

of yarn count 156 decitex, comprised of 51 trilobal filaments and 20 round filaments, classified in HTSUS subheading 5402.41.9040, for use in apparel articles classified under HTSUS subheadings 6108.22.90.20 and 6109.90.10.65, cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requested quota- and duty-free treatment under the AGOA for such apparel articles that are both cut from fabric formed, or knit-to-shape, and sewn or otherwise assembled in one or more AGOA beneficiary countries from such yarn.

On November 14, 2005, CITA requested public comments regarding the petition. **See Request for Public Comments on Commercial Availability Request under the African Growth and Opportunity Act (AGOA)**, 70 FR 69524 (November 16, 2005). On November 30, 2005, 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 November 30, 2005, 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 December 21, 2005, the U.S. International Trade Commission provided advice on the petition.

Based on the information and advice received and its understanding of the industry, CITA determined that the yarn set forth in the petition cannot be supplied by the domestic industry in commercial quantities in a timely manner. On January 6, 2006, 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.

CITA hereby designates apparel articles classified under HTSUS subheadings 6108.22.9020 and 6109.90.1065 that are both cut from fabric formed, or knit-to-shape, and sewn or otherwise assembled in one or more eligible beneficiary sub-Saharan African country from 100 percent nylon 66, fully drawn flat filament yarn, of yarn count 156 decitex, comprised of 51 trilobal filaments and 20 round filaments, classified in HTSUS subheading 5402.41.9040, as eligible to enter free of quotas and duties under HTSUS subheading 9819.11.24, provided all other yarns used in the referenced apparel articles are U.S.

formed, subject to the special rules for findings and trimmings, certain interlinings and de minimis fibers and yarns under section 112(d) of the AGOA, and that such articles are imported directly into the customs territory of the United States from an eligible AGOA beneficiary country.

An "eligible beneficiary sub-Saharan African country" means a country which the President has designated as a beneficiary sub-Saharan African country under section 506A of the Trade Act of 1974 (19 U.S.C. 2466a), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 113 of the AGOA (19 U.S.C. 3722), resulting in the enumeration of such country in U.S. note 1 to subchapter XIX of chapter 98 of the HTSUS.

**Philip J. Martello,**

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

[FR Doc. E6-4404 Filed 3-24-06; 8:45 am]

**BILLING CODE 3510-DS-S**

#### **COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

##### **Designation Under the Textile and Apparel Commercial Availability Provisions of the Andean Trade Preference Drug Eradication Act (ATPDEA)**

March 21, 2006.

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

**ACTION:** Designation.

**EFFECTIVE DATE:** March 27, 2006.

**SUMMARY:** CITA has determined that certain 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns, of 2 x 2 twill weave construction, weighing not more than 200 grams per square meter, classified in subheading 5208.43.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in shirts, trousers, nightwear, robes and dressing gowns, and woven underwear, cannot be supplied by the domestic industry in commercial quantities in a timely manner. CITA hereby designates such apparel articles that are sewn or otherwise assembled in one or more eligible ATPDEA beneficiary countries from such fabrics, as eligible for quota-free and duty-free treatment under the textile and apparel commercial availability provisions of the ATPDEA and eligible under HTSUS subheadings 9821.11.10, provided that all other fabrics in the referenced apparel articles

are wholly formed in the United States from yarns wholly formed in the United States, including fabrics not formed from yarns, if such fabrics are classifiable under HTS heading 5602 or 5603, and are wholly formed in the United States. CITA notes that this designation under the ATPDEA renders such apparel articles, sewn or otherwise assembled in one or more eligible ATPDEA beneficiary countries, as eligible for quota-free and duty-free treatment under HTSUS subheading 9821.11.13, provided the requirements of that subheading are met.

#### **FOR FURTHER INFORMATION CONTACT:**

Maria K. Dybczak, 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 or a beneficiary country, 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 Redesignation 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 18, 2005, the Chairman of CITA received a petition from Oxford Industries alleging that certain 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns, of 2 X 2 twill weave construction, weighing not more than 200 grams per square meter, classified under HTSUS subheading 5208.43.0000, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota-

and duty-free treatment under the ATPDEA of such fabrics, for use in the manufacture of shirts, trousers, nightwear, robes and dressing gowns and woven underwear in one or more ATPDEA beneficiary countries for export to the United States.

On November 25, 2005, CITA requested public comment on the petition. **See Request for Public Comment on Commercial Availability Petition under the Andean Trade Promotion and Drug Eradication Act (ATPDEA)**, 70 FR 71089 (November 25, 2005). On December 13, 2005, CITA and the U.S. Trade Representative (USTR) sought the advice of the Industry Trade Advisory Committee (ITAC) for Textiles and Clothing and the ITAC for Distribution Services. No advice was received from either ITAC. On December 13, 2005, 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). No consultations were requested regarding this petition. USTR requested the advice of the U.S. International Trade Commission (ITC). On January 9, 2006, the ITC provided advice on the petition.

Based on the information and advice received and its understanding of the industry, CITA determined that the fabrics set forth in the petition cannot be supplied by the domestic industry in commercial quantities in a timely manner. On January 13, 2006, CITA and USTR submitted a report to the Congressional Committees that set forth the action proposed, the reasons for such action, and the advice obtained. A period of 60 calendar days since this report was submitted has expired, as required by the ATPDEA.

CITA hereby designates as eligible to enter free of quotas and duties, under HTSUS subheading 9821.11.10, if used in shirts, trousers, nightwear, robes and dressing gowns and woven underwear that are sewn or otherwise assembled in one or more eligible ATPDEA beneficiary countries, from certain 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns, of 2 x 2 twill weave construction, weighing not more than 200 grams per square meter, classified in HTSUS subheading 5208.43.0000, not formed in the United States. The referenced apparel articles are eligible provided that all other fabrics are wholly formed in the United States from yarns wholly formed in the United States, including fabrics not formed from yarns, if such fabrics are classifiable under HTS heading 5602 or

5603 and are 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 204(b)(3)(B)(vi) of the ATPDEA, and that such articles are imported directly into the customs territory of the United States from an eligible ATPDEA beneficiary country.

An "eligible ATPDEA beneficiary country" means a country which the President has designated as an ATPDEA beneficiary country under section 203(a)(1) of the Andean Trade Preference Act (ATPA) (19 U.S.C. 3202(a)(1)), and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 203(c) and (d) of the ATPA (19 U.S.C. 3202(c) and (d)), resulting in the enumeration of such country in U.S. note 1 to subchapter XXI of Chapter 98 of the HTSUS.

**Philip J. Martello,**

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

[FR Doc. E6-4405 Filed 3-24-06; 8:45 am]

**BILLING CODE 3510-DS-S**

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**COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA**

**Privacy Act of 1974; Notice of Amended System**

Pursuant to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a), the Court Services and Offender Supervision Agency for the District of Columbia (CSOSA) gives notice of proposed amendments to its previously published system of records on the Supervision Offender Case File (CSOSA-9).

The system of records is being amended to add to the existing categories of records and make editorial or organization changes, to add other identifiers that may be used to retrieve information, and to update the provisions for storage and safeguards and the citation for the authority for maintenance of the system.

More specifically, the categories of records would be amended to include electronic monitoring information (for example, Global Positioning System (GPS) data) and United States Parole Commission decisions. In addition, the routine use provision in Section B, which applies to the disclosure of information to "any civil or criminal law enforcement agency, whether Federal, state, or local or foreign, which requires information relevant to a civil

or criminal investigation unless prohibited by law or regulation" would be amended by adding the qualifying phrase "to the extent necessary to accomplish their assigned duties" to conform with the language set forth in the comparable routine use provision in CSOSA's system of records for Supervision & Management Automated Record Tracking (CSOSA-11). The routine uses would also be amended for stylistic reasons to make use of parallel construction and to redesignate Section I. The Retrieval provision is being amended to note that Metropolitan Police Department, D.C. Department of Corrections, and Federal Bureau of Investigation identification numbers can be used to retrieve information.

Finally, the Storage provisions and the Safeguards provisions are being amended to note the special requirements for electronic monitoring information. The citation for the authority for maintenance of the system would be amended to include CSOSA's enabling legislation which is the underlying programmatic authority for collecting, maintaining, and using the information.

In accordance with Title 5 U.S.C. 552a(e)(4) and (11), the public is given a 30-day period in which to comment on this notice; and the Office of Management and Budget (OMB), which has oversight responsibilities under the Act, requires a 40-day period in which to conclude its review of the system. Therefore, please submit any comments to Renee Barley, FOIA Officer, Office of the General Counsel, Court Services and Offender Supervision Agency for the District of Columbia, 633 Indiana Avenue, NW., Washington, DC 20004 by April 26, 2006. The amended system of records will be effective, as proposed, on May 11, 2006 unless CSOSA determines, upon review of the comments received, that changes should be made. In that event, CSOSA will publish a revised notice in the **Federal Register**.

In accordance with Privacy Act requirements, CSOSA has provided a report on the amended systems to OMB and Congress.

The amended system of records is given below in its entirety for the convenience of the reader.