

Requests for sign language interpretation or other auxiliary aids should be directed to Kitty M. Simonds, (808) 522-8220 (voice) or (808) 522-8226 (fax), at least 5 days prior to the meeting date.

Authority: 16 U.S.C 1801 *et seq.*

Dated: September 10, 2008.

Tracey L. Thompson,

Acting Director, Office of Sustainable Fisheries National Marine Fisheries Service.
[FR Doc. E8-21438 Filed 9-12-08; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Membership of the National Oceanic and Atmospheric Administration Performance Review Board

AGENCY: National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Notice of Membership of the NOAA Performance Review Board.

SUMMARY: In accordance with 5 U.S.C. 4314(c)(4), NOAA announces the appointment of four new members to serve with the current membership on the NOAA Performance Review Board (PRB). The NOAA PRB is responsible for reviewing performance appraisals and ratings of Senior Executive Service and Senior Professional members and making written recommendations to the appointing authority on retention and compensation matters, including performance-based pay adjustments, awarding of bonuses and reviewing recommendations for potential Presidential Rank Award nominees. The appointment of members to the NOAA PRB will be for a period of 12 months.

DATES: *Effective Date:* The effective date of service of the four new appointees to the NOAA Performance Review Board is September 30, 2008.

FOR FURTHER INFORMATION CONTACT: Claudia McMahon, Executive Resources Program Manager, Workforce Management Office, NOAA, 1305 East-West Highway, Silver Spring, Maryland 20910, (301) 713-6306.

SUPPLEMENTARY INFORMATION: The names and position titles of the members of the NOAA PRB are set forth below:

John E. Oliver, Jr., Deputy Assistant Administrator for Operations, National Marine Fisheries Service
Maureen E. Wylie, Chief Financial Officer

Vickie L. Nadolski, Deputy Assistant Administrator, National Weather Service

Charles S. Baker, Deputy Assistant Administrator, National Environmental Satellite, Data and Information Service

Alexander E. MacDonald, Deputy Assistant Administrator for Laboratories and Cooperative Institutes and Director, ESRL, Office of Oceanic and Atmospheric Research

Paul N. Doremus, Director, Strategic Planning, Office of Program Planning and Integration

William Corso, Deputy Assistant Administrator for Ocean Services and Coastal Zone Management, National Ocean Service

Timothy R.E. Keeney, Deputy Assistant Secretary

Tyra D. Smith, Director, Human Resources, Bureau of the Census, Department of Commerce

Craig N. McLean, Deputy Assistant Administrator for Programs and Administration, Office of Oceanic and Atmospheric Research

David M. Kennedy, Director for Ocean and Coastal Resource Management, National Ocean Service

Rebecca Lent, Director, International Affairs, National Marine Fisheries Service

Deidre R. Jones, Director, Systems Engineering Center, National Weather Service

Joseph F. Klimavicz, Chief Information Officer and Director for High Performance Computing and Communications

Charles A. Franklin, Director of Communications, Office of the Under Secretary

Louisa Koch, Director, Office of Education

Louis W. Uccellini, Director, National Centers for Environmental Prediction, National Weather Service

Samuel D. Rauch III, Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service

Kathleen A. Kelly, Director, Office of Satellite Operations, National Environmental Satellite, Data and Information Service

Daniel J. Basta, Director, Office of National Marine Sanctuaries, National Ocean Service

Ronald A. Glaser, Human Resources Officer, International Trade Administration, Department of Commerce

Dated: September 4, 2008.

Conrad C. Lautenbacher, Jr.,

Vice Admiral, U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere.

[FR Doc. E8-21474 Filed 9-12-08; 8:45 am]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement (CAFTA-DR Agreement)

AGENCY: The Committee for the Implementation of Textile Agreements.

ACTION: Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

DATES: *Effective Date:* September 15, 2008.

SUMMARY: The Committee for the Implementation of Textile Agreements (CITA) has determined that certain raschel knit open work crepe fabrics, as specified below, are not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

FOR FURTHER INFORMATION CONTACT: Maria Dyczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

FOR FURTHER INFORMATION ON-LINE: <http://web.ita.doc.gov/tacgi/CaffaReqTrack.nsf>. Reference number: 83.2008.08.08.Fabric.SoriniSametforHansoll.

SUPPLEMENTARY INFORMATION:

Authority: Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (CAFTA-DR Act); the Statement of Administrative Action (SAA), accompanying the CAFTA-DR Act; Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

Background

The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25(4)-(5), when the President of the United States determines that a

fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25, Note; *see also* section 203(o)(4)(C) of the CAFTA–DR Act.

The CAFTA–DR Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA–DR Act for modifying the Annex 3.25 list. On March 21, 2007, CITA published final procedures it would follow in considering requests to modify the Annex 3.25 list (72 FR 13256) (“procedures”).

On August 8, 2008, the Chairman of CITA received a Request for a commercial availability determination (“Request”) under the CAFTA–DR from Sorini Samet & Associates, LLC, on behalf of Hansoll Textile Ltd., for certain raschel knit open work crepe fabrics. On August 12, 2008, in accordance with CITA’s procedures, CITA notified interested parties of the Request and posted the Request on the dedicated Web site for CAFTA–DR Commercial Availability. In its notification, CITA advised that any Response with an Offer to Supply (“Response”) must be submitted by August 22, 2008, and any Rebuttal be submitted by August 28, 2008. No interested entity submitted a Response advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA–DR Act, and CITA’s procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA–DR Agreement.

The subject fabric has been added to the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated Web site for CAFTA–DR Commercial Availability.

Specifications: Raschel Knit Open Work Crepe

HTS: 6005.22.00; 6005.24.00

Fiber Content: 75% cotton, 22% nylon, wrapped around 3% spandex.

Yarn Size:

Cotton:

English: 17.2/s–18.9/2

Metric: 28.50/2–31.5/2

Nylon:

English: 38–42 denier/10 filament
Metric: 213.75–236.25 metric/10 filament

Spandex:

English: 199.50–220.50 denier

Metric: 40.85–45.15 metric

Machine Gauge: 18

Number of Bars: 18

Weight:

English: 0.45 to 0.50 linear yds/lb.

Metric: 0.155–.171 kg/sq.m.

Width:

English: Not less than 54 to 58 inches, cuttable

Metric: 137.2 to 147.3 cm, cuttable

Finish: piece dyed or printed

R. Matthew Priest,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. E8–21480 Filed 9–12–08; 8:45 am]

BILLING CODE 3510–DS–P

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement

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

ACTION: Modifications to the CAFTA–DR Commercial Availability Final Procedures; Notice of Modified Procedures.

SUMMARY: This notice presents the modifications to CITA’s Final Procedures under the CAFTA–DR Commercial Availability Provisions.

DATES: *Effective Date:* September 15, 2008.

FOR FURTHER INFORMATION CONTACT: Maria Dycszak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 203(o)(4) of the CAFTA–DR Implementation Act; the Statement of Administrative Action (“SAA”), accompanying the CAFTA–DR, at 16–20.

Background

Annex 3.25 of the Dominican Republic-Central America-United States Free Trade Agreement (“Agreement”) provides a list of fabrics, yarns, and fibers that the Parties to the Agreement have determined are not available in commercial quantities in a timely manner from suppliers in the United States or other CAFTA–DR countries. A textile and apparel good containing fabrics, yarns, or fibers that is included in Annex 3.25 of the Agreement may be

treated as if it is an originating good for purposes of the specific rules of origin in Annex 4.1 of the Agreement, regardless of the actual origin of those inputs, provided that all other fabrics, yarns, or fibers of the component that determines the classification of the good meet the specific rules of origin in Annex 4.1 of the Agreement. The CAFTA–DR Implementation Act provides that the President will establish procedures governing the submission of requests and may determine whether additional fabrics, yarns, or fibers are not available in commercial quantities in a timely manner in the United States or the other CAFTA–DR countries. In addition, the CAFTA–DR Implementation Act establishes that the President may remove a fabric, yarn, or fiber from the list, if it has been added to the list in an unrestricted quantity pursuant to section 203(o), if he determines that the fabric, yarn, or fiber has become available in commercial quantities in a timely manner.

The SAA provides that the President will delegate to CITA his authority under section 203(o)(4) of the Agreement, known as the Commercial Availability Provision, to establish procedures for modifying the list of fabrics, yarns, or fibers not available in commercial quantities in a timely manner for Agreement countries, as set out in Annex 3.25 of the Agreement.

The CAFTA–DR Commercial Availability Final Procedures (“procedures”) are not subject to the requirement to provide prior notice and opportunity for public comment, pursuant to 5 U.S.C. 553(b)(A) (Administrative Procedures Act). These procedures may be modified in the future to address concerns that may arise as CITA gains experience in implementing them. CITA possesses inherent authority to reconsider, and/or subsequently amend, commercial availability determinations that may have been procured by error, fraud, or similar faults. Should CITA undertake to review a determination under such circumstances, CITA will provide notice to the public, through the email and website notification processes described in the procedures, and provide opportunity for interested entities to submit comments and information for CITA’s consideration.

CITA’s Request for Public Comment on the Due Diligence Requirement Under the CAFTA–DR Commercial Availability Procedures

On December 3, 2007, CITA issued a **Federal Register** notice requesting public comment and proposals on the