

short supply provisions of the AGOA and the CBTPA, and eligible under HTS subheadings 9819.11.24 or 9820.11.27 to enter free of quotas and duties, provided all other yarns are U.S. formed and all other fabrics are U.S. formed from yarns wholly formed in the U.S.

**FOR FURTHER INFORMATION CONTACT:**

Philip J. Martello, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 112(b)(5)(B) of the AGOA and Section 211 of the CBTPA, amending Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act (CBERA); Presidential Proclamations 7350 and 7351 of October 2, 2000; Executive Order No. 13191 of January 17, 2001.

**Background**

The short supply provision of the AGOA provides for duty-free and quota-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary sub-Saharan African countries from fabric or yarn that is not formed in the United States or a beneficiary sub-Saharan African country if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamation 7350, the President proclaimed that this treatment would apply to such apparel articles from fabrics or yarns designated by the appropriate U.S. government authority in the Federal Register. In Executive Order 13191, the President authorized the Committee to determine whether particular yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA.

Similarly, the short supply provision of the CBTPA provides for duty-free and quota-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more beneficiary CBTPA country from fabric or yarn that is not formed in the United States or a beneficiary CBTPA country if it has been determined that such yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner and certain procedural requirements have been met. In Presidential Proclamation 7351, the President proclaimed that this treatment would apply to such apparel articles from fabrics or yarns designated by the appropriate U.S. government authority in the Federal Register. In Executive Order 13191, the President authorized the Committee to determine whether particular yarns or fabrics

cannot be supplied by the domestic industry in commercial quantities in a timely manner.

On May 23, 2001, the Committee received a petition alleging that rayon filament yarn, classified in subheading 5403.31 and 5403.32 of the HTS for use in fabric for apparel, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the AGOA and CBTPA and requesting that apparel articles from U.S. formed-fabric containing such yarns be eligible for preferential treatment under the AGOA and CBTPA. On May 31, 2001, the Committee requested public comment on the petition (66 FR 29549). On June 18, 2001, the Committee and the U.S. Trade Representative (USTR) sought the advice of the Industry Sector Advisory Committee for Wholesaling and Retailing and the Industry Sector Advisory Committee for Textiles and Apparel (collectively, the ISACs). On June 19, 2001, the Committee 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 July 9, 2001, the U.S. International Trade Commission (USITC) provided advice on the petition. Based on the information and advice received and its understanding of the industry, the Committee determined that the yarn set forth in the petition cannot be supplied by the domestic industry in commercial quantities in a timely manner. On July 19, 2001, the Committee 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, as required by the AGOA and CBTPA.

The Committee hereby designates as eligible for preferential treatment under subheading 9819.11.24 of the HTS (for purposes of the AGOA), and under subheading 9820.11.27 of the HTS (for purposes of the CBTPA), apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more eligible beneficiary sub-Saharan African countries, or one or more eligible CBTPA beneficiary countries, from fabric formed in the United States containing rayon filament yarn not formed in the United States, provided that all other yarns are wholly formed in the United States and that all other fabrics are wholly formed in the United States from yarns wholly formed in the United States, that are imported directly into the customs territory of the United States from an eligible beneficiary sub-

Saharan African country or an eligible CBTPA 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) and resulting in the enumeration of such country in U.S. note 1 to subchapter XIX of chapter 98 of the HTS. An "eligible CBTPA beneficiary country" means a country which the President has designated as a CBTPA beneficiary country under section 213(b)(5)(B) of the CBERA (19 U.S.C. 2703(b)(5)(B)) and which has been the subject of a finding, published in the Federal Register, that the country has satisfied the requirements of section 213(b)(4)(A)(ii) of the CBERA (19 U.S.C. 2703(b)(4)(A)(ii)) and resulting in the enumeration of such country in U.S. note 1 to subchapter XX of chapter 98 of the HTS.

**D. Michael Hutchinson,**

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

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**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Denial of Short Supply Request under the North American Free Trade Agreement (NAFTA)**

November 14, 2001.

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

**ACTION:** Denial of request alleging that yarns of cashmere and yarns of camel hair cannot be supplied by the domestic industry in commercial quantities in a timely manner.

**SUMMARY:** On June 14, 2001 the Chairman of the Committee for the Implementation of Textile Agreements (CITA) received a petition from Amicale Industries, Inc., pursuant to Section 7.2 of Annex 300-B of the North American Free Trade Agreement (NAFTA), that certain yarns of camel hair and certain yarns of cashmere, classified in heading 5108.10.60 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that the President proclaim a modification of the

NAFTA rules of origin. The yarns are described as (1) Yarns of cashmere, singles, multiple or plied, of fiber 17.5 to 19 microns average diameter, of natural, bleached, or dyed fiber, of metric count 9.7 or finer (3 run or finer), mule spun or frame spun. (2) Yarns of camel hair, singles, multiple or plied, of fiber 18 microns average diameter or finer, of bleached or dyed fiber, of metric count 16 or finer (5 run or finer), mule spun or frame spun.

Such a proclamation may be made only after reaching agreement with other NAFTA countries on the modification. On June 27, 2001, CITA published a Federal Register notice (66 FR 34156) requesting public comments on this petition, in particular with regard to whether cashmere and camel hair yarn can be supplied by the domestic industry in commercial quantities in a timely manner.

**FOR FURTHER INFORMATION CONTACT:** Martin J. Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 204 of the Agricultural Act of 1956, as amended (7 USC 1854); Section 202(q) of the North American Free Trade Agreement Implementation Act (19 USC 3332(q)); Executive Order 11651 of March 3, 1972, as amended.

**Background**

Under the NAFTA, NAFTA countries are required to eliminate customs duties on textile and apparel goods that qualify as originating goods under the NAFTA rules of origin, which are set out in Annex 401 of the NAFTA. The NAFTA provides that the rules of origin for textile and apparel products may be amended through a subsequent agreement by the NAFTA countries. In consultations regarding such a change, the NAFTA countries are to consider issues of availability of supply of fibers, yarns, or fabrics in the free trade area and whether domestic producers are capable of supplying commercial quantities of the good in a timely manner. The Statement of Administrative Action (SAA) that accompanies the NAFTA Implementation Act states that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the availability in North American of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel

good. The NAFTA Implementation Act provides the President with the authority to proclaim modifications to the NAFTA rules of origin as are necessary to implement an agreement with one or more NAFTA country on such a modification.

On June 14, 2001 the Chairman of CITA received a petition from Amicale Industries, Inc. alleging that certain yarns of cashmere and of camel hair classified in heading 5108.10.60 of the HTSUS, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that the President proclaim a modification of the NAFTA rules of origin. Amicale requested that the President proclaim that apparel articles of U.S. formed fabrics of such yarns be eligible for preferential treatment under the NAFTA.

CITA solicited public comments regarding this request (66 FR 34156) particularly with respect to whether yarn of cashmere and yarn of camel hair, classified in HTSUS heading 5108.10.60, can be supplied by the domestic industry in commercial quantities in a timely manner. The yarns are described as (1) Yarns of cashmere, singles, multiple or plied, of fiber 17.5 to 19 microns average diameter, of natural, bleached, or dyed fiber, of metric count 9.7 or finer (3 run or finer), mule spun or frame spun. (2) Yarns of camel hair, singles, multiple or plied, of fiber 18 microns average diameter or finer, of bleached or dyed fiber, of metric count 16 or finer (5 run or finer), mule spun or frame spun. The referenced yarns would produce woven fabrics for use in suits, coats and suit-type jackets classified under HTS subheadings 6201.11, 6202.11, 6203.11, 6203.31, 6204.11 and 6204.41.

On the basis of the public comments received, yarn of cashmere and yarn of camel hair appears to be spun in the United States and to be available from U.S. producers. One company in its submission claims to be currently spinning these yarns and another company claims to be currently having these yarns spun in both the United States and Mexico and is willing to supply Amicale. A third company claims it is able and willing to supply all but the 5 run camel hair yarn. Moreover, Amicale has the ability to produce these yarns. It appears that there is substantial U.S. production of these yarns and that the yarns can be supplied in commercial quantities.

Based on its review of the petition and public comments received, CITA has determined to deny Amicale's petition. Amicale has not established that these yarns cannot be supplied by

the domestic industry in commercial quantities in a timely manner. In fact, it appears that these yarns can be so supplied. As a result, consultations with Canada and Mexico will not be requested.

**D. Michael Hutchinson,**

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

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**CORPORATION FOR NATIONAL AND COMMUNITY SERVICE**

**Funding Opportunity for Provision of Training and Technical Assistance to the AmeriCorps Promise Fellows Grantees**

**AGENCY:** Corporation for National and Community Service.

**ACTION:** Notice of funding opportunity.

**SUMMARY:** Subject to the availability of appropriations, the Corporation for National and Community Service (Corporation) will use approximately \$250,000 to support an organization selected under this Notice to provide training and technical assistance to the AmeriCorps Promise Fellows Program. The organization selected will, on a national level: (1) Foster a national identity among Fellows based on their participation in a common national endeavor; (2) design and help implement training and technical assistance activities to provide Fellows and sponsors with the skills required to fulfill their mission; and (3) facilitate the exchange of information and effective practices among Fellows, sponsors and others involved in the AmeriCorps Promise Fellows Program.

The Corporation intends to enter into a cooperative agreement of up to three years, beginning on or about March 1, 2002. The funding opportunity announced under this Notice will support the initial phase of the agreement (generally the first year's budget), with additional funding contingent upon need, quality of service, the nature and scope of activities to be supported, and availability of appropriations for this purpose.

**Note:** This is a notice for selection of an organization to provide training and technical assistance to national service grantees. This is not a notice for program grant proposals.

**DATES:** Proposals must be received by the Corporation by 3 p.m. Eastern time on January 18, 2002. The Corporation anticipates making an award under this announcement in March 2002.