

The current limits for certain categories are being adjusted for swing.

A description of the textile and apparel categories in terms of HTS numbers is available in the CORRELATION: Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 69 FR 4926, published on February 2, 2004). Also see 68 FR 69673, published on December 15, 2003.

D. Michael Hutchinson,

Acting Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

May 27, 2004.

Commissioner,
Bureau of Customs and Border Protection,
Washington, DC 20229

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on December 10, 2003, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, wool and man-made fiber textiles and textile products, produced or manufactured in Vietnam and exported during the twelve-month period which began on January 1, 2004 and extends through December 31, 2004.

Effective on June 2, 2004, you are directed to adjust the limits for the following categories, as provided for under the terms of the current bilateral textile agreement between the Governments of the United States and Vietnam:

| Category | Restraint limit ¹ |
|--------------------------------|------------------------------|
| 200 | 154,494 kilograms. |
| 301 | 545,895 kilograms. |
| 332 | 160,906 dozen pairs. |
| 333 | 22,595 dozen. |
| 334/335 | 705,958 dozen. |
| 338/339 | 14,472,350 dozen. |
| 341/641 | 833,323 dozen. |
| 342/642 | 591,089 dozen. |
| 345 | 245,125 dozen. |
| 347/348 | 7,345,721 dozen. |
| 351/651 | 438,685 dozen. |
| 359-C/659-C ² | 277,955 kilograms. |
| 434 | 11,048 dozen. |
| 620 | 3,175,109 square meters. |
| 632 | 114,249 dozen pairs. |
| 638/639 | 1,306,089 dozen. |
| 645/646 | 150,510 dozen. |
| 647/648 | 2,123,858 dozen. |

¹ The limits have not been adjusted to account for any imports exported after April 30, 2004.

²Category 359-C: only HTS numbers 6103.42.2025, 6103.49.8034, 6104.62.1020, 6104.69.8010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010; Category 659-C: only HTS numbers 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.8038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.8014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.9010, 6211.33.0010, 6211.33.0017 and 6211.43.0010.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,
D. Michael Hutchinson,
Acting Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 04-12426 Filed 6-1-04; 8:45 am]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comment on Commercial Availability Request under the North American Free Trade Agreement (NAFTA)

May 27, 2004.

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

ACTION: Request for Public Comments concerning a request for modification of the NAFTA rules of origin for piece-dyed acrylic pile fabrics containing dry-spun acrylic staple fibers.

SUMMARY: On November 12, 2003, the Government of the United States received a request from the Government of Canada alleging that dry-spun acrylic staple fibers, classified under the Harmonized Tariff Schedule of the United States (HTSUS) subheading 5503.30, cannot be supplied by the Canadian industry in commercial quantities in a timely manner and requesting that the governments of Mexico and the United States consult to consider whether the NAFTA rule of origin for woven-warp pile fabric, cut, which has been dyed in the piece to a single uniform color, classified under HTSUS 5801.35 should be modified to allow the use of non-North American dry-spun acrylic staple fiber.

The President may proclaim a modification to the NAFTA rules of origin only after, inter alia, reaching an agreement with the other NAFTA countries on the modification. CITA hereby solicits public comments on this request, in particular with regard to

whether the dry-spun acrylic staple fiber described above can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by July 2, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Martin J. Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2818.

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 North American Free Trade Agreement (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 to 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 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 November 12, 2003, the Government of the United States received a request from the Government of Canada alleging that dry-spun acrylic staple fiber classified under HTSUS subheading 5503.30, cannot be supplied by Canadian producers in commercial quantities in a timely manner and requesting that the Governments of Mexico and the United States consult on whether the NAFTA rule of origin for woven-warp pile fabric, cut, which has been dyed in the piece to a single uniform color, classified under HTSUS 5801.35, should be modified to allow the use of non-North American staple fiber of the type described above.

CITA is soliciting public comments regarding this request, particularly with respect to whether dry-spun acrylic

staple fiber, classified in HTSUS sub-heading 5503.30, can be supplied by the domestic industry in commercial quantities in a timely manner.

Comments must be received no later than July 2, 2004. 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 dry-spun acrylic staple fiber 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 fiber stating that it produces the fiber that is in 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.

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comment on Commercial Availability Request under the North American Free Trade Agreement (NAFTA)

May 27, 2004.

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

ACTION: Request for Public Comments concerning a request for modification of the NAFTA rules of origin for woven fabrics of artificial filament yarns containing filament yarns of viscose rayon.

SUMMARY: On May 14, 2004, the Government of the United States received a request from the Government of Mexico alleging that filament yarns of viscose rayon, classified under the Harmonized Tariff Schedule of the United States (HTSUS) heading 5403, cannot be supplied by the North American industry in commercial quantities in a timely manner and requesting that the governments of Canada and the United States consult to consider whether the NAFTA rule of origin for woven fabrics of artificial filament yarn, classified under HTSUS heading 5408 should be modified to allow the use of non-North American filaments yarns of viscose rayon.

The President may proclaim a modification to the NAFTA rules of origin only after, inter alia, reaching an agreement with the other NAFTA countries on the modification. CITA hereby solicits public comments on this request, in particular with regard to whether filament yarns of viscose rayon can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by July 2, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Martin Walsh, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-2818.

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 North American Free Trade Agreement (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 to 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 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 May 14, 2004, the Government of the United States received a request from the Government of Mexico alleging that filament yarns of viscose rayon classified under HTSUS heading 5403 cannot be supplied by North American producers in commercial quantities in a timely manner and requesting that the Governments of Canada and the United States consult on whether the NAFTA rule of origin for woven fabrics of artificial filament yarns, classified under HTSUS heading 5408, should be modified to allow the use of non-North American filament yarns of viscose rayon.

CITA is soliciting public comments regarding this request, particularly with respect to whether filament yarns of viscose rayon, classified in HTSUS heading 5403, can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than July 2, 2004. 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 filament yarns of viscose rayon 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 yarn stating that it produces the yarn that is in 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-