

and performance requirements for its Courthouse renovation and expansion project is not reasonably available in sufficient commercial quantities of a satisfactory quality that is manufactured in the United States.

### III. The Waiver

Having established a proper basis that this manufactured good was not available from a producer in the United States, the County is hereby granted a waiver from the Buy American requirements. This waiver permits use of ARRA funds for the purchase of the specified Daikin VRV III heat recovery system and Tempeff Dual Core Technology documented in the County's waiver request submittal dated February 19, 2010, as part of its Courthouse renovation and expansion project. This supplementary information constitutes the detailed written justification required by section 1605(c) of Public Law 111-5 for waivers "based on a finding under subsection (b)."

This waiver only applies to the use of the specified product for the ARRA project being proposed. Any other ARRA recipient that wishes to use the same product must apply for a separate waiver based on project specific circumstances.

### IV. Equal Opportunity and Non-Discrimination Requirements

The U.S. Department of Agriculture prohibits discrimination in all of its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs). Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW., Washington, DC 20250-9410, or call 800-795-3272 (voice), or 202-720-6382 (TDD). "USDA is an equal opportunity provider, employer, and lender."

**Authority:** Sec. 1605, Pub. L. 111-5, 123 STAT. 115.

Dated: August 5, 2010.

**Thomas J. Vilsack,**  
Secretary of Agriculture.

[FR Doc. 2010-19894 Filed 8-11-10; 8:45 am]

**BILLING CODE 3410-XV-P**

## DEPARTMENT OF AGRICULTURE

### Foreign Agricultural Service

#### Trade Adjustment Assistance for Farmers

**AGENCY:** Foreign Agricultural Service, USDA.

**ACTION:** Notice.

The Administrator of the Foreign Agricultural Service (FAS) today accepted and began a review of a petition for trade adjustment assistance filed under the Fiscal Year 2011 program by the Maine State Pomological Society on behalf of apple producers in Maine. The Administrator will determine within 40 days whether increasing imports of apples contributed importantly to a greater than 15-percent decrease in the average annual price of apples compared to the average of the three preceding marketing years. If the determination is affirmative, producers who produce and market apples in Maine will be eligible to apply to the Farm Service Agency for free technical assistance and cash benefits.

**FOR FURTHER INFORMATION CONTACT:** Trade Adjustment Assistance for Farmers Program Staff, FAS, USDA by phone: (202) 720-0638 or (202) 690-0633; or by e-mail at: [tradeadjustment@fas.usda.gov](mailto:tradeadjustment@fas.usda.gov); or visit the TAA for Farmers' Web site: [www.fas.usda.gov/itp/taa](http://www.fas.usda.gov/itp/taa).

Dated: July 30, 2010.

**John D. Brewer,**  
Administrator, Foreign Agricultural Service.

[FR Doc. 2010-19794 Filed 8-11-10; 8:45 am]

**BILLING CODE 3410-10-P**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Determination Under the Textile and Apparel Commercial Availability Provision of the Dominican Republic-Central America-United States Free Trade Agreement ("CAFTA-DR Agreement")

August 9, 2010.

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

**ACTION:** Determination to add a product in unrestricted quantities to Annex 3.25 of the CAFTA-DR Agreement.

**DATES:** *Effective Date:* August 12, 2010.

**SUMMARY:** The Committee for the Implementation of Textile Agreements ("CITA") has determined that certain woven yarn-dyed fabrics of lyocell and

cotton, as specified below, is not available in commercial quantities in a timely manner in the CAFTA-DR countries. The product will be added to the list in Annex 3.25 of the CAFTA-DR Agreement in unrestricted quantities.

**FOR FURTHER INFORMATION CONTACT:** Maria Dybczak, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3651.

*For Further Information On-Line:* <http://web.ita.doc.gov/tacgi/CaftaReqTrack.nsf> under "Approved Requests," Reference number: 145.2010.07.08.Fabric.

SoriniSametforBWA.

### SUPPLEMENTARY INFORMATION:

**Authority:** The CAFTA-DR Agreement; Section 203(o)(4) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act ("CAFTA-DR Implementation Act"), Pub. Law 109-53; the Statement of Administrative Action, accompanying the CAFTA-DR Implementation Act; and Presidential Proclamations 7987 (February 28, 2006) and 7996 (March 31, 2006).

**Background:** The CAFTA-DR Agreement provides a list in Annex 3.25 for fabrics, yarns, and fibers that the Parties to the CAFTA-DR Agreement have determined are not available in commercial quantities in a timely manner in the territory of any Party. The CAFTA-DR Agreement provides that this list may be modified pursuant to Article 3.25(4)-(5), when the President of the United States determines that a fabric, yarn, or fiber is not available in commercial quantities in a timely manner in the territory of any Party. See Annex 3.25 of the CAFTA-DR Agreement; see also section 203(o)(4)(C) of the CAFTA-DR Implementation Act.

The CAFTA-DR Implementation Act requires the President to establish procedures governing the submission of a request and providing opportunity for interested entities to submit comments and supporting evidence before a commercial availability determination is made. In Presidential Proclamations 7987 and 7996, the President delegated to CITA the authority under section 203(o)(4) of CAFTA-DR Implementation Act for modifying the Annex 3.25 list. Pursuant to this authority, on September 15, 2008, CITA published modified procedures it would follow in considering requests to modify the Annex 3.25 list of products determined to be not commercially available in the territory of any Party to CAFTA-DR (Modifications to Procedures for Considering Requests Under the Commercial Availability Provision of

the Dominican Republic-Central America-United States Free Trade Agreement, 73 FR 53200) (“CITA’s procedures”).

On July 8, 2010, the Chairman of CITA received a Request for a Commercial Availability Determination (“Request”) from Sorini, Samet & Associates (“SS&A”) for BWA, Inc. (“BWA”) Corporation for certain woven yarn-dyed fabrics of lyocell and cotton. On July 12, 2010, in accordance with CITA’s procedures, CITA notified interested parties of the Request, which was posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings. In its notification, CITA advised that any Response with an Offer to Supply (“Response”) must be submitted by July 22, 2010, and any Rebuttal Comments to a Response (“Rebuttal”) must be submitted by July 28, 2010, in accordance with Sections 6 and 7 of CITA’s procedures. No interested entity submitted a Response to the Request advising CITA of its objection to the Request and its ability to supply the subject product.

In accordance with section 203(o)(4)(C) of the CAFTA–DR Implementation Act, and Section 8(c)(2) of CITA’s procedures, as no interested entity submitted a Response objecting to the Request and demonstrating its ability to supply the subject product, CITA has determined to add the specified fabric to the list in Annex 3.25 of the CAFTA–DR Agreement.

The subject product has been added to the list in Annex 3.25 of the CAFTA–DR Agreement in unrestricted quantities. A revised list has been posted on the dedicated Web site for CAFTA–DR Commercial Availability proceedings.

**Specifications: Certain Woven Yarn-Dyed Fabrics of Lyocell and Cotton**

HTS Subheading: 5516.13.0000,  
5516.43.00

Fiber Content: 55–85% standard lyocell (Tencel) staple fiber; 15–45% cotton

Avg Yarn Size: 29.6/1 to 84.7/1 metric  
Thread Count (warp): 19.7 to 78.7 warp  
ends per centimeter

Thread Count (weft): 11.8 to 59 filling  
picks per centimeter

Weave Type: Plain or twill or dobby or  
jacquard or oxford or satin

Fabric Weight: 101.7 to 298.3 grams per  
square meter

Fabric Width: 139.7 to 154.9 centimeters

Coloration: Yarns of different colors

Finishing Processes: Enzyme (bio)  
washed

**Kim Glas,**

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

[FR Doc. 2010–19941 Filed 8–11–10; 8:45 am]

**BILLING CODE 3510–DS–P**

**DEPARTMENT OF COMMERCE**

**Submission for OMB Review;  
Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* National Oceanic and Atmospheric Administration (NOAA).

*Title:* Reporting Requirements for Sea Otter Interactions with the Pacific Sardine Fishery Coastal Pelagic Species Fishery Management Plan.

*OMB Control Number:* 0648–0566.

*Form Number(s):* NA.

*Type of Request:* Regular submission (extension of a currently approved information collection).

*Number of Respondents:* 2.

*Average Hours per Response:* 15 minutes.

*Burden Hours:* 30 minutes (rounded up to 1 hour).

*Needs and Uses:* This request is for extension of a currently approved information collection. In accordance with the regulations implementing the Endangered Species Act (ESA), National Marine Fisheries Service (NMFS) initiated an ESA section 7 consultation with the United States Fish and Wildlife Service (USFWS) regarding the possible effects of implementing Amendment 11 (71 FR 36999) to the Coastal Pelagic Species (CPS) Fishery Management Plan (FMP). USFWS determined that formal consultation was necessary on the possible effects to the threatened southern sea otter. USFWS completed a biological opinion for this action and although it was concluded that fishing activities were not likely to jeopardize the continued existence of the southern sea otter there remained the potential to incidentally take southern sea otters. USFWS determined that certain measures should be put in place to ensure the continued protection of the species. Therefore on May 30, 2007, NMFS published a final rule (72 FR 29891) implementing new reporting requirements and conservation measures under the CPS FMP. This included the requirement to report any

interactions that may occur between a CPS vessel and/or fishing gear and sea otters within 24 hours to the Regional Administrator (RA). With the exception of an entanglement, all other observations must be reported within 20 days to the RA.

*Affected Public:* Business or other for-profit organizations.

*Frequency:* On occasion.

*Respondent’s Obligation:* Mandatory.

*OMB Desk Officer:* David Rostker,  
(202) 395–3897.

Copies of the above information collection proposal can be obtained by calling or writing Diana Hynek, Departmental Paperwork Clearance Officer, (202) 482–0266, Department of Commerce, Room 6616, 14th and Constitution Avenue, NW., Washington, DC 20230 (or via the Internet at [dHynek@doc.gov](mailto:dHynek@doc.gov)).

Written comments and recommendations for the proposed information collection should be sent within 30 days of publication of this notice to David Rostker, OMB Desk Officer, FAX number (202) 395–7285, or [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov).

Dated: August 6, 2010.

**Gwellnar Banks,**

*Management Analyst, Office of the Chief  
Information Officer.*

[FR Doc. 2010–19862 Filed 8–11–10; 8:45 am]

**BILLING CODE 3510–22–P**

**DEPARTMENT OF COMMERCE**

**Submission for OMB Review;  
Comment Request**

The Department of Commerce will submit to the Office of Management and Budget (OMB) for clearance the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35).

*Agency:* U.S. Census Bureau.

*Title:* 2008 Panel of the Survey of Income & Program Participation, Wave 8 Topical Modules.

*OMB Control Number:* 0607–0944.

*Form Number(s):* SIPP–28805(L) Director’s Letter; SIPP/CAPI Automated Instrument; SIPP28003 Reminder Card.

*Type of Request:* Revision of a currently approved collection.

*Burden Hours:* 143,303.

*Number of Respondents:* 94,500.

*Average Hours per Response:* 30 minutes.

*Needs and Uses:* The U.S. Census Bureau requests authorization from the Office of Management and Budget (OMB) to conduct the Wave 8 interview for the 2008 Panel of the Survey of Income and Program Participation