

Kingdom has been issued Permit No. 1069-1749.

ADDRESSES: The permit, permit amendment and related documents are available for review upon written request or by appointment in the following office(s):

Permits, Conservation and Education Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13705, Silver Spring, MD 20910; phone (301)713-2289; fax (301)713-0376; and Southwest Region, NMFS, 501 West Ocean Blvd., Suite 4200, Long Beach, CA 90802-4213; phone (562)980-4001; fax (562)980-4018.

FOR FURTHER INFORMATION CONTACT: Amy Sloan or Tammy Adams, (301)713-2289.

SUPPLEMENTARY INFORMATION: On June 18, 2004, notice was published in the **Federal Register** (69 FR 34138) that the above-named individuals had applied for an amendment of Permit No. 1034-1685, issued on March 17, 2003 (68 FR 20117), and a new permit (File No. 1065-1749), respectively. The requested permit amendment and new permit have been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

The permit amendment, Permit No. 1034-1685-01, authorizes the study of the adrenal response of California sea lions (*Zalophus californianus*). A total of up to six sea lions undergoing rehabilitation at The Marine Mammal Center (TMMC), Sausalito, CA, may be injected intramuscularly with adrenocorticotrophic hormone and have pre-injection and post-injection blood samples taken while under anesthesia for analysis of glucocorticoids. Feces may also be collected for analysis.

Permit No. 1065-1749 authorizes development and monitoring trials of a surgically implantable heart rate logger in California sea lions, northern elephant seals (*Mirounga angustirostris*), and northern fur seals (*Callorhinus ursinus*) undergoing rehabilitation at TMMC. The permit authorizes surgical implantation and removal of the device in up to six animals of each species per year. The permit also authorizes mortality incidental to the study of up to two animals total, of any species, over the five-year course of the permit.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activities proposed are categorically excluded from the requirement to

prepare an environmental assessment or environmental impact statement.

Dated: November 22, 2004.

Stephen L. Leathery,
Chief, Permits, Conservation and Education
Division, 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 Provisions of the United States- Caribbean Basin Trade Partnership Act (CBTPA)

November 23, 2004.

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

ACTION: Designation.

SUMMARY: The Committee for the
Implementation of Textile Agreements
(CITA) has determined that certain
woven, 100 percent cotton, flannel
fabrics, of the specifications detailed
below, classified in the indicated
subheadings of the Harmonized Tariff
Schedule of the United States (HTSUS),
for use in products covered by textile
categories 340, 341, 347, 348, 350, 351,
and 352, cannot be supplied by the
domestic industry in commercial
quantities in a timely manner. CITA
hereby designates such apparel articles,
that are both cut and sewn or otherwise
assembled in an eligible CBTPA
beneficiary country, from these fabrics
as eligible for quota-free and duty-free
treatment under the textile and apparel
commercial availability provisions of
the CBTPA and eligible under HTSUS
subheadings 9820.11.27, to enter free of
quota and duties, provided that all other
fabrics are wholly formed in the United
States from yarns wholly formed in the
United States.

EFFECTIVE DATE: November 30, 2004.

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

SUPPLEMENTARY INFORMATION:

Authority: Section 211 of the CBTPA,
amending Section 213(b)(2)(A)(v)(II) of the
Caribbean Basin Economic Recovery Act
(CBERA); Presidential Proclamation 7351 of
October 2, 2000; Executive Order No. 13191
of January 17, 2001.

Background

The commercial availability provision
of the CBTPA provides 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 CBTPA country 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 Proclamation 7351, the
President proclaimed that this treatment
would apply to apparel articles from
fabrics or yarn designated by the
appropriate U.S. government authority
in the **Federal Register**. In Executive
Order 13191, the President authorized
CITA to determine whether yarns or
fabrics cannot be supplied by the
domestic industry in commercial
quantities in a timely manner.

On July 14, 2004, the Chairman of
CITA received twelve petitions from
Sandler, Travis, and Rosenberg, P.A., on
behalf of Picacho, S.A., alleging that
certain woven, 100 percent cotton,
flannel fabrics, of detailed
specifications, classified in indicated
HTSUS subheadings, for use in shirts,
trousers, nightwear, robes, dressing
gowns, and woven underwear, 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
such apparel articles that are both cut
and sewn in one or more CBTPA
beneficiary countries from such fabrics.
On July 22, 2004, CITA requested public
comment on the petition. See Request
for Public Comment on Commercial
Availability Petition under the United
States-Caribbean Basin Trade
Partnership Act (CBTPA) (69 FR 43805).
Subsequently, three of the petitions
were withdrawn because the petitioner
informed CITA that they contained
minor but significant errors with regard
to the detailed specifications. See
Withdrawal of Three Commercial
Availability Petitions under the United
States-Caribbean Basin Trade
Partnership Act (CBTPA) (69 FR 46137).
On August 9, 2004, CITA and the U.S.
Trade Representative (USTR) sought the
advice of the Industry Trade Advisory
Committee for Textiles and Clothing
and the Industry Trade Advisory
Committee for Distribution Services. On
August 9, 2004, CITA 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 August 25, 2004, the

U.S. International Trade Commission provided advice on the petitions.

Based on the information and advice received and its understanding of the industry, CITA determined that the fabrics set forth in the petitions cannot be supplied by the domestic industry in commercial quantities in a timely manner. On September 10, 2004, CITA 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. During this 60 calendar day period, the petitioner notified CITA that it was withdrawing one of the remaining nine petitions as this fabric is no longer available from its source.

CITA hereby designates as eligible for preferential treatment under HTSUS subheading 9820.11.27, products covered by textile categories 340, 341, 347, 348, 350, 351, and 352, that are both cut and sewn or otherwise assembled in one or more eligible CBTPA beneficiary countries, from certain woven, 100 percent cotton, flannel fabrics, of the specifications detailed below, classified in the indicated HSTUS subheadings, not formed in the United States, provided that all other fabrics are wholly formed in the United States from yarns wholly formed in the United States, subject to the special rules for findings and trimmings, certain interlinings and de minimis fibers and yarns under section 112(d) of the CBTPA, and that such articles are imported directly into the customs territory of the United States from an eligible CBTPA beneficiary country.

Specifications

1 Fabric: Style 4807
HTS Subheading: 5208.32.30.40
Fiber Content: 100% Cotton
Weight: 152.6 g/m2
Width: 150 centimeters cuttable
Thread Count: 24.4 warp ends per centimeter; 15.7 filling picks per centimeter; total: 40.1 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 20.3 metric, open end spun; overall average yarn number: 39.4 metric

Finish: (Piece) dyed; napped on both sides, sanforized

2 Fabric: Style 0443
HTS Subheading: 5209.31.60.50
Fiber Content: 100% Cotton
Weight: 251 g/m2
Width: 160 centimeters cuttable
Thread Count: 22.8 warp ends per centimeter; 15 filling picks per centimeter; total: 37.8 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric

Finish: (Piece) dyed; napped on both sides, sanforized

3 Fabric: Style 62BV1500240
HTS Subheading: 5209.31.60.50
Fiber Content: 100% Cotton
Weight: 203 g/m2
Width: 150 centimeters cuttable
Thread Count: 20.5 warp ends per centimeter; 17.3 filling picks per centimeter; total: 37.8 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 13.5 metric, open end spun; overall average yarn number: 27.9 metric

Finish: (Piece) dyed; napped on both sides, sanforized

4 Fabric: Style 4697
HTS Subheading: 5209.31.60.50
Fiber Content: 100% Cotton
Weight: 291.5 g/m2
Width: 160 centimeters cuttable
Thread Count: 23.2 warp ends per centimeter; 15 filling picks per centimeter; total: 38.2 threads per square centimeter

Yarn Number: Warp: 27.07 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric

Finish: (Piece) dyed; napped on both sides, sanforized

5 Fabric: Style 62BU1600240
HTS Subheading: 5209.31.60.50
Fiber Content: 100% Cotton
Weight: 291.5 g/m2
Width: 160 centimeters cuttable
Thread Count: 26.8 warp ends per centimeter; 16.5 filling picks per centimeter; total: 43.3 threads per square centimeter

Yarn Number: Warp: 25.46 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 23.8 metric

Finish: (Piece) dyed; napped on both sides, sanforized

6 Fabric: Style 4237
HTS Subheading: 5209.31.60.50
Fiber Content: 100% Cotton
Weight: 254 g/m2
Width: 160 centimeters cuttable
Thread Count: 20 warp ends per centimeter; 14.5 filling picks per centimeter; total: 34.5 threads per square centimeter

Yarn Number: Warp: 28.8 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric

Finish: (Piece) dyed; napped on both sides, sanforized

7 Fabric: Style 0443A
HTS Subheading: 5209.41.60.40
Fiber Content: 100% Cotton
Weight: 251 g/m2
Width: 160 centimeters cuttable
Thread Count: 22.8 warp ends per centimeter; 15 filling picks per centimeter; total: 37.8 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric

Finish: gingham check or plaid of yarns of different colors; napped on both sides, sanforized

8 Fabric: Style 4245
HTS Subheading: 5209.41.60.40
Fiber Content: 100% Cotton
Weight: 251 g/m2
Width: 160 centimeters cuttable
Thread Count: 19.7 warp ends per centimeter; 11.8 filling picks per centimeter; total: 31.5 threads per square centimeter

Yarn Number: Warp: 20.3 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric

Finish: Plaid of yarns of different colors; napped on both sides, sanforized

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 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)) and resulting in the enumeration of such country in U.S. note 1 to subchapter XX of Chapter 98 of the HTSUS.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Denial of Commercial Availability Request Under the United States-Caribbean Basin Trade Partnership Act (CBTPA)

November 24, 2004.

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

ACTION: Denial of the request alleging that certain circular knit jersey fabric for use in apparel articles cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

SUMMARY: On September 20, 2004, the Chairman of CITA received a petition from Sandler, Travis & Rosenberg, P.A., on behalf of Jaclyn, Inc. of New York (Jaclyn), alleging that certain circular single knit jersey fabric of the specifications detailed below, classified in subheading 6006.34.00.80 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be