

qualifying woven fabric under the Dominican Republic Earned Import Allowance Program.

**SUMMARY:** The Office of Textiles and Apparel (“OTEXA”) requests public comment on the wholly formed requirement of qualifying woven fabric under the Dominican Republic Earned Import Allowance Program.

**DATES:** Commerce will consider comments received by 5:00pm on May 4, 2009.

**ADDRESSES:** Comments should be addressed to: Janet Heinzen, Director, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Robert Carrigg, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2573.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 2(a) of the Andean Trade Preference Extension Act of 2008 (“ATPEA”); Section 404(b)(2)(H) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act, as amended; Imports of Certain Apparel Articles: Interim Procedures for the Implementation of the Earned Import Allowance Program Established Under the Andean Trade Preference Act of 2008 (74 FR 3563, published January 21, 2009) (“Interim Procedures”).

**BACKGROUND:**

On December 1, 2008 the Department of Commerce implemented provisions under the Andean Trade Preference Extension Act of 2008 (Public Law 110-436, 122 Stat. 4976) (“ATPEA”). Section 2 of the ATPEA amends Title IV of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (Public Law 109-53; 119 Stat. 495). Specifically, Title IV of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act is amended by adding Section 404 creating a benefit for eligible apparel articles wholly assembled in the Dominican Republic that meet the requirements for a “2 for 1” earned import allowance. Section 2 of the ATPEA requires the Secretary of Commerce to establish a program to provide earned import allowance certificates to any producer or entity controlling production of eligible apparel articles in the Dominican Republic, such that apparel wholly assembled in the Dominican Republic from fabric or yarns, regardless of their source, and imported directly from the Dominican Republic, may enter the United States duty-free, pursuant to the satisfaction of the terms governing issuance of the earned import

allowance certificate. The Secretary of Commerce has delegated his authority under the Act to implement and administer the Earned Import Allowance Program to the International Trade Administration’s Office of Textiles and Apparel (“OTEXA”).

On January 21, 2009, OTEXA published interim procedures, 74 FR 3563, implementing Section 2 of the ATPEA. These procedures set forth the provisions OTEXA will follow in implementing the Earned Import Allowance Program. In accordance with these procedures, OTEXA will issue certificates to qualifying apparel producers to accompany imports of eligible apparel articles wholly formed in the Dominican Republic and exported from the Dominican Republic. Such certificates will be issued as long as there is a sufficient balance of square meter equivalents available as a result of the purchase of qualifying woven fabric. “Qualifying woven fabric” is defined in Section 2 of the ATPEA and in OTEXA’s interim procedures as “woven fabric of cotton wholly formed in the United States from yarns wholly formed in the United States” and intended for production of apparel in the Dominican Republic. See Section 2(e) of the Interim Procedures; Section 404(c)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act, as amended by Section 2 of the Andean Trade Preference Extension Act of 2008. Neither the ATPEA nor the interim procedures define the term “wholly formed— as it is used in the definition of “qualifying woven fabric.”

OTEXA has received inquiries regarding the interpretation of “wholly formed” as a requirement under the definition of “qualifying woven fabric.” OTEXA currently interprets “wholly formed” within the definition of “qualifying woven fabric” to require that all production processes and finishing operations, starting with weaving and ending with a fabric ready for cutting or assembly without further processing, took place in the United States. OTEXA believes this interpretation to be consistent with similar definitions and interpretations of the term “wholly formed.”

Pursuant to the ATPEA, these procedures may be modified to address concerns that may arise as OTEXA gains experience in implementing them. See Section 2(b)(2)(H) of the ATPEA. OTEXA requests public comment on the “wholly formed” requirement in the definition of “qualifying woven fabric” for the purposes of the Dominican Republic Earned Import Allowance Program.

Comments must be in English, and must be received no later than May 4, 2009. Comments should be addressed to: Janet Heinzen, Director, Office of Textiles and Apparel, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

Comments may be submitted in writing or electronically.

(1) An electronic mail (“email”) version of the comments must be either in PDF, Word, or Word-Perfect format, and sent to the following email address:  
**OTEXA\_DR2for1@mail.doc.gov.**

(2) All comments submitted will be made available for public review on the Office of Textile and Apparel (“OTEXA”), Dominican Republic 2 x 1 website at <http://otexa.ita.doc.gov/>.

Dated: March 31, 2009.

**Janet E. Heinzen,**

*Director, Office of Textiles and Apparel.*

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**DEPARTMENT OF COMMERCE**

**National Institute of Standards and Technology**

[Docket No.: 090306279-9290-01]

**Proposed Revision to Voluntary Product Standard (PS) 20-05 “American Softwood Lumber Standard”**

**AGENCY:** National Institute of Standards and Technology, Commerce.

**ACTION:** Notice and request for comments.

**SUMMARY:** This notice advises the public that the National Institute of Standards and Technology (NIST) is seeking comments for the proposed revision of Voluntary Product Standard (PS) 20-05, “American Softwood Lumber Standard.” This standard, prepared by the American Lumber Standard Committee, serves the procurement and regulatory needs of numerous federal, state, and local government agencies by providing for uniform, industry-wide grade-marking and inspection requirements for softwood lumber. The implementation of the standard also allows for uniform labeling and auditing of treated wood and, through a Memorandum of Understanding with the U.S. Department of Agriculture, labeling and auditing of wood packaging materials for international trade. As part of a five-year review process, NIST is seeking public comment and invites

interested parties to review the revised standard and submit comments.

**DATES:** Written comments regarding the proposed revision, PS 20–05, should be submitted to the Standards Services Division, NIST, no later than May 18, 2009.

**ADDRESSES:** An electronic copy (in PDF) of the current standard, PS 20–05, can be obtained at the following Web site: <http://ts.nist.gov/docvps>. Written comments on the standard should be submitted to David F. Alderman, Standards Services Division, NIST, 100 Bureau Drive, Stop 2150, Gaithersburg, MD 20899–2150; fax (301) 975–4715. Electronic comments may be submitted via e-mail to [david.alderman@nist.gov](mailto:david.alderman@nist.gov).

**FOR FURTHER INFORMATION CONTACT:** David F. Alderman, Standards Services Division, National Institute of Standards and Technology, telephone: (301) 975–4019; fax: (301) 975–4715, e-mail: [david.alderman@nist.gov](mailto:david.alderman@nist.gov).

**SUPPLEMENTARY INFORMATION:** Under Department of Commerce regulations codified in Title 15, Code of Federal Regulations, Part 10, *Procedures for the Development of Voluntary Product Standards*, and administered by NIST, the American Lumber Standard Committee acts as the Standing Committee for PS 20–05, *American Softwood Lumber Standard*, responsible for maintaining, revising, and interpreting the standard. The Committee is comprised of producers, distributors, users, and others with an interest in the standard.

Voluntary Product Standard (PS) 20–05 establishes standard sizes and requirements for developing and coordinating the lumber grades of the various species of lumber, the assignment of design values, and the preparation of grading rules applicable to each species. Its provisions include implementation of the standard through an accreditation and certification program; establishment of principal trade classifications and lumber sizes for yard, structural, and factory/shop use; classification, measurement, grading, and grade-marking of lumber; definitions of terms and procedures to provide a basis for the use of uniform methods in the grading inspection, measurement, and description of softwood lumber; commercial names of the principal softwood species; definitions of terms used in describing standard grades of lumber; and commonly used industry abbreviations. The standard also includes the organization and functions of the American Lumber Standard Committee, the Board of Review, and the National Grading Rule Committee.

All public comments will be reviewed and considered. The American Lumber Standard Committee and NIST will revise the standard accordingly.

Dated: March 26, 2009.

**Patrick Gallagher,**

*Deputy Director.*

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## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### **Notice of Intent (NOI) To Prepare an Environmental Impact Statement (EIS) for Proposed Realignment of a Portion of National Guard Avenue and Construction of the New Main Gate for The 158th Fighter Wing, Vermont Air National Guard at Burlington International Airport, Burlington, VT**

**AGENCY:** National Guard Bureau, Department of the Air Force, DOD.

**ACTION:** Notice of Intent.

**SUMMARY:** This notice corrects the heading of a notice that was posted in the *Federal Register* on March 30th 2009, Vol. 74, No. 59 “U.S. Air Force Scientific Advisory Board Notice Of Meeting Notice Of Intent (NOI) To Prepare An Environmental Impact Statement (EIS) For Proposed Realignment Of A Portion Of National Guard Avenue And Construction of the New Main Gate For the 158th Fighter Wing, Vermont Air National Guard At Burlington International Airport, Burlington, Vermont.”

Pursuant to the National Environmental Policy Act (NEPA) of 1969, as amended (42 U.S.C. 4321, *et seq.*), the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA (40 CFR parts 1500–1508), and Air Force policy and procedures (32 CFR part 989), the National Guard Bureau is issuing this notice to advise the public of its intent to prepare an EIS to evaluate the potential environmental impacts that could result from the proposed realignment of a portion of National Guard Avenue, and construction of a new main gate at the 158th Fighter Wing (158 FW) installation at Burlington International Airport.

A recent evaluation of infrastructure security at the installation identified several vulnerabilities revealing a potential threat to mission-critical resources. Realignment of a segment of National Guard Avenue would remedy some of these vulnerabilities and protect mission-critical resources. Work

conducted would be in compliance with anti-terrorism/force protection (AT/FP) standoff criteria. Preliminary studies indicate that potential significant adverse effects to wetlands and to sensitive Native American sites may result from realignment of the roadway. In addition to the road segment realignment, the 158 FW would also construct a new main gate along a portion of the realigned roadway, construct a new Security Forces facility, which would be collocated with the new main gate, and construct an internal roadway loop that would improve vehicular safety and circulation to a portion of the installation.

In addition to the proposed action, another action alternative will evaluate the potential impacts of an alternative roadway alignment for National Guard Avenue, and redesigning the main gate in its current location to meet AT/FP criteria. The Security Forces and internal roadway loop would remain as described under the Proposed Action. The no-action alternative will also be analyzed in the EIS.

The National Guard Bureau will conduct a scoping meeting to solicit public input concerning the proposal. The scoping process will help identify issues to be addressed in the environmental analysis. Comments will be accepted at any time during the environmental impact analysis process. However, to ensure the Air Force has sufficient time to consider public input in the preparation of the Draft EIS, comments should be submitted to the address below by 16 April 2009.

Notices will be posted and published in the Burlington Free Press. The scoping meetings will be held at the South Burlington High School, Cafeteria #2, 550 Dorset Street, South Burlington, VT 05403, on 16 April 2009, from 6–9 p.m.

**FOR FURTHER INFORMATION CONTACT:**

Please direct any written comments or requests for information to Robert Dogan, NGB/A7AM, at Conaway Hall, 3500 Fetchet Avenue, Andrews Air Force Base, Maryland 20762–5157; (301) 836–8859; or fax (301) 836–7428.

**Bao-Anh Trinh,**

*Air Force Federal Register Liaison Officer.*

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