

periods, during which collection of live animals and/or biological samples would otherwise be prohibited. In addition, NMFS regulations at 50 CFR 635.32 regarding implantation or attachment of archival tags in Atlantic HMS require prior authorization and a report on implantation activities.

NMFS seeks public comment on its intention to issue EFPs for the purpose of collecting biological samples under at-sea fisheries observer programs. NMFS intends to issue EFPs to any NMFS or NMFS-approved observer to bring onboard and possess, for scientific research purposes, biological sampling, measurement, etc., any Atlantic swordfish, Atlantic shark, or Atlantic billfish, provided the fish is a recaptured tagged fish, a dead fish prior to being brought onboard, or specifically authorized for sampling by the Director of the Office of Sustainable Fisheries at the request of the Southeast Fisheries Science Center or Northeast Fisheries Science Center. On average, several hundred swordfish and sharks are collected by at-sea observers under such EFPs any given year.

Collection of bluefin tuna may be authorized for scientific research, age and growth, genetic, and spawning studies. In 2002, five permits for bluefin tuna archival tagging and research were issued.

EFP and SRP applications will also be considered for experiments addressing gear modifications to reduce bycatch in the Atlantic HMS pelagic longline fisheries. In 2002, NMFS issued one EFP allowing commercial fishing vessels to assist NOAA scientists in conducting bycatch reduction experiments in the Northeast Distant Waters of the Grand Banks.

NMFS intends to continue to issue EFPs to vessel operators requesting offloading windows in the Atlantic Swordfish fishery, in the event the swordfish fishery is closed and a vessel is not equipped with a vessel monitoring system (VMS) that would enable it to remain at sea after the announced closure date. NMFS anticipates that commercial EFP applicants would be captains of larger vessels out on extended trips at the time of a closure announcement. These applicants would benefit from delayed offloading by avoiding market gluts and cold storage problems. Based on an October 16, 2002, court order, NMFS expects to re-establish the regulations requiring VMS on HMS vessels with pelagic long line on board. When that occurs, EFPs to allow delayed offloading would no longer be required.

NMFS also seeks public comment on its intention to issue EFPs for distant

water pelagic longline vessels for the purpose of expanding access of U.S. vessels into other markets while continuing to collect information about U.S. fishing effort and landings. NMFS will consider applications from any U.S. Atlantic pelagic longline vessel. NMFS intends to issue such EFPs to any U.S. vessel fishing under contract to another nation, provided its landings and discards are consistent with ICCAT recommendations and, due to the requirements of the contract, those landings are being reported to ICCAT by that other nation or otherwise appropriately accounted for.

NMFS is also seeking public comment on its intention to issue EFPs for the collection of restricted species of sharks for the purpose of public display. In the Final Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks (HMS FMP), NMFS established a public display quota of 60 metric tons wet weight for this purpose. NMFS has preliminarily determined that up to 3,000 sharks could be taken with this current quota. NMFS believes that harvesting this amount for public display will have a minimal impact on the stock. In 2002, eight EFPs, which authorized the collection of 695 sharks for display purposes, were issued. Of these authorized collections, only 42 sharks have been reported taken to date.

Generally, the authorized collections or exemptions would involve activities otherwise prohibited by regulations implementing the HMS FMP and Amendment 1 to the Atlantic Billfish Fishery Management Plan. The EFPs, if issued, may authorize recipients to fish for and possess tunas, billfishes, swordfish, and sharks outside the applicable Federal commercial seasons, size limits and retention limits, or to fish for and possess prohibited species.

NMFS is in the process of restructuring the procedures for issuing Federal EFPs/SRPs for highly migratory species. NMFS initiated this process by publishing a Notice of Intent to prepare an Environmental Impact Statement (EIS) for Amendment 1 to the Fishery Management Plan for Atlantic Tunas, Swordfish and Sharks on November 15, 2002 (64 FR 69236). While the Amendment is anticipated to focus primarily upon shark management measures, consideration will be given to revising the EFP/SRP issuance procedures for all Atlantic HMS. NMFS intends to publish an Issues and Options paper summarizing the different permitting options under consideration and will announce the availability of this document at a later date.

Additionally, on December 6, 2002 (64 FR 72629), NMFS published a proposed rule that suggests modification of existing regulations to improve accountability of exempted fishing activities involving Atlantic HMS. If the proposed changes are implemented, permits would be issued under the current regulations and would be valid until the new regulations become effective, at which time revised permits may be issued.

Final decisions on the issuance of any EFPs/SRPs will depend on the submission of all required information about the proposed activities, NMFS' review of public comments received on this notice, consistency with conclusions in the Final Environmental Impact Statement (EIS) contained in the Final HMS FMP (64 FR 13575; March 19, 1999) and any subsequent Environmental Assessments (EAs) and any consultations with any appropriate Regional Fishery Management Councils, states, or Federal agencies. NMFS does not anticipate any environmental impacts from the issuance of these EFPs other than impacts already assessed in the Final HMS FMP and subsequent EAs.

**Authority:** 16 U.S.C. 971 *et seq.* and 16 U.S.C. 1801 *et seq.*

Dated: December 13, 2002.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 02-31983 Filed 12-18-02; 8:45 am]

BILLING CODE 3510-22-S

---

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comments on Commercial Availability Request under the United States-Caribbean Basin Trade Partnership Act (CBTPA)

December 17, 2002.

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

**ACTION:** Request for public comments concerning a request for a determination that two patented fusible interlining fabrics, used in the construction of waistbands, cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

---

**SUMMARY:** On December 12, 2002 the Chairman of CITA received a petition from Levi Strauss and Co. alleging that a certain ultra-fine Lycra crochet material cannot be supplied by the

domestic industry in commercial quantities in a timely manner. The petition requests that apparel of such fabrics be eligible for preferential treatment under the CBTPA. CITA hereby solicits public comments on this request, in particular with regard to whether such fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by January 3, 2003 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

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

**SUPPLEMENTARY INFORMATION:**

**Authority:** Section 213(b)(2)(A)(v)(II) of the Caribbean Basin Economic Recovery Act, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

**Background:**

The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns and fabrics formed in the United States or a beneficiary country. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabric or yarn that is not formed in the United States or a beneficiary country, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191, the President delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA and directed CITA to establish procedures to ensure appropriate public participation in any such determination. On March 6, 2001, CITA published procedures that it will follow in considering requests. (66 FR 13502).

On December 12, 2002 the Chairman of CITA received a petition from Levi Strauss and Co. alleging that certain ultra-fine Lycra crochet outer-fusible material with a fold line that is knitted into the fabric and a fine Lycra crochet inner-fusible material with an adhesive coating that is applied after going through a finishing process to remove

all shrinkage from the product, classified under item 5903.90.2500 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in apparel articles (waistbands), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the CBTPA for apparel articles that are both cut and sewn in one or more CBTPA beneficiary countries from such fabrics.

**The two fabrics at issue are:**

**Fusible Interlining 1 -**

An ultra-fine Lycra crochet outer-fusible material with a fold line that is knitted into the fabric. A patent is pending for this fold-line fabric.

The fabric is a 45mm wide base substrate, crochet knitted in narrow width, synthetic fiber based (49% polyester/43% elastane/8% nylon with a weight of 4.4 oz., a 110/110 stretch and a dull yarn), stretch elastomeric material with adhesive coating that has the following characteristics:

a) The 45mm is divided as follows: 34mm solid followed by a 3mm seam allowing it to fold over followed by 8mm of solid.

b) In the length it exhibits excellent stretch and recovery properties at low extension levels.

c) It is delivered pre-shrunk with no potential for relaxation shrinkage during high temperature washing or fusing and delivered lap laid, i.e., tension free adhesion level will be maintained or improved through garment processing temperatures of up to 350 degrees and dwell times of 20 minute durations.

d) The duration and efficacy of the bond will be such that the adhesive will not become detached from the fabric or base substrate during industrial washing or in later garment wear or after-care of 50 home washes.

In summary, the desired fabric will be an interlining fabric with the above properties. The finished interlining fabric is a fabric that has been coated with an adhesive coating after going through a finishing process to remove all shrinkage from the product and impart a stretch to the fabric. This finishing process of imparting stretch to fabrics is patented, U.S. Patent 5,987,721.

**Fusible Interlining 2 -**

A fine Lycra crochet inner-fusible material with an adhesive coating that is applied after going through a finishing process to remove all shrinkage from the product. (Sample number 2) This finishing process of imparting stretch to fabrics is patented, U.S. Patent 5,987,721.

Specifically, the fabric is a 40mm synthetic fiber based stretch elastomeric fusible (80% nylon type 6/20% spandex with a weight of 4.4 oz., a 110/110 stretch and a dull yarn), with the following characteristics:

a) It is supplied pre-coated with an adhesive that will adhere to 100% cotton and other composition materials such as polyester/cotton blends during fusing at a temperature of 180 degrees.

b) The adhesive is of a melt flow index which will not strike back through the interlining substrate or strike through the fabric to which it is fused and whose adhesion level will be maintained or improved through garment processing temperatures of up to 350 degrees and dwell times of 20 minute durations.

c) The duration and efficacy of the bond will be such that the adhesive will not become detached from the fabric or base substrate during industrial washing or in later garment wear or after-care of 50 home washes.

d) Delivered on rolls of more than 350 yards or lap laid in boxes.

Both interlining fabrics are classifiable under 5903.90.2500, HTSUS. The adhesive coating adds approximately 25% - 30% weight to the fusible interlining 1 and adds approximately 20% - 25% weight to the fusible interlining 2.

The fusible interlining fabrics are used in the construction of waistbands in pants, shorts, skirts, and other similar products that have waistbands.

Fusible interlining 1 reinforces the twill pant fabric and also exclusively contributes to the "stretch ability" of the twill pant fabric in the waistband area. Fusible interlining 2 is used on the underside of the waistband lining fabric. This interlining reinforces the waistband lining, which is made from pocketing-type fabric, and also exclusively contributes to that fabric's "stretch ability." It also serves to "firm up" the seam area of the waistband lining so that the fabric will not rip or otherwise be damaged during the assembly/sewing process.

CITA is soliciting public comments regarding this request, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other fabrics that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for these fabrics for purposes of the intended use. Comments must be received no later than January 3, 2003. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee

for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, DC 20230.

If a comment alleges that these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer of the fabrics stating that it produces the fabrics that are the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, N.W., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

**D. Michael Hutchinson,**

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

[FR Doc. 02-32122 Filed 12-18-02; 8:45 am]

BILLING CODE 3510-DR-S

## DEPARTMENT OF ENERGY

### Office of Science Financial Assistance Program Notice 03-09; Environmental

#### Meteorology Component of the Atmospheric Science Program (ASP), With focus on Vertical Transport and Mixing

**AGENCY:** Department of Energy.

**ACTION:** Notice inviting grant applications.

**SUMMARY:** The Office of Biological and Environmental Research (OBER) of the Office of Science (SC), U.S. Department of Energy (DOE), hereby announces its interest in receiving applications for the Environmental Meteorology Component of the Atmospheric Science Program (ASP), for the Vertical Transport and Mixing (VTMX) Science Team. The research program supports the Department's Climate Change Research Program, the U.S. Global Change Research Program, and the Administration's goals to understand

the meteorological processes associated with air quality and climate change.

**DATES:** Applicants are strongly encouraged to submit a brief preapplication for programmatic review. The deadline for submission of preapplications is April 28, 2003. Early submission of preapplications is encouraged.

Formal applications submitted in response to this notice must be received by 4:30 p.m., E.D.T., June 3, 2003, to be accepted for merit review and to permit timely consideration for award in Fiscal Year 2004. The applicants are also asked to submit an electronic copy of the abstract in ASCII format by 4:30 p.m., E.D.T., June 3, 2003, to: [Rick.petty@science.doe.gov](mailto:Rick.petty@science.doe.gov). The abstract should include the following information: PI and co-PIs, their institutions, and a brief summary of research.

Applicants are urged to review abstracts of proposals from DOE Laboratory scientists that have been tentatively selected for funding. Those selected proposals will be located at: <http://www.science.doe.gov/ober/GC/atsi.html> by March 26, 2003. Additionally, The VTMX Science Plan can be viewed at: <http://www.pnl.gov/VTMX>. Applications that are collaborative with or complementary to DOE Laboratory proposals are strongly encouraged.

**ADDRESSES:** Preapplications referencing Program Notice 03-09 may be sent to the program contact, Rickey Petty, via electronic mail at: [Rick.petty@science.doe.gov](mailto:Rick.petty@science.doe.gov) or by U.S. Postal Service Mail at Climate Change Research Division, Office of Biological and Environmental Research, Office of Science, SC-74/Germantown Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-1290. Electronic mail is recommended to speed up response to preapplications.

Formal applications in response to this solicitation are to be electronically submitted by an authorized institutional business official through DOE's Industry Interactive Procurement System (IIPS) at: <http://e-center.doe.gov/>. IIPS provides for the posting of solicitations and receipt of applications in a paperless environment via the Internet. In order to submit applications through IIPS your business official will need to register at the IIPS Web site. The Office of Science will include attachments as part of this notice that provide the appropriate forms in PDF fillable format that are to be submitted through IIPS. Color images should be submitted in IIPS as a separate file in PDF format and

identified as such. These images should be kept to a minimum due to the limitations of reproducing them. They should be numbered and referred to in the body of the technical scientific application as Color image 1, Color image 2, etc. Questions regarding the operation of IIPS may be E-mailed to the IIPS Help Desk at: [HelpDesk@e-center.doe.gov](mailto:HelpDesk@e-center.doe.gov) or you may call the help desk at: (800) 683-0751. Further information on the use of IIPS by the Office of Science is available at: <http://www.sc.doe.gov/production/grants/grants.html>.

If you are unable to submit an application through IIPS please contact the Grants and Contracts Division, Office of Science at: (301) 903-5212 in order to gain assistance for submission through IIPS or to receive special approval and instructions on how to submit printed applications.

**FOR FURTHER INFORMATION CONTACT:** Rickey Petty, Climate Change Research Division, Office of Biological and Environmental Research, Office of Science, SC-74/Germantown Building, U.S. Department of Energy, 1000 Independence Avenue, SW., Washington, DC 20585-1290, telephone: (301) 903-5548, E-mail: [Rick.petty@science.doe.gov](mailto:Rick.petty@science.doe.gov), fax: (301) 903-8519. The full text of Program Notice 03-09 is available via the Internet using the following Web site address: <http://www.sc.doe.gov/production/grants/grants.html>.

**SUPPLEMENTARY INFORMATION:** The scope of the research to be supported under this notice is the investigation of atmospheric vertical transport and mixing processes. The geographic focus for this research will be on urban areas affected by nearby elevated terrain, with an emphasis on studies of stably stratified conditions, periods with weak or intermittent turbulence, and morning and evening transition periods.

#### Background

The measurement and modeling of vertical transport and mixing processes in the lower atmosphere are of fundamental importance to modeling air quality, climate and weather. The upward and downward movements of air parcels in stable and residual layers of the atmosphere and the interactions between adjacent layers are particularly difficult processes to measure and characterize, and significant difficulties also exist in describing the behavior of the atmosphere during morning and evening transition periods. Limited understanding of the effects of heterogeneous land surfaces and complex terrain further limits our