

below, classified in under subheadings 5402.49.9005 and 5404.10.8005 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested that knit apparel articles from such yarns or from U.S. formed fabrics containing such yarns, be eligible for preferential treatment under the African Growth and Opportunity Act (AGOA), the U.S. - Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA).

**FOR FURTHER INFORMATION CONTACT:** Shikha Bhatnagar, International Trade Specialist, 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)(III) of the Caribbean Basin Economic Recovery Act, 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 Redefinition of Authority and Further Assignment of Functions of November 25, 2002.

**Background**

The AGOA, the CBTPA, and the ATPDEA provide 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 AGOA, the CBTPA, and the ATPDEA also provide 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 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. In Executive Order No. 13191 (66 FR 7271) and pursuant to Executive Order No. 13277 (67 FR 70305) and the United States Trade Representative's Notice of Redefinition of Authority and Further Assignment of Functions (67 FR 71606), CITA has been delegated the authority 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 March 6, 2001, CITA published procedures that it will follow in considering requests (66 FR 13502).

On January 3, 2005 the Chairman of CITA received a petition from Alston & Bird, LLP, on behalf of Ge-Ray Fabrics, Inc., alleging that certain anti-microbial elastomeric filament yarn in under subheadings 5402.49.9005 and 5404.10.8005 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested that knit apparel articles from such yarns or from U.S. formed fabrics containing such yarns, be eligible for preferential treatment under the AGOA, the CBTPA, and the ATPDEA.

On January 10, 2005, CITA published a Federal Register notice requesting public comments on the request, particularly with respect to whether these yarns can be supplied by the domestic industry in commercial quantities in a timely manner. See Request for Public Comments on a Commercial Availability Request under the African Growth and Opportunity Act (AGOA), Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA), 70 FR 1694 (January 10, 2005). On January 26, 2005, CITA and USTR offered to hold consultations with the House Ways and Means Committee and the Senate Finance Committee, but no consultations were requested. We also requested advice from the U.S. International Trade Commission and the relevant Industry Trade Advisory Committees.

CITA found that anti-microbial elastomeric yarn can be supplied by the domestic industry in commercial quantities and in a timely manner. Specifically, CITA found that there are several domestic manufacturers who currently produce the subject yarns and are capable of producing the subject yarn, or a substitutable yarn with the same characteristics, in commercial quantities and in a timely manner.

On the basis of currently available information and our review of this request, CITA has determined that there is domestic capacity to supply the subject product, or a substitutable product, in commercial quantities in a timely manner. Ge-Ray's request is denied.

**James C. Leonard III,**

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

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**DEPARTMENT OF DEFENSE**

**Office of the Secretary**

**Defense Science Board**

**AGENCY:** Department of Defense.

**ACTION:** Notice of advisory committee meeting date change.

**SUMMARY:** On Tuesday, February 1, 2005 (70 FR 5169) the Department of Defense announced open meetings of the Defense Science Board (DSB) Task Force on Manufacturing Technology. These meetings will now be closed to the public. Both meetings will be held at Strategic Analysis Inc., 3601 Wilson Boulevard, Suite 600, Arlington, VA.

Dated: March 7, 2005.

**Jeannette Owings-Ballard,**

*OSD Federal Register Liaison Officer,  
Department of Defense.*

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**DEPARTMENT OF DEFENSE**

**Department of the Army**

**Army Educational Advisory Committee**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice of open meeting.

**SUMMARY:** In accordance with section 10(a)(2) of the Federal Advisory Committee Act (5 U.S.C. App. I), announcement is made of the following committee meeting:

*Name of Committee:* U.S. Army War College Subcommittee of the Army Education Advisory Committee.

*Dates of Meeting:* April 28, 2005, and April 29, 2005.

*Place of Meeting:* U.S. Army War College, 122 Forbes Avenue, Carlisle, PA, Command Conference Room, Root Hall, Carlisle Barracks, Pennsylvania 17013.

*Time of Meeting:* 8:30 a.m.-5 p.m.

*Proposed Agenda:* Receive information briefings; conduct discussions with the Commandant and staff and faculty; table and examine online College issues; assess resident and distance education programs, self-study techniques, assemble a working group for the concentrated review of institutional policies and a working group to address committee membership and charter issues; propose strategies and recommendations that will continue the momentum of Federal accreditation success and guarantee compliance with regional accreditation standards.

**FOR FURTHER INFORMATION CONTACT:** To request advance approval or obtain