

behavioral observation, suction-cup tagging, tracking, and incidental harassment. In the North Atlantic, researchers may closely approach up to 324 of each species of humpback, fin, and sei whales annually during vessel surveys for photo-identification, behavioral observation, tracking, and incidental harassment. Of these animals, up to 108 of each species may be suction-cup tagged annually during surveys.

The permit holder requests an amendment to the permit to authorize the close vessel approach of up to 90 animals of each of the following species annually for suction-cup tagging: North Atlantic right (*Eubalaena glacialis*), North Pacific right (*E. japonica*), blue, and Eastern gray whales (*Eschrichtius robustus*) and up to 180 bowhead whales (*Balaena mysticetus*) in North Pacific, Arctic and/or North Atlantic waters. Dr. Baumgartner also requests to closely approach up to 45 animals each of the following species annually for satellite tagging using dermal attachments: North Pacific right, and Eastern gray whales and North Atlantic right, blue, humpback, fin, and sei whales and up to 180 bowhead whales in North Atlantic, North Pacific and/or Arctic waters. Dr. Baumgartner could incidentally harass up to 800 animals of each species during close vessel approaches annually. This research will provide a better understanding of large whale distribution and foraging ecology by gathering data on predator-prey relationships, diving behavior, day vs. night behavior, and acoustic behavior. The amendment would be valid until the permit expires on May 31, 2012.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: December 18, 2008.

P. Michael Payne,

Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. E8-30713 Filed 12-23-08; 8:45 am]

BILLING CODE 3510-22-S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Entry of Shipments of Cotton, Wool, and Man-Made Fiber Apparel in Excess of 2008 Agreement Limits

December 19, 2008

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

ACTION: Directive to Commissioner, Customs and Border Protection.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended, Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1857).

In the letter to the Commissioner of U.S. Customs and Border Protection published below, U.S. Customs and Border Protection is directed to implement staged entry limits for China for shipments in excess of 2008 agreement limits.

In a **Federal Register** Notice published on June 16, 2008 (73 FR 33992), the Committee for the Implementation of Textile Agreements (CITA) advised the public that any overshipments of the 2008 limits of the U.S. - China Bilateral Textile Agreement would be subject to staged entry procedures laid out in the notice.

The procedures laid out below apply only in cases of overshipments of the 2008 agreed quota limits for China.

For all shipments exported in 2008 that exceed the applicable 2008 agreed quota limits for China, entry will not be permitted until February 1, 2009. From February 1 through February 28, 2009, entry will be permitted to goods in an amount equal to 5 percent of the applicable 2008 base quota limit. For each succeeding month, beginning on the first day of the month and extending through the last day of the month, entry will be permitted to goods in an amount equal to 5 percent of the applicable base 2008 quota limit, until all shipments in excess of the quota limits have been entered.

The 5 percent staged entry limits described above are published in the

following letter to the Commissioner of U.S. Customs and Border Protection.

Janet E. Heinzen,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

December 19, 2008.

Commissioner,
U.S. Customs and Border Protection,
Washington, DC 20229.

Dear Commissioner: This directive provides instructions on permitting entry to goods shipped in excess of 2008 quota limits for China.

For all shipments exported in 2008 that exceed the applicable 2008 agreed quota limits for China, you are directed to deny entry until February 1, 2009, subject to the following procedure. From February 1, through February 28, 2009, you are directed to permit entry to goods in an amount equal to 5 percent of the applicable 2008 base quota limit. For each succeeding month, beginning on the first day of the month and extending through the last day of the month, you are directed to permit entry to goods in an amount equal to 5 percent of the applicable base 2008 quota limit, until all shipments in excess of the quota limits have been entered.

The monthly 5 percent staged entry limits described above are listed below:

Category	5 percent of base limit
332/432/632-T (plus baby socks) ¹ .	4,252,922 dozen pair, of which not more than 4,043,310 dozen pair shall be in categories 332/432/632-B (plus baby socks) ² .
347/348	1,272,148 dozen.
352/652	1,225,759 dozen.

¹Categories 332/432/632-T: baby socks: only HTS numbers 6111.20.6050, 6111.30.5050 and 6111.90.5050; within Category 632: only HTS number 6115.10.4000, 6115.10.5500, 6115.30.9010, 6115.96.6020, 6115.96.9020, 6115.99.1420, and 6115.99.1920.

²Categories 332/432/632-B: baby socks: only HTS numbers 6111.10.6050, 6111.30.5050 and 6111.90.5050; within Category 632: only HTS numbers 6115.10.4000, 6115.10.5500, 6115.96.6020, 6115.96.9020, 6115.99.1420, and 6115.99.1920.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Janet E. Heinzen,

Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. E8-30691 Filed 12-23-08; 8:45 am]

BILLING CODE 3510-DS