

spread of emerald ash borer in the United States, contact Mr. David Lamb, Import Specialist, Regulations, Permits, and Manuals, PPQ, APHIS, 4700 River Road Unit 133, Riverdale, MD 20737; (301) 734-0627. For copies of more detailed information on the information collection, contact Mrs. Celeste Sickles, APHIS' Information Collection Coordinator, at (301) 851-2908.

SUPPLEMENTARY INFORMATION:

Title: Emerald Ash Borer; Host Material from Canada.

OMB Number: 0579-0319.

Type of Request: Extension of approval of an information collection.

Abstract: As authorized by the Plant Protection Act (7 U.S.C. 7701 *et seq.*) (PPA), the Secretary of Agriculture may prohibit or restrict the importation, entry, exportation, or movement in interstate commerce of any plant, plant product, biological control organism, noxious weed, means of conveyance, or other article if the Secretary determines that the prohibition or restriction is necessary to prevent a plant pest or noxious weed from being introduced into or disseminated within the United States. This authority has been delegated to the Animal and Plant Health Inspection Service (APHIS), which administers regulations to implement the PPA.

APHIS regulations in 7 CFR part 319 prohibit or restrict the importation of certain plants and plant products into the United States to prevent the introduction of plant pests. Subpart—Nursery Stock, Plants, Roots, Bulbs, Seeds, and Other Plant Products (7 CFR 319.37 through 319.37-14) restricts, among other things, the importation of living plants, plant parts, and seeds for propagation; and Subpart—Logs, Lumber, and Other Unmanufactured Wood Articles (7 CFR 310.40-1 through 310.40-11) governs the importation of various logs, lumber, and other unmanufactured wood products into the United States. Both subparts contain regulations that restrict or prohibit the importation of emerald ash borer host material from Canada to prevent the introduction and spread of EAB, a destructive wood-boring insect that attacks ash trees, in the United States. These regulations involve information collection activities, including phytosanitary certificates, permit applications, and certificates of inspection.

We are asking the Office of Management and Budget (OMB) to approve our use of these information collection activities for an additional 3 years.

The purpose of this notice is to solicit comments from the public (as well as

affected agencies) concerning our information collection. These comments will help us:

(1) Evaluate whether the collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility;

(2) Evaluate the accuracy of our estimate of the burden of the information collection, including the validity of the methodology and assumptions used;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) Minimize the burden of the information collection on those who are to respond, through use, as appropriate, of automated, electronic, mechanical, and other collection technologies, e.g., permitting electronic submission of responses.

Estimate of burden: The public reporting burden for this collection of information is estimated to average 0.6666 hours per response.

Respondents: Importers of certain articles from Canada; and the Canadian Food Inspection Agency.

Estimated annual number of respondents: 6.

Estimated annual number of responses per respondent: 1.

Estimated annual number of responses: 6.

Estimated total annual burden on respondents: 4 hours. (Due to averaging, the total annual burden hours may not equal the product of the annual number of responses multiplied by the reporting burden per response.)

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Done in Washington, DC, this 28th day of July 2010.

Kevin Shea

Acting Administrator, Animal and Plant Health Inspection Service.

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DEPARTMENT OF AGRICULTURE

Forest Service

Kern and Tulare Counties Resource Advisory Committee

AGENCY: Forest Service, USDA.

ACTION: Notice of meeting.

SUMMARY: The Kern and Tulare Counties Resource Advisory Committee (RAC) will meet in Porterville, Kernville, and Bakersfield, California. The committee

is meeting as authorized under the Secure Rural Schools and Community Self-Determination Act (Pub. L. 110-343) and in compliance with the Federal Advisory Committee Act. The purpose of the meetings is to establish and implement a process to accept projects and determine which projects to recommend to the Forest Supervisor for funding under Title II of the Act.

DATES: The meetings will be held on August 26, September 23, September 29, October 28, and November 18, 2010. All meetings will begin at 5 p.m.

ADDRESSES: The August 26, September 29, October 28 meetings will be held at the Sequoia National Forest Headquarters, 1839 South Newcomb Street, Porterville, California. Videoconferencing for the August 26 meeting will be available only at the Kernville Office of the Kern River Ranger District, 105 Whitney Road, Kernville, California. The September 23 and November 18 meetings will be held at the County of Kern Administrative Office, 1115 Truxtun Avenue, Bakersfield, California.

Written comments should be sent to Priscilla Summers, Western Divide Ranger District, 32588 Highway 190, Springville, California 93265. Comments may also be sent via e-mail to psummers@fs.fed.us, or via facsimile to 559-539-2067.

All comments, including names and addresses when provided, are placed in the record and are available for public inspection and copying. The public may inspect comments received at Western Divide Ranger District, 32588 Highway 190, Springville, CA 93265. Visitors are encouraged to call ahead to 559-539-2607 to facilitate entry into the building and access to the record.

FOR FURTHER INFORMATION CONTACT: Penelope Shibley, RAC Coordinator, Kernville Ranger Station, P.O. Box 9, Kernville, CA 93238; (760) 376-3781; or e-mail: pshibley@fs.fed.us. Individuals who use telecommunication devices for the deaf (TDD) may call 559-781-6650 between 8 a.m. and 4:30 p.m., Pacific Daylight Time, Monday through Friday.

SUPPLEMENTARY INFORMATION: The meetings are open to the public. Committee discussions are limited to Forest Service staff and committee members. The following business will be conducted: (1) Introductions of all committee members, replacement members, and Forest Service personnel; (2) develop a procedure to receive, process, and recommend projects for funding; (3) develop a schedule for accepting and processing project applications; and (4) receive public comment. Persons who wish to bring

related matters to the attention of the Committee may file written statements with the Committee staff before or after the meeting.

Dated: July 28, 2010.

Tina J. Terrell,

Forest Supervisor.

[FR Doc. 2010-19023 Filed 8-2-10; 8:45 am]

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DEPARTMENT OF COMMERCE

International Trade Administration

Determination by the Department of Commerce on the Wholly Formed Requirement for Qualifying Woven Fabric Under the Dominican Republic Earned Import Allowance Program

July 29, 2010.

AGENCY: Department of Commerce, International Trade Administration.

ACTION: Notice.

SUMMARY: The Department of Commerce has determined to maintain the current interpretation of the wholly formed requirement of qualifying woven fabric under the Dominican Republic Earned Import Allowance Program (DREIAP).

FOR FURTHER INFORMATION CONTACT:

Robert Carrigg, Office of Textiles and Apparel, Import Administration, 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 (“CAFTA-DR FTA”) 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 Extension Act of 2008 (74 FR 3563, published January 21, 2009) (“Interim Procedures”).

DATES: *Effective Date:* August 3, 2010.

Background

On December 1, 2008, the Department of Commerce implemented provisions under the Andean Trade Preference Extension Act of 2008 (Pub. L. 110-436, 122 Stat. 4976) (ATPEA or implementing legislation). Section 2 of the ATPEA amends Title IV of the CAFTA-DR FTA Implementation Act (Pub. L. 109-53; 119 Stat. 495). Specifically, Title IV of the CAFTA-DR FTA 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 CAFTA-DR FTA Implementation 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 DREIAP. In accordance with these procedures, OTEXA issues 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” and intended for production of apparel in the Dominican Republic. See Section 2(e) of the *Interim Procedures*; Section 404(c)(4) of the CAFTA-DR FTA Implementation Act, as amended by Section 2 of the ATPEA. Neither the ATPEA nor the interim procedures define the term “wholly formed” as it is used in the definition of “qualifying woven fabric.”

OTEXA received inquiries regarding the interpretation of “wholly formed” as a requirement under the definition of “qualifying woven fabric.” Accordingly, on April 3, 2009 (74 FR 15254), OTEXA requested public comment on the intended meaning of the “wholly formed” requirement in the definition of “qualifying woven fabric” for the purposes of the DREIAP. In that request for public comment, OTEXA explained that it “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, take place in the United States.” *Id.*, 74 FR at 15255.

OTEXA received ten comments and has carefully analyzed the points raised in each submission. These comments are available on OTEXA’s Web site at http://web.ita.doc.gov/tacgi/otexa_dr_eiap_publiccomments.nsf/504ca249c786e20f85256284006da7ab?OpenView&Start=1. Department officials have also discussed this matter on several occasions with interested stakeholders to ensure that all points have been considered.

Commentators that support OTEXA’s current interpretation contend that the DREIAP was intended to improve the competitiveness of Dominican apparel producers and create new export opportunities for United States manufacturers of qualifying fabrics. These commentators suggest that from the beginning, it was clear that the intent was to base the program on the delivery of qualifying fabric ready for cutting and sewing into trousers. There was never any discussion of permitting greige fabric (raw fabric that has yet to be bleached or dyed) to be shipped to another country for finishing and allowing such fabric to qualify for benefits under the program because it was understood that support from United States industry was dependent on the requirement that fabric be produced and finished in the United States so that it would be ready for cutting and sewing upon arrival in the Dominican Republic. These commentators argue that effective enforcement of the program would be more difficult if third countries were able to participate as finishers. They also contend that the dyeing and finishing stage imparts distinct characteristics that only then make the fabric suitable for a specific apparel application as envisaged by the legislation. Unfinished fabric can be used for applications other than the assembly of trousers and similar garments. The commentators contend that although the program was enacted as an amendment to the CAFTA-DR FTA Implementation Act, it could have been implemented as a stand-alone bill or as an amendment to other relevant legislation. These commentators suggest that the connection between the program and the vehicle to which it was attached is one of legislative convenience. These commentators state that at no time was there an expression