

confidential version and a non-confidential summary.

**James C. Leonard III,**

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

[FR Doc. E5-7077 Filed 12-7-05; 8:45 am]

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comment on Short Supply Petition under the North American Free Trade Agreement (NAFTA)

December 2, 2005.

**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 chenille fabric of acrylic fiber.

**SUMMARY:** On October 24, 2005 the Chairman of CITA received a request from Quaker Fabrics alleging that certain acrylic staple fibers, classified in subheading 5503.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the North American Free Trade Agreement (NAFTA) rule of origin for chenille fabric classified under HTSUS 5801.36.0000 should be modified to allow the use of non-North American acrylic staple fiber.

The President may proclaim a modification to the NAFTA rules of origin 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 acrylic staple fiber can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by **January 9, 2006**, 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. *See* Section 202(q) of the NAFTA Implementation Act. 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. NAFTA Implementation Act, SAA, H. Doc. 103-159, Vol. 1, at 491 (1993). 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. SAA at 491. 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. *See* section 202(q) of the NAFTA Implementation Act.

On October 24, 2005 the Chairman of CITA received a request from Quaker Fabrics alleging that certain acrylic staple fibers, not carded, combed, or otherwise processed for spinning, classified in subheading 5503.30.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the NAFTA rule of origin for chenille fabric classified under HTSUS 5801.36.0000 should be modified to allow the use of non-North American acrylic staple fiber.

CITA is soliciting public comments regarding this request, particularly with respect to whether acrylic staple fiber can be supplied by the domestic

industry in commercial quantities in a timely manner. Comments must be received no later than **January 9, 2006**. 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 acrylic 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 stating that it produces acrylic fiber 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.

**James C. Leonard III,**

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

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### TRICARE Formerly Known as the Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Fiscal Year 2006 Mental Health Rate Updates

**AGENCY:** Office of the Secretary, DoD.

**ACTION:** Notice of updated mental health per diem rates.

**SUMMARY:** This notice provides for the updating of hospital-specific per diem rates for high volume providers and regional per diem rates for low volume providers; the updated cap per diem for high volume providers; the beneficiary per diem cost-share amount for low volume providers for FY 2006 under the TRICARE Mental Health Per Diem

Payment System; and the updated per diem rates for both full-day and half-day TRICARE Partial Hospitalization Programs for fiscal year 2006.

**EFFECTIVE DATE:** The fiscal year 2006 rates contained in this notice are effective for services occurring on or after October 1, 2005.

**FOR FURTHER INFORMATION CONTACT:** Christine Covie, Office of Medical Benefits and Reimbursement Systems, TRICARE Management Activity, telephone (303) 676-3841.

**SUPPLEMENTARY INFORMATION:** The final rule published in the **Federal Register** on September 6, 1988, (53 FR 34285) set forth reimbursement changes that were effective for all inpatient hospital admissions in psychiatric hospitals and exempt psychiatric units occurring on or after January 1, 1989. The final rule published in the **Federal Register** on July 1, 1993 (58 FR 35-400), set forth maximum per diem rates for all partial hospitalization admissions on or after September 29, 1993. Included in these final rules were provisions for updating reimbursement rates for each federal fiscal year. As stated in the final rules, each per diem shall be updated by the Medicare update factor for hospitals and units exempt from the Medicare Prospective Payment System. For fiscal year 2006, Medicare has recommended

a rate of increase of 3.8 percent for hospitals and units excluded from the prospective payment system. TRICARE will adopt this update factor for FY 2006 as the final update factor.

Hospitals and units with hospital-specific rates (hospitals and units with high TRICARE volume) and regional specific rates for psychiatric hospitals and units with low TRICARE volume will have their TRICARE rates for FY 2006 updated by 3.8 percent for FY 2006. Partial hospitalization rates for full day and half day programs will also be updated by 3.8 percent for FY 2006. The cap amount for high volume hospitals and units will also be updated by the 3.8 percent for FY 2006. The beneficiary cost-share for low volume hospitals and units will also be updated by the 3.8 percent for FY 2006.

Consistent with Medicare, the wage portion of the regional rate subject to the area wage adjustment is 71.035 percent for FY 2006. The following reflect an update of 3.8 percent for FY 2006:

**REGIONAL SPECIFIC RATES FOR PSYCHIATRIC HOSPITALS AND UNITS WITH LOW TRICARE VOLUME**

| United States census region | Rate <sup>1</sup> |
|-----------------------------|-------------------|
| <b>Northeast:</b>           |                   |
| New England .....           | \$662             |
| Mid-Atlantic .....          | 637               |
| <b>Midwest:</b>             |                   |
| East North Central .....    | 550               |
| West North Central .....    | 519               |
| <b>South:</b>               |                   |
| South Atlantic .....        | 656               |
| East South Central .....    | 701               |
| West South Central .....    | 598               |
| <b>West:</b>                |                   |
| Mountain .....              | 597               |
| Pacific .....               | 705               |
| Puerto Rico .....           | 450               |

<sup>1</sup> Wage portion of the rate, subject to the area wage adjustment 71.035 percent.

**Beneficiary Cost-Share:** Beneficiary cost-share (other than dependents of active duty members) for care paid on the basis of a regional per diem rate is the lower of \$175 per day or 25 percent of the hospital billed charges effective for services rendered on or after October 1, 2005.

**Cap Amount:** Updated cap amount for hospitals and units with high TRICARE volume is \$832 per day for FY 2006.

The following reflect an update of 3.8 percent for FY 2006.

**PARTIAL HOSPITALIZATION RATES FOR FULL-DAY AND HALF-DAY PROGRAMS FY 2006**

| United States census region                               | Full-day rate<br>(6 hours or more) | Half-day rate<br>(3-5 hours) |
|---|------------------------------------|------------------------------|
| <b>Northeast:</b>   |                                    |                              |
| New England (ME, NH, VT, MA, RI, CT) .....                | \$266                              | 200                          |
| Mid-Atlantic (NY, NJ, PA) .....                           | 288                                | 216                          |
| <b>Midwest:</b>   |                                    |                              |
| East North Central (OH, IN, IL, MI, WI) .....             | 253                                | 190                          |
| West North Central (MN, IA, MO, ND, SD, NE, KS) .....     | 253                                | 190                          |
| <b>South:</b>   |                                    |                              |
| South Atlantic (DE, MD, DC, VA, WV, NC, SC, GA, FL) ..... | 273                                | 205                          |
| East South Central (KY, TN, AL, MS) .....                 | 295                                | 221                          |
| West South Central (AR, LA, TX, OK) .....                 | 295                                | 211                          |
| <b>West</b>   |                                    |                              |
| Mountain (MT, ID, WY, CO, NM, AZ, UT, NV) .....           | 298                                | 224                          |
| Pacific (WA, OR, CA, AK, HI) .....                        | 292                                | 219                          |
| Puerto Rico .....   | 190                                | 143                          |

The above rates are effective for services rendered on or after October 1, 2005.

Dated: December 2, 2005.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Notice of the Defense Acquisition Performance Assessment Project Meetings**

**AGENCY:** Department of Defense.

**ACTION:** Notice.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (FACA), Public Law 96-463, notice is hereby given that

the Defense Acquisition Performance Assessment (DAPA) Project will hold a public meeting at the Anteon Conference Center, 1560 Wilson Blvd., Suite 400, Arlington, VA 22209, on December 14, 2005.

**Purpose:** Final DAPA Project Panel Meeting. Panel members will present to the public the Panel's recommendations for acquisition system performance improvements for the Department of Defense. Any interested citizens are encouraged to attend the meetings open