns shall be eligible to enter free of quotas and duties under this subheading, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States. The Committee notes that this designation under the ATPDEA renders apparel articles containing such yarn, sewn or otherwise assembled in an eligible ATPDEA beneficiary country, as eligible for quota-free and duty-free treatment under HTSUS subheading 9821.11.13, provided the requirements of that subheading are met.

EFFECTIVE DATE: May 28, 2004

FOR FURTHER INFORMATION CONTACT: Martin Walsh, 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 CBTPA, 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 commercial availability provisions of the AGOA, the ATPDEA, and the CBTPA provide for duty-free and quota-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 yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamations 7350 and 7351 of October 4, 2000 and Presidential Proclamation 7616 of

October 31, 2002, the President proclaimed that this treatment would apply to such apparel articles from fabrics or yarns designated by the appropriate U.S. government authority in the Federal Register. In Sections 1 and 6 of Executive Order No. 13191 of January 17, 2001, Executive Order 13277 of November 19, 2002, and the United States Trade Representative's Notice of Further Assignment of Functions of November 25, 2002, the Committee was authorized 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 January 14, 2004, the Committee received a request from Warren Corporation alleging that certain combed compact yarns, of wool or fine animal hair, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA, CBTPA, and ATPDEA. It requested that apparel articles containing such yarns be eligible for preferential treatment under the AGOA, CBTPA, and ATPDEA. On January 26, 2004, the Committee requested public comment on the petition (69 FR 3569). On February 11, 2004, the Committee and the U.S. Trade Representative (USTR) sought the advice of the Industry Sector Advisory Committee for Wholesaling and Retailing and the Industry Sector Advisory Committee for Textiles and Apparel. On February 11, 2004, the Committee and USTR offered to hold consultations with the Committee on Ways and Means of the House of Representatives and the Committee on Finance of the Senate (collectively, the Congressional Committees). On February 24, 2004, the U.S. International Trade Commission provided advice on the petition. Based on the information and advice received and its understanding of the industry, the Committee determined that the yarn set forth in the request cannot be supplied by the domestic industry in commercial quantities in a timely manner. On March 15, 2004, the Committee and USTR submitted a report to the Congressional Committees that set forth the action proposed, the reasons for such action, and advice obtained. A period of 60 calendar days since this report was submitted has expired, as required by the AGOA, CBTPA, and ATPDEA.

The Committee hereby designates apparel articles, made from fabrics formed in the United States containing such yarns, that are sewn or otherwise assembled in one or more eligible sub-Saharan African countries or in one or

more eligible CBTPA beneficiary countries from U.S. formed fabrics containing combed compact yarns, of wool or fine animal hair, classified in HTSUS subheadings 5107.10, 5107.20, or 5108.20 as eligible to enter free of quotas and duties under HTSUS subheading 9819.11.24 or 9820.11.27, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States. The Committee also hereby designates apparel articles, made from fabrics formed in the United States containing such yarns, that are sewn or otherwise assembled in an eligible ATPDEA beneficiary country, as eligible to enter free of quotas and duties under HTSUS subheading 9821.11.10, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the United States. The Committee notes that this designation under the ATPDEA renders apparel articles sewn or otherwise assembled in an eligible ATPDEA beneficiary country containing such yarn as eligible for quota-free and duty-free treatment under HTSUS subheading 9821.11.13, provided the requirements of that subheading are met.

An "eligible beneficiary sub-Saharan African country" means a country which the President has designated as a beneficiary sub-Saharan African country under section 506A of the Trade Act of 1974 (19 U.S.C. 2466a), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 113 of the AGOA (19 U.S.C. 3722), resulting in the enumeration of such country in U.S. note 1 to subchapter XIX of chapter 98 of the HTSUS.

An "eligible CBTPA beneficiary country" means a country which the President has designated as a CBTPA beneficiary country under section 213(b)(5)(B) of the Caribbean Basin Recovery Act (CBERA) (19 U.S.C. 2703(b)(5)(B)), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 213(b)(4)(A)(ii) of the CBERA (19 U.S.C. 2703(b)(4)(A)(ii)), resulting in the enumeration of such country in U.S. note 1 to subchapter XX of Chapter 98 of the HTSUS.

An "eligible ATPDEA beneficiary country" means a country which the President has designated as an ATPDEA beneficiary country under section 203(a)(1) of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3202(a)(1)), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section

203(c) and (d) of the ATPA (19 U.S.C. 3202(c) and (d)), resulting in the enumeration of such country in U.S. note 1 to subchapter XXI of Chapter 98 of the HTSUS.

Philip J. Martello,

Acting Chairman, Committee for the Implementation of Textile Agreements.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comment on Commercial Availability Request under the North American Free Trade Agreement (NAFTA)

May 25, 2004.

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

ACTION: Request for Public Comments concerning a request for modification of the NAFTA rules of origin for sanitary articles made from tri-lobal rayon staple fiber.

SUMMARY: On May 18, 2004 the Chairman of CITA received a request from Procter & Gamble alleging that tri-lobal rayon staple fiber (38 mm, 3.3 decitex), classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 5504.10, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the NAFTA rule of origin for sanitary articles classified under HTSUS 5601.10.20 should be modified to allow the use of non-North American staple fiber of the type described above.

The President may proclaim a modification to the NAFTA rules of origin, inter alia, only after reaching an agreement with the other NAFTA countries on the modification. CITA hereby solicits public comments on this request, in particular with regard to whether tri-lobal rayon staple fiber of the type described above can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by June 28, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 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 204 of the Agricultural Act of 1956, as amended (7 USC 1854); Section 202(q) of the North American Free Trade Agreement Implementation Act (19 USC 3332(q)); Executive Order 11651 of March 3, 1972, as amended.

BACKGROUND:

Under the North American Free Trade Agreement (NAFTA), NAFTA countries are required to eliminate customs duties on textile and apparel goods that qualify as originating goods under the NAFTA rules of origin, which are set out in Annex 401 to the NAFTA. The NAFTA provides that the rules of origin for textile and apparel products may be amended through a subsequent agreement by the NAFTA countries. In consultations regarding such a change, the NAFTA countries are to consider issues of availability of supply of fibers, yarns, or fabrics in the free trade area and whether domestic producers are capable of supplying commercial quantities of the good in a timely manner. The Statement of Administrative Action (SAA) that accompanied the NAFTA Implementation Act stated that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the availability in North America of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel good. The NAFTA Implementation Act provides the President with the authority to proclaim modifications to the NAFTA rules of origin as are necessary to implement an agreement with one or more NAFTA country on such a modification.

On May 18, 2004 the Chairman of CITA received a request from Procter & Gamble alleging that tri-lobal rayon staple fiber (38mm, 3.3 decitex), classified under the HTSUS subheading 5504.10, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the NAFTA rule of origin for sanitary articles classified under HTSUS 5601.10.20 should be modified to allow the use of non-North American staple fiber of the type described above.

CITA is soliciting public comments regarding this request, particularly with respect to whether the rayon staple fiber described above, classified in HTSUS sub-heading 5504.10, can be supplied by the domestic industry in commercial

quantities in a timely manner. Comments must be received no later than June 28, 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, NW., Washington, DC 20230.

If a comment alleges that tri-lobal rayon staple fiber 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 staple fiber stating that it produces the staple fiber that is in 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, NW., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

Philip J. Martello,

Acting Chairman, Committee for the Implementation of Textile Agreements.

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DEPARTMENT OF DEFENSE

Office of the Secretary

Submission for OMB Review; Comment Request

AGENCY: Office of the Secretary, DoD.

ACTION: Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

DATES: Consideration will be given to all comments received by June 28, 2004.

Title, Form, and OMB Number: Automated Repatriation Tracking System; DD Form 2585; OMB Number 0704-0334.

Type of Request: Extension.