

eye. During darkness, NVDs will be available (ITT F500 Series Generation 3 binocular-image intensifier or equivalent), if and when required. Laser rangefinding binoculars (Leica LRF 1200 laser rangefinder or equivalent) will be available to assist with distance estimation. Those are useful in training observers to estimate distances visually, but are generally not useful in measuring distances to animals directly.

Taking into consideration the additional costs of prohibiting nighttime operations and the likely impact of the activity (including all mitigation and monitoring), NMFS has preliminarily determined that the proposed mitigation and monitoring ensures that the activity will have the least practicable impact on the affected species or stocks. Two marine mammal observers will be required to monitor the safety radii (using shipboard lighting or NVDs at night) for at least 30 minutes before ramp-up begins and verify that no marine mammals are in or approaching the safety radii; start-up may not begin unless the entire safety radii are visible; and marine mammals will have sufficient notice of a vessel approaching with an operating seismic airgun, thereby giving them an opportunity to avoid the approaching noise source. Additionally, a power-down or shut-down will occur if a marine mammal is detected within the safety radius.

### Reporting

UAF will submit a report to NMFS within 90 days after the end of the cruise. The report will describe the operations that were conducted and the marine mammals that were detected near the operations. The report will provide full documentation of methods, results, and interpretation pertaining to all monitoring. The 90-day report will summarize the dates and locations of seismic operations, and all marine mammal sightings (dates, times, locations, activities, associated seismic survey activities). The report will also include estimates of the amount and nature of potential "take" of marine mammals by harassment or in other ways.

### Endangered Species Act (ESA)

Under section 7 of the ESA, the National Science Foundation (NSF), the agency funding UAF, has begun consultation on this proposed seismic survey. NMFS will also consult on the issuance of an IHA under section 101(a)(5)(D) of the MMPA for this activity. Consultation will be concluded prior to a determination on the issuance of an IHA. Preliminarily, NMFS believes that the only ESA listed species that

may experience Level B Harassment is the bowhead whale.

National Environmental Policy Act (NEPA)

The NSF and UAF have prepared an Environmental Assessment (EA) for the oceanographic survey planned for the Arctic Ocean. NMFS has posted this EA on the NMFS website and solicits public comments regarding impacts to marine mammals. NMFS will review the EA and the public comments and subsequently either adopt it or prepare its own NEPA document before making a determination on the issuance of an IHA. The EA for this activity is available upon request or on the NMFS website (see **ADDRESSES**). Comments regarding impacts to marine mammals may be submitted by mail, fax, or email (see **ADDRESSES**). All other comments should be addressed to UAF or the National Science Foundation.

### Preliminary Conclusions

NMFS has preliminarily determined that the impact of conducting the seismic survey in the Arctic Ocean may result, at worst, in a temporary modification in behavior by certain species of marine mammals. This activity is expected to result in no more than a negligible impact on the affected species or stocks.

For reasons stated previously in this document, this preliminary determination is supported by: (1) the likelihood that, given sufficient notice through slow ship speed and ramp-up, marine mammals are expected to move away from a noise source that is annoying prior to its becoming potentially injurious; (2) recent research that indicates that TTS is unlikely (at least in delphinids) until levels closer to 200–205 dB re 1 microPa are reached rather than 180 dB re 1 microPa; (3) the fact that 200–205 dB isopleths would be well within 100 m (328 ft) of the vessel even in shallow water; and (4) the likelihood that marine mammal detection ability by trained observers is close to 100 percent during daytime and remains high at night to that distance from the seismic vessel. As a result, no take by injury or death is anticipated, and the potential for temporary or permanent hearing impairment is very low and will be avoided through the incorporation of the proposed mitigation measures mentioned in this document.

While the number of potential incidental harassment takes will depend on the distribution and abundance of marine mammals in the vicinity of the survey activity, the number of potential harassment takings is estimated to be small. In addition, the proposed seismic

program will not interfere with any legal subsistence hunts, since seismic operations will not be conducted in the same space and time as the hunts in subsistence whaling and sealing areas and will not adversely affect marine mammals used for subsistence purposes.

### Proposed Authorization

NMFS proposes to issue an IHA to UAF for conducting a low-intensity oceanographic seismic survey in the Arctic Ocean, provided the previously mentioned mitigation, monitoring, and reporting requirements are incorporated. NMFS has preliminarily determined that the proposed activity would result in the harassment of small numbers of marine mammals; would have no more than a negligible impact on the affected marine mammal stocks; and would not have an unmitigable adverse impact on the availability of species or stocks for subsistence uses.

### Information Solicited

NMFS requests interested persons to submit comments and information concerning this request (see **ADDRESSES**).

Dated: May 4, 2005.

**Michael Payne,**

*Acting Deputy Director, Office of Protected Resources, National Marine Fisheries Service.*  
[FR Doc. 05–9333 Filed 5–9–05; 8:45 am]

**BILLING CODE 3510–22–S**

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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comment on Commercial Availability Request under the United States-Singapore Free Trade Agreement (USSFTA)

May 4, 2005.

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

**ACTION:** Request for Public Comments concerning a request for modifications of the USSFTA rules of origin for apparel items made from certain yarns and fabrics.

**SUMMARY:** The Government of the United States has received a request dated April 8, 2005, from the Government of Singapore for consultations under Article 3.18.4(a)(i) of the USSFTA. Singapore is seeking agreement to revise the rules of origin for certain apparel goods to address availability of supply of certain yarns and fabrics in the territories of the Parties. The request covers products that have been the subject of prior

determinations made by CITA between April 6, 2004 and January 18, 2005 pursuant to the Caribbean Basin Trade Partnership Act (CBTPA), and the Andean Trade Promotion and Drug Eradication Act (ATPDEA).

Section 202(o)(2) of the United States - Singapore Free Trade Agreement Implementation Act authorizes the President to proclaim a modification to the USSFTA rules of origin for textile and apparel products that are necessary to implement an agreement with Singapore pursuant to Article 3.18.4 of the USSFTA after complying with the consultation and layover requirements of that Act. Prior to entering negotiations with Singapore regarding its request, it is appropriate to seek public comment regarding the request. CITA hereby solicits public comments on this request, in particular with regard to whether the yarns and fabrics described below can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by June 16, 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) 482-3400.

**SUPPLEMENTARY INFORMATION:**

**BACKGROUND:**

Under the United States-Singapore Free Trade Agreement (USSFTA), USSFTA countries are required to eliminate customs duties on textile and apparel goods that qualify as originating goods under the USSFTA rules of origin, which are set out in Annex 3A to the USSFTA. The USSFTA provides that the rules of origin for textile and apparel products may be amended through a subsequent agreement by the USSFTA countries. In consultations regarding such a change, the USSFTA 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 government of the United States received a request from the government of Singapore requesting consultations on the rules of origin for certain products that have been the subject of prior determinations made by CITA under AGOA, CBTPA and ATPDEA, and requesting that the government of the United States consider whether the

USSFTA rules of origin for these products should be modified to allow the use of certain yarns and fabrics that do not originate in the territory of the United States or Singapore. The products covered by this request are:

- (1) Certain viscose rayon filament yarns, of the specifications detailed below, classified in subheading 5403.41.0000 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in apparel articles;

**Specifications:**

**1. Viscose Filament Yarn**

DTEX 166/40 Bright Centrifugal  
Tenacity, cN/tex, min. - 142.0  
Elongation at rupture, % - 18.0 - 24.0  
Elongation at rupture variation factor, % max. - 8.1  
Twist direction - S

**2. Viscose Filament Yarn**

DTEX 330/60 Bright Centrifugal  
Tenacity, cN/tex, min. - 142.0  
Elongation at rupture, % - 18.0 - 24.0  
Elongation at rupture variation factor, % max. - 8.1  
Twist direction - S

- (2) Certain fabrics, classified in subheading 5210.11 of the Harmonized Tariff Schedule of the United States (HTSUS), not of square construction, containing more than 70 warp ends and filling picks per square centimeter, of average yarn number exceeding 70 metric, used in the production of women's and girls' blouses;
- (3) Certain combed compact yarns, of wool or fine animal hair, classified in subheadings 5107.10, 5107.20, or 5108.20 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in apparel articles;

- (4) 100 percent cotton yarn-dyed woven flannel fabrics, made from 14 through 41 NM single ring-spun yarns, classified in 5208.43.00 of the Harmonized Tariff Schedule of the United States (HTSUS), of construction 2 X 1 twill weave, weighing 200 grams per square meter or less, for use in apparel articles excluding gloves;
- (5) Certain woven, 100 percent cotton, flannel fabrics, of the specifications detailed below, classified in the indicated subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), for use in shirts, trousers, nightwear, robes, dressing gowns, and woven underwear:

**Specifications:**

**Fabric 1**

HTS Subheading: 5208.42.30.00  
Fiber Content: 100% Cotton  
Weight: 152.6 g/m2  
Width: 150 centimeters cuttable

Thread Count: 24.4 warp ends per centimeter; 15.7 filling picks per centimeter; total: 40.1 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 20.3 metric, open end spun; overall average yarn number: 39.4 metric

Finish: Of yarns of different colors; napped on both sides, sanforized

**Fabric 2**

HTS Subheading: 5209.41.60.40  
Fiber Content: 100% Cotton  
Weight: 251 g/m2  
Width: 160 centimeters cuttable  
Thread Count: 22.8 warp ends per centimeter; 17.3 filling picks per centimeter; total: 40.1 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric

Finish: Of yarns of different colors; napped on both sides, sanforized

**Fabric 3**

HTS Subheading: 5209.41.60.40  
Fiber Content: 100% Cotton  
Weight: 251 g/m2  
Width: 160 centimeters cuttable  
Thread Count: 20.1 warp ends per centimeter; 16.5 filling picks per centimeter; total: 36.6 threads per square centimeter

Yarn Number: Warp: 27.07 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 23.3 metric

Finish: Of yarns of different colors; napped on both sides, sanforized

- (6) Certain woven, 100 percent cotton, flannel fabrics, of the specifications detailed below, classified in the indicated subheadings of the Harmonized Tariff Schedule of the United States (HTSUS), for use in shirts, trousers, nightwear, robes, dressing gowns, and woven underwear:

**Specifications:**

**Fabric 1:**

HTS Subheading: 5208.32.30.40  
Fiber Content: 100% Cotton  
Weight: 152.6 g/m2  
Width: 150 centimeters cuttable  
Thread Count: 24.4 warp ends per centimeter; 15.7 filling picks per centimeter; total: 40.1 threads per square centimeter

Yarn Number: Warp: 40.6 metric, ring spun; filling: 20.3 metric, open end spun; overall average yarn number: 39.4 metric

Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 2:**

HTS Subheading: 5209.31.60.50  
Fiber Content: 100% Cotton

Weight: 251 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 22.8 warp ends per centimeter; 15 filling picks per centimeter; total: 37.8 threads per square centimeter  
 Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 3:**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 203 g/m2  
 Width: 150 centimeters cuttable  
 Thread Count: 20.5 warp ends per centimeter; 17.3 filling picks per centimeter; total: 37.8 threads per square centimeter  
 Yarn Number: Warp: 40.6 metric, ring spun; filling: 13.5 metric, open end spun; overall average yarn number: 27.9 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 4:**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 291.5 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 23.2 warp ends per centimeter; 15 filling picks per centimeter; total: 38.2 threads per square centimeter  
 Yarn Number: Warp: 27.07 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 5:**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 291.5 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 26.8 warp ends per centimeter; 16.5 filling picks per centimeter; total: 43.3 threads per square centimeter  
 Yarn Number: Warp: 25.46 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 23.8 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 6:**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 254 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 20 warp ends per centimeter; 14.5 filling picks per centimeter; total: 34.5 threads per square centimeter  
 Yarn Number: Warp: 28.8 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 7:**  
 HTS Subheading: 5209.41.60.40  
 Fiber Content: 100% Cotton  
 Weight: 251 g/m2  
 Width: 160 centimeters cuttable

Thread Count: 22.8 warp ends per centimeter; 15 filling picks per centimeter; total: 37.8 threads per square centimeter  
 Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric  
 Finish: gingham check or plaid of yarns of different colors; napped on both sides, sanforized

**Fabric 8:**  
 Style 4245  
 HTS Subheading: 5209.41.60.40  
 Fiber Content: 100% Cotton  
 Weight: 251 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 19.7 warp ends per centimeter; 11.8 filling picks per centimeter; total: 31.5 threads per square centimeter  
 Yarn Number: Warp: 20.3 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric  
 Finish: Plaid of yarns of different colors; napped on both sides, sanforized

(7) Certain woven, 100 percent cotton, napped fabrics, of the specifications detailed below, classified in subheading 5209.31.60.50 of the Harmonized Tariff Schedule of the United States (HTSUS), for use in shirts, trousers, nightwear, robes, dressing gowns, and woven underwear:

#### Specifications:

**Fabric 1**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 291.5 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 24.41 warp ends per centimeter; 16.53 filling picks per centimeter; total: 40.94 threads per square centimeter  
 Yarn Number: Warp: 25.4 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 14.04 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

**Fabric 2**  
 HTS Subheading: 5209.31.60.50  
 Fiber Content: 100% Cotton  
 Weight: 305 g/m2  
 Width: 160 centimeters cuttable  
 Thread Count: 24.41 warp ends per centimeter; 18.11 filling picks per centimeter; total: 42.52 threads per square centimeter  
 Yarn Number: Warp: 25.4 metric, ring spun; filling: 10.16 metric, open end spun; overall average yarn number: 13.95 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

(8) Certain woven, 100 percent cotton, double-napped flannel

fabric, of specifications detailed below, classified in HTSUS subheading 5209.31.6050, for use in shirts, trousers, nightwear, robes, dressing gowns, and woven underwear:

#### Specifications:

HTS Subheading: 5209.31.6050  
 Fiber Content: 100% Cotton  
 Weight: 203 g/m2  
 Width: 150 centimeters cuttable  
 Thread Count: 21 warp ends per centimeter; 18 filling picks per centimeter; total: 39 threads per square centimeter  
 Yarn Number: Warp: 40.6 metric, ring spun; filling: 13.54 metric, open end spun; overall average yarn number: 19.2 metric  
 Finish: (Piece) dyed; napped on both sides, sanforized

CITA is soliciting public comments regarding this request, particularly with respect to whether the yarns and fabrics listed above can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than June 16, 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 any of the yarns or fabrics listed above 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 stating that it produces a yarn or fabric 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.*

[FR Doc. 05-9325 Filed 5-9-05; 8:45 am]

**BILLING CODE 3510-DS**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### **Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent Concerning Electrospun Fibers and an Apparatus Therefor**

**AGENCY:** Department of the Army, DoD.

**ACTION:** Notice.

**SUMMARY:** In accordance with 37 CFR part 404.6, announcement is made of the availability for licensing of U.S. Patent No. US 6,860,156 B1 entitled "Electrospun Fibers and an Apparatus Therefor" issued June 22, 2004. This patent has been assigned to the United States Government as represented by the Secretary of the Navy.

**FOR FURTHER INFORMATION CONTACT:** Mr. Robert Rosenkrans at U.S. Army Soldier Systems Center, Kansas Street, Natick, MA 01760, Phone: (508) 233-4928 or E-mail:

*Robert.Rosenkrans@nantick.army.mil.*

**SUPPLEMENTARY INFORMATION:** Any licenses granted shall comply with 35 U.S.C. 209 and 37 CFR part 404.

**Brenda S. Bowen,**

*Army Federal Register Liaison Officer.*

[FR Doc. 05-9311 Filed 5-9-05; 8:45 am]

**BILLING CODE 3710-08-M**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### **Intent to Prepare a Draft Supplemental Environmental Impact Statement for the Boston Harbor Inner Harbor Maintenance Dredging Project**

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of intent.

**SUMMARY:** The U.S. Army Corps of Engineers, New England District is preparing a Supplemental Environmental Impact Statement (SEIS) to maintenance dredge the federal navigation channels landward of Spectacle Island in Boston Harbor, MA. Maintenance dredging of the navigation

channels landward of Spectacle Island is needed to remove shoals and restore the navigation channels to their authorized depths. Ships are currently experiencing tidal delays and potential damage from grounding. Material dredged from the federal channels will either be disposed at the Massachusetts Bay Disposal Site (if the material is suitable for ocean disposal) or, if the material is not suitable for ocean disposal, in confined aquatic disposal (CAD) cell(s). Major navigation channel improvements (depending) were made in 1999 through 2001 in the Reserved Channel, the Mystic River, Inner Confluence and the Chelsea River. A final EIS was prepared for this previous navigation improvement project in June of 1995 in which the use of CAD cells in the Mystic River, Inner Confluence, and Chelsea River were investigated. CAD cells not used during the construction of the previous navigation improvement project will be investigated for acceptability during the preparation of this SEIS.

**ADDRESSES:** If you wish to be placed on the mailing list for this project, or have questions about the proposed action and the DSEIS, please contact Ms. Catherine Rogers, Ecologist, U.S. Army Corps of Engineers, New England District, Evaluation Branch, 696 Virginia Road, Concord, MA 01742.

**FOR FURTHER INFORMATION CONTACT:** Ms. Catherine Rogers, (978) 318-8231.

**SUPPLEMENTARY INFORMATION:** The U.S. Army Corps of Engineers is authorized by the various Rivers and Harbor Acts and Water Resources Development Acts to conduct maintenance dredging of the federal navigation channels and anchorage areas in Boston Harbor.

In addition to maintenance dredging of the inner harbor, a feasibility study is currently underway to investigate deepening of the main shipping channels in the port of Boston seaward of the Ted Williams Tunnel to a depth greater than the currently authorized depths. This feasibility study, which will also include the preparation of a Supplemental EIS to the 1995 Record of Decision for the navigation improvement project, will examine the engineering feasibility, economic justification, social and cultural resource impacts, and environmental acceptability of the proposed channel deepening. The existing - 40 foot MLLW main harbor entrance channel from Broad Sound, through President Roads, and up to the Marine Terminal just seaward of the Ted Williams Tunnel will be examined for depths up to - 50 feet MLLW, as will the Reserved Channel. Deepening of a small area of

the Mystic River Channel upstream of the Moran Terminal, from the current - 35 foot depths to - 40 feet will also be examined, as will deepening the Chelsea River Channel from the current - 38 foot depth - 40 feet.

Maintenance dredging of the federal Main Ship channel seaward of Spectacle Island, the President Roads anchorage area, and the Broad Sound North Channel is scheduled to be completed by May 2005. Material dredged from these channels was determined to be suitable for ocean water disposal and was disposal at the U.S. Environmental Protection Agency designated dredged material Massachusetts Bay Disposal Site.

**Alternatives:** The no action alternative will be investigated. Material unsuitable for ocean disposal would most likely be disposed within confined aquatic disposal (CAD) cells within the federal navigation channels above the Ted Williams Tunnel. The draft and final EIS for the previous Boston Harbor navigation improvement project investigated other alternative disposal sites for the disposal of dredged material. Material suitable for ocean disposal would likely be disposed at the Massachusetts Bay Disposal Site. A draft SEIS is expected to be completed by October 2005.

Dated: April 25, 2005.

**Thomas L. Koning,**

*Colonel, Corps of Engineers, New England District.*

[FR Doc. 05-9316 Filed 5-9-05; 8:45 am]

**BILLING CODE 3710-24-M**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### **Notice of Availability of Government-Owned Inventions; Available for Licensing**

**AGENCY:** Department of the Navy, DoD.

**ACTION:** Notice.

**SUMMARY:** The inventions listed below are assigned to the United States Government, as represented by the Secretary of the Navy and are available for licensing by the Department of the Navy. U.S. Patent No. 6,879,011 entitled "Magnetically Shielded Circuit Board" and U.S. Patent Application No. 11/108,150 entitled "Method for Field Calibrating an Ion Spectrometer".

**ADDRESSES:** Requests for copies of the inventions cited should be directed to the Naval Surface Warfare Center, Crane Div., Code 054, Bldg 1, 300 HWY 361, Crane, IN 47522-5001 and must include the patent number.