

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comments on Commercial Availability Petition Under the Andean Trade Promotion and Drug Eradication Act (ATPDEA)

November 25, 2003.

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

**ACTION:** Request for public comments concerning a petition for a determination that certain viscose rayon filament yarns cannot be supplied by the domestic industry in commercial quantities in a timely manner under the ATPDEA.

**SUMMARY:** On November 24, 2003, the Chairman of CITA received a petition from Encajes, S.A. alleging that certain viscose rayon filament yarns, of the specifications detailed below, classified in subheading 5403.41.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. It requests that apparel articles containing such yarns assembled in one or more ATPDEA beneficiary countries be eligible for preferential treatment under the ATPDEA. CITA hereby solicits public comments on this petition, in particular with regard to whether these yarns can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by December 16, 2003 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, NW., Washington, DC 20230.

**FOR FURTHER INFORMATION CONTACT:** Janet E. Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### SUPPLEMENTARY INFORMATION:

**Authority:** 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 ATPDEA provides 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 ATPDEA 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 ATPDEA 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. 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), the President's authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the ATPDEA has been delegated to CITA.

On November 24, 2003, the Chairman of CITA received a petition from Encajes, S.A., of Bogota, Colombia, alleging that certain viscose rayon filament yarns, of the specifications detailed below, classified in HTSUS subheading 5403.41.0000, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the ATPDEA for apparel articles that are cut, or knit to shape, and sewn in one or more ATPDEA beneficiary countries containing such yarns.

1. Viscose Filament Yarn  
DTEX 166/40 Bright Centrifugal  
Tenacity, cN/tex, min.—142.0  
Elongation at rupture, %—18.0—24.0  
Elongation at rupture variation factory, % max.—8.1  
Twist direction—S
2. Viscose Filament Yarn  
DTEX 330/60 Bright Centrifugal  
Tenacity, cN/tex, min.—142.0  
Elongation at rupture, %—18.0—24.0  
Elongation at rupture variation factor, % max.—8.1  
Twist direction—S

CITA is soliciting public comments regarding this request, particularly with respect to whether these yarns can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other yarns that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for the yarn for purposes of the intended use. Comments must be received no later than December 16, 2003. 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 these yarns 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 yarns stating that it produces the yarns 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, NW., 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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## DEPARTMENT OF DEFENSE

### Department of Army, Corps of Engineers

#### Notice of Availability; Final Environmental Impact Statement

**AGENCY:** U.S. Army Corps of Engineers, Department of Defense (DoD).

**ACTION:** Announcement of Final Environmental Impact Statement (FEIS) availability.

**SUMMARY:** The King Cove Health and Safety Act (Section 353) of the Omnibus Consolidated and Emergency Supplemental Appropriations Act of 1999 (Public Law 105-277) provided the Aleutians East Borough (AEB) with \$20 million to construct a year-round marine-road transportation system between the Cities of King Cove and Cold Bay Alaska on the Alaska Peninsula. AEB proposes a 150-acre project consisting of a 17.2-mile access road, two hovercraft ramps and terminals located on the Northeast Corner of Cold Bay and Cross Wind Cove on the west side of Cold Bay, and a hovercraft. The Corps of Engineers, Alaska District has evaluated the AEB's permit application under the authority of Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Air