

**SUPPLEMENTARY INFORMATION:** The subject permit is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (MMPA; 16 U.S.C. 1361 *et seq.*), the regulations governing the taking and importing of marine mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (ESA; 16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR 222–226).

ASWH requests a five-year permit to conduct scientific research focusing primarily on North Atlantic right whales, with a secondary focus on humpback (*Megaptera novaeangliae*) and fin (*Balaenoptera physalus*) whales. The purposes of the right whale research include: (1) to improve knowledge of right whale habitat utilization; (2) to monitor the population in a portion of the southeast U.S. right whale critical habitat; (3) to contribute to the right whale photo-identification catalog; (4) to characterize the shallow water acoustic environment and right whale vocalizations; and (5) to examine sightability from different types of platforms. The feeding behavior of right, fin, and humpback whales would also be studied using aerial platforms.

The main study areas are the waters off northeast Florida in December through April and the waters off Cape Cod, MA in the summer months. Research could occur year round in Atlantic waters from Maine to Florida. The majority of the research would involve aerial surveys conducted from a variety of platforms, including airplanes, blimps, and aerostats. A maximum of 50 fin and 50 humpback whales could be harassed annually during aerial surveys. Seventy-five right whales may be harassed annually during aerial surveys. Twenty other cetacean species, including endangered sperm (*Physeter macrocephalus*), sei (*Balaenoptera acutorostrata*), and blue (*Balaenoptera musculus*) whales, may be incidentally harassed during aerial surveys. Two pinniped species and four species of sea turtles (loggerhead (*Caretta caretta*), leatherback (*Dermochelys coriacea*), Kemp's ridley (*Lepidochelys kempi*), green (*Chelonia mydas*)) may also be incidentally harassed as a result of aerial surveys.

Vessel surveys would also be conducted in U.S. southeast waters. Close approaches to right whales would be made to collect photo-identification, behavioral and passive acoustic data. ASWH proposes to use both motorized (10 right whales harassed annually) and non-motorized (i.e., kayaks) (5 right

whales harassed annually) vessels in their research.

Concurrent with the publication of this notice in the **Federal Register**, NMFS is forwarding copies of this application to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: December 4, 2008.

**P. Michael Payne,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. E8–29204 Filed 12–9–08; 8:45 am]

BILLING CODE 3510–22–S

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Cancellation of Electronic Visa Information System (ELVIS) Requirements for Textiles and Textile Products Produced or Manufactured in The People's Republic of China and Exported on and after January 1, 2009

December 5, 2008.

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

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection canceling all previous directives concerning ELVIS requirements for China.

**EFFECTIVE DATE:** January 1, 2009.

**FOR FURTHER INFORMATION CONTACT:** Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482–4212. For information on the quota status of this limit, refer to the Bureau of Customs and Border Protection website (<http://www.cbp.gov>), or call (202) 863–6560. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel website at <http://otexa.ita.doc.gov>.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Executive Order 11651 of March 3, 1972, as amended; Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

This directive cancels the ELVIS requirement for goods exported from China on and after January 1, 2009. The ELVIS requirement and quota requirements will continue to remain in effect until further notice for goods exported from China prior to January 1, 2009, even if entered in 2009. This action is consistent with the terms of the bilateral agreement on textiles and apparel between the Governments of the United States of America and the

People's Republic of China that was signed on November 8, 2005.

In the letter below, CITA is directing the Bureau of Customs and Border Protection to cancel all ELVIS requirements for goods exported from China on and after January 1, 2009.

**Janet E. Heinzen,**

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

### Committee for the Implementation of Textile Agreements

December 5, 2008.

Commissioner,

*Bureau of Customs and Border Protection, Washington, D.C. 20229.*

Dear Commissioner: This directive cancels all previous directives concerning requirements for ELVIS transmissions, issued to you by the Chairman, Committee for the Implementation of Textile Agreements, effective for goods exported from China on and after January 1, 2009.

However, the ELVIS requirement and quota requirements will continue to remain in effect until further notice for goods exported from China prior to January 1, 2009, even if entered in 2009.

The Committee for the Implementation of Textile Agreement has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

Janet E. Heinzen,

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

[FR Doc. E8–29211 Filed 12–9–08; 8:45 am]

BILLING CODE 3510–DS

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Intent To Grant an Exclusive Patent License

**SUMMARY:** Pursuant to the provisions of 37 CFR 404.4, which implements Public Law 96–517, as amended, the Department of the Air Force announces its intention to grant to EMTEC, a non-profit member based organization registered in Ohio, having a place of business at 3155 Research Blvd., Dayton, Ohio 45420, an exclusive license in any right, title, and interest the Air Force has in the invention described in: Air Force invention number AFD 881, entitled *Light Emitting Diode with a Deoxyribonucleic Acid (DNA) Biopolymer Phosphor Based Coating for Solid State Lighting Object*.

**FOR FURTHER INFORMATION:** License for this invention will be granted unless a written objection is received within fifteen (15) days from the date of publication of this Notice. Written objections should be sent to: Air Force