

Accepted in the 2009 GSP Annual Review.” Comments by interested persons on the USITC Report prepared as part of the product review should be submitted by 5 p.m., 10 calendar days after the date the publication date of the USITC’s report. These submissions are to be submitted using <http://www.regulations.gov> in accordance with “Requirements for Submissions.”

Submissions should comply with 15 CFR part 2007, except as modified below. All submissions should identify the subject article in terms of the case number and eight digit HTSUS subheading number, if applicable, as shown in the “List of CNL Waiver Submissions Accepted in the 2009 GSP Annual Review” available at: <http://www.ustr.gov/trade-topics/trade-development/preference-programs/generalized-system-preference-gsp/current-review-1>.

#### Requirements for Submissions

Submissions in response to this notice (including requests to testify, written comments, and pre-hearing and post-hearing briefs, and all business confidential submissions), must be submitted electronically by the relevant deadline listed above using <http://www.regulations.gov>, docket number USTR–2009–0037. Instructions for submitting business confidential versions are provided below. Hand-delivered submissions will not be accepted. Submissions must be submitted in English to the Chairman of the GSP Subcommittee, Trade Policy Staff Committee, by the applicable deadlines set forth in this notice.

To make a submission using <http://www.regulations.gov>, enter docket number USTR–2009–0037 on the home page and click “Search.” The site will provide a search-results page listing all documents associated with this docket. Locate the reference to this notice by selecting “Notices” under “Document Type”. Locate the reference to this notice by selecting “Notices” under “Document Type” on the left side of the search-results page, and click on the link entitled “Submit a Comment”. (For further information on using the <http://www.regulations.gov> Web site, please consult the resources provided on the website by clicking “How to Use This Site” on the left side of the home page.)

The <http://www.regulations.gov> Web site offers the option of providing comments by filling in a “Type Comment and Upload File” field or by attaching a document. It is expected that most comments will be provided in an attached document. If a document is attached, it is sufficient to type “See

attached” in the “Type Comment and Upload File” field.

Comments must be in English, with the total submission not to exceed 30 single-spaced standard letter-size pages in 12-point type, including attachments. Any data attachments to the submission should be included in the same file as the submission itself, and not as separate files.

Any person or party making a submission is strongly advised to review the GSP regulations and GSP Guidebook (available at: <http://www.ustr.gov/trade-topics/trade-development/preference-programs/generalized-system-preference-gsp/gsp-program-inf>).

#### Business Confidential Submissions

A person requesting that information contained in a comment submitted by that person be treated as confidential business information must certify that such information is business confidential and would not customarily be released to the public by the submitter. Confidential business information must be clearly designated as such, the submission must be marked “BUSINESS CONFIDENTIAL” at the top and bottom of the cover page and each succeeding page, and the submission should indicate, via brackets, the specific information that is confidential. Additionally, “Business Confidential” should be included in the “Type comment & Upload file” field. Anyone submitting a comment containing business confidential information must also submit as a separate submission a non-confidential version of the confidential submission, indicating where confidential information has been redacted. The non-confidential summary will be placed in the docket and open to public inspection.

#### Carmen Suro-Bredie,

*Assistant U.S. Trade Representative for Policy Coordination, Office of the U.S. Trade Representative.*

[FR Doc. E9–31378 Filed 1–4–10; 8:45 am]

**BILLING CODE 3190–W0–P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary of Transportation

[FHWA Docket No. FHWA–2009–0123]

#### Notice of Funding Availability for Applications for Credit Assistance Under the Transportation Infrastructure Finance and Innovation Act (TIFIA) Program; Clarification of TIFIA Selection Criteria; and Request for Comments on Potential Implementation of Pilot Program To Accept Upfront Payments for the Entire Subsidy Cost of TIFIA Credit Assistance

**AGENCY:** Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Maritime Administration (MARAD), Office of the Secretary of Transportation (OST), U.S. Department of Transportation (DOT).

**ACTION:** Notice of extension of deadline and comment period.

**SUMMARY:** The FHWA is extending the deadline and comment period for a notice of funding availability (NOFA), which was published on December 3, 2009, at 74 FR 63497. The original comment period is set to close on December 31, 2009. The extension is based on concern expressed by DOT stakeholders that the December 31 closing date does not provide sufficient time for submission of the solicited Letter of Interest and a subsequent comprehensive response to the docket. The FHWA agrees that the deadline and the comment period should be extended. Therefore, the closing date for submission of Letters of Interest and comments is extended to March 1, 2010, which will provide others interested in commenting additional time to prepare the Letter of Interest, and submit responses to the docket.

**DATES:** Comments must be received on or before March 1, 2010.

**ADDRESSES:** Submit all Letters of Interest to the attention of Mr. Duane Callender via e-mail at: [TIFIAcredit@dot.gov](mailto:TIFIAcredit@dot.gov). Submitters should receive a confirmation e-mail, but are advised to request a return receipt to confirm transmission. Only Letters of Interest received via e-mail, as provided above, shall be deemed properly filed.

Mail or hand deliver comments to the U.S. Department of Transportation, Dockets Management Facility, Room PL–401, 1200 New Jersey Avenue, SE., Washington, DC 20590 or fax comments to (202) 493–2251. Provide two copies of comments submitted by mail or

courier. Alternatively, comments may be submitted via the Federal eRulemaking Portal at <http://www.regulations.gov>. All comments must include the docket number that appears in the heading of this document. All comments received will be available for examination and copying at the above address from 9 a.m. to 5 p.m., *e.t.*, Monday through Friday, except Federal holidays. Those desiring notification of receipt of comments must include a self-addressed, stamped postcard or you may print the acknowledgment page that appears after submitting comments electronically. Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70, Pages 19477–78).

**FOR FURTHER INFORMATION CONTACT:** For further information regarding this notice please contact Duane Callender via e-mail at [TIFIAcredit@dot.gov](mailto:TIFIAcredit@dot.gov) or via telephone at 202–366–9644. A TDD is available at 202–366–7687. Substantial information, including the TIFIA Program Guide and application materials, can be obtained from the TIFIA Web site: <http://tifa.fhwa.dot.gov>.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On December 3, 2009, at 74 FR 63497, the FHWA published in the **Federal Register** a notice of availability of funding for applications for credit assistance under the TIFIA Program.

In lieu of accepting applications on a first-come first-served basis, the NOFA established due dates for submitting letters of interest and applications to compete for available funding. Additionally, the NOFA provided expanded information on the TIFIA selection criteria and requests comments on a proposed pilot program for allowing TIFIA applicants to pay an upfront fee that will fully offset the Government's subsidy cost of making credit assistance available.

The original comment period for the NOFA closes on December 31, 2009. However, DOT stakeholders have expressed concern that this closing date does not provide sufficient time for submission of the solicited Letter of Interest and a subsequent comprehensive response to the docket. To allow time for interested parties to

submit Letters of Interest and comprehensive comments, the closing date is changed from December 31, 2009, to March 1, 2010.

**Authority:** 23 U.S.C. 601–609; 49 CFR 1.48(b)(6); 23 CFR Part 180; 49 CFR Part 80; 49 CFR Part 261; 49 CFR Part 640.

Issued on: December 29, 2009.

**Victor M. Mendez,**

*Administrator.*

[FR Doc. E9–31225 Filed 1–4–10; 8:45 am]

**BILLING CODE 4910–9X–P**

## **DEPARTMENT OF TRANSPORTATION**

### **National Highway Traffic Safety Administration**

**[Docket No. NHTSA–2008–0132]**

#### **Dorel Juvenile Group; Denial of Appeal of Decision on Inconsequential Noncompliance**

Dorel Juvenile Group (DJG or Cosco), of Columbus, Indiana, has appealed a decision by the National Highway Traffic Safety Administration (NHTSA) that denied its petitions for determinations that the noncompliance of the tether and harness webbing in some child restraint systems (CRS) that it manufactured and sold with Federal Motor Vehicle Safety Standard (FMVSS) No. 213, “Child Restraint Systems,” is inconsequential to safety. DJG had applied to be exempt from the notification and remedy (collectively, recall) requirements of 49 U.S.C. Chapter 301—“Motor Vehicle Safety” (Vehicle Safety Act). This notice announces and explains our denial of DJG's appeal.

#### **I. Webbing Strength Requirements of FMVSS No. 213**

FMVSS No. 213, S5.4.1(a)<sup>1</sup> requires that the webbing of belts provided with a child restraint system, after being subjected to abrasion as specified in S5.1(d) or S5.3(c) of FMVSS No. 209, “Seat Belt Assemblies,” have a breaking strength of not less than 75 percent of the strength of the unabraded webbing when tested by the procedure specified in S5.1(b) of FMVSS No. 209. The test is referred to as an abrasion test and the requirement is referred to as a percent-of-strength requirement.

FMVSS No. 213, S5.4.1(b) requires that the webbing of belts provided with a child restraint system shall meet the requirements of S4.2(e) of FMVSS No.

209, which requires a breaking strength of not less than 60 percent of the strength before exposure to carbon arc light when tested by the procedure specified in S5.1(e) of FMVSS No. 209. The test is referred to as a light exposure test and the requirement is referred to as a percent-of-strength requirement.

Webbings used in child restraints may deteriorate from abrasion or exposure to sunlight or both. When they deteriorate, they lose strength. A webbing with insufficient strength will not restrain a child in a crash. The purpose of both the abrasion and light exposure requirements is to “ensure the safe performance of the belts and associated hardware used to attach the child restraint to the vehicle.” *Child Restraint Systems; Seat Belt Assemblies and Anchorages: Proposed Rulemaking and Invitation for Applications for Financial Assistance*, 43 FR 21470, 21475 (May 18, 1978) (Docket No. 74–9). The purpose of FMVSS No. 213 is to “reduce the number of children killed or injured in motor vehicle crashes.” 49 CFR 571.213 S2.

#### **II. The Noncompliance**

The noncompliant tether webbing<sup>2</sup> on certain DJG child restraints failed to meet the percent-of-strength requirement of FMVSS No. 213 when subjected to the abrasion test. The tether webbing had an initial strength of 19,803 Newtons (N), and a post-abrasion strength of 10,903 N. The tether webbing thus retained only 55 percent of its new webbing strength; 75 percent is required by the standard. Affected are a total of 39 models and 3,957,826 units, manufactured between January 2000 and September 30, 2001.

The noncompliant harness webbing on certain DJG child restraints failed to meet the percent-of-strength requirement of FMVSS No. 213 when exposed to a carbon arc light. Upon testing, the new harness webbing had a strength of 12,371 N, and the light-exposed webbing a strength of 4,539 N. The harness webbing thus retained only 37 percent of its new webbing strength; 60 percent is required by the standard. A total of 14 models and 54,400 units, manufactured between March 15, 2002 and August 1, 2002, are affected by this non-compliance.

<sup>1</sup> Throughout this Notice, references to FMVSS No. 213 are, unless otherwise noted, based on the version of the standard in effect at the time DJG manufactured the child restraints with the noncompliant webbing.

<sup>2</sup> “Tether webbing” refers to the strip of fabric that is secured to the seat back of a CRS, and is connected to a tether hook that transfers the load from the CRS to the tether anchorage.