

International Trade Specialists, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

#### 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 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. See Section 202(q) of the NAFTA Implementation Act. 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 Statement of Administrative Action (SAA) that accompanied the NAFTA Implementation Act stated that any interested person may submit to CITA a request for a modification to a particular rule of origin based on a change in the availability in North America of a particular fiber, yarn or fabric and that the requesting party would bear the burden of demonstrating that a change is warranted. NAFTA Implementation Act, SAA, H. Doc. 103-159, Vol. 1, at 491 (1993). The SAA provides that CITA may make a recommendation to the President regarding a change to a rule of origin for a textile or apparel good. SAA at 491. 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. See section 202(q) of the NAFTA Implementation Act.

On May 2, 2008, the Chairman of CITA received a request from Oxford Industries, Inc., alleging that certain woven jacquard acetate rayon fabrics, of the specifications listed below, classified under subheading 5408.23.2930 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting that CITA consider whether the NAFTA rule of origin for certain men's apparel, classified under certain HTSUS Chapter

62 subheadings, should be modified to allow the use of non-North American woven jacquard acetate rayon fabric.

CITA is soliciting public comments regarding this request, particularly with respect to whether the woven jacquard acetate rayon fabrics described above can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be received no later than **June 13, 2008**. 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 woven jacquard acetate rayon 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 stating that it produces fabric that is 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 3001 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.

#### Specifications:

<b>HTS Classification:</b>	5408.23.2930
<b>Overall fiber content:</b>	55% Acetate (warp), 45% Rayon (filling)
<b>Yarn size:</b>	
<b>Warp:</b>	75 denier;
<b>Filling:</b>	120 denier
<b>Yarn number:</b>	
<b>Warp:</b>	146 single threads/inch (57.5 single threads/cm)
<b>Filling:</b>	80 single threads/inch (31.5 single threads/cm)
<b>Weight:</b>	2.59 ounces/square yard (88 grams/ square meter)
<b>Width:</b>	55 inches (including selvedge)
<b>Weave type:</b>	Jacquard of 2 or more color yarns
<b>Finish:</b>	Yarn dyed and not coated

**R. Matthew Priest,**

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

[FR Doc. E8-10807 Filed 5-13-08; 8:45 am]

**BILLING CODE 3510-DS-S**

## DEPARTMENT OF DEFENSE

### Department of the Army

#### **Availability of Non-Exclusive, Exclusive License or Partially Exclusive Licensing of U.S. Patent Concerning "Article of Footwear with Temperature Regulation Means"**

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

**ACTION:** Notice.

**SUMMARY:** In accordance with 37 CFR 404.6, announcement is made of the availability for licensing of U.S. Patent No. U.S. 7,344,751 entitled "Article of Footwear with Temperature Regulation Means" issued April 29, 2008. This patent has been assigned to the United States Government as represented by the Secretary of the Army.

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey DiTullio at U.S. Army Soldier Systems Center, Kansas Street, Natick, MA 01760, Phone; (508) 233-4184 or E-mail: [Jeffrey.Ditullio@natick.army.mil](mailto:Jeffrey.Ditullio@natick.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. E8-10784 Filed 5-13-08; 8:45 am]

**BILLING CODE 3710-08-P**

## DEPARTMENT OF DEFENSE

### Department of the Army; Corps of Engineers

#### **Intent To Prepare a Draft Environmental Impact Statement for the Expansion of an Existing Sand and Aggregate Mining Operation Proposed by Aggregate Industries in a Backwater Area of the Mississippi River in Cottage Grove, MN**

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

**ACTION:** Notice of intent.

**SUMMARY:** Aggregate Industries is proposing a project that will require a St. Paul District, Corps of Engineers (Corps) permit for excavation within a navigable water and to discharge dredged material into waters and wetlands during an aggregate mining operation.

Specifically, Aggregate Industries is proposing to dredge and excavate sand

and gravel in approximately 230 acres of backwater area adjacent to the main channel of the Mississippi River. A berm would be constructed in the river upstream of the mine area to minimize current velocity in the mining area and to reduce turbidity. Sand and gravel would be excavated using a clamshell-type dredge to a maximum depth of approximately 200 feet. Dredged material would be transported via a conveyor system from the dredge to an existing sand and gravel processing plant located on Grey Cloud Island. Excess sand not used for berm construction would be returned to the mined area. A specific compensatory mitigation plan has not yet been developed for the project. Aggregate Industries intends to work with interested federal and state agencies to develop an acceptable plan that would meet federal and state compensatory mitigation requirements. The project requires Corps of Engineers approval under Section 10 of the Rivers and Harbors Act of 1899 and under Section 404 of the Clean Water Act. The final environmental impact statement will be used as a basis for the permit decision and to ensure compliance with the National Environmental Policy Act (NEPA).

**DATES:** A public meeting will be held on May 15, 2008 from 4:30 p.m. to 6:30 p.m.

**ADDRESSES:** The meeting will be held in the Cottage Grove City Hall, 7516 80th Street South, Cottage Grove, MN.

**FOR FURTHER INFORMATION CONTACT:** Questions concerning the Draft Environmental Impact Statement (DEIS) can be addressed to Mr. Tom Hingsberger, Corps Regulatory Branch, by letter at U.S. Army Corps of Engineers, 190 Fifth Street East, St. Paul, MN 55101-1638, by telephone at (651) 290-5367, or by e-mail at [thomas.j.hingsberger@usace.army.mil](mailto:thomas.j.hingsberger@usace.army.mil).

**SUPPLEMENTARY INFORMATION:** The Corps and the City of Cottage Grove, Minnesota will jointly prepare the DEIS. The Corps is the lead federal agency and the City of Cottage Grove (City) is the lead state agency under the State of Minnesota's Environmental Policy Act. A Scoping Environmental Assessment Worksheet (EAW) and Draft Scoping Decision Document will be available for review on or after April 21, 2008 on the Internet at <http://www.eqb.state.mn.us>. The Corps and the City will conduct a public meeting (see **DATES** and **ADDRESSES**). Additional meetings will be conducted as needed. We anticipate that the DEIS will be available to the public in summer 2008.

The DEIS will assess impacts of the proposed action and reasonable alternatives, identify and evaluate mitigation alternatives, and discuss potential environmental monitoring. Significant issues and resources to be identified in the DEIS will be determined through coordination with responsible federal, state, and local agencies; the general public; interested private organizations and parties; and affected Native American Tribes. Anyone who has an interest in participating in the development of the DEIS is invited to contact the St. Paul District, Corps of Engineers. Significant issues that will be addressed in the DEIS include:

1. Natural resources, including: Fisheries, mussels, waterfowl, riparian areas, and waters of the U.S.
2. Water quality, groundwater, erosion, and sedimentation.
3. Navigation, flood impacts, hydrology.
4. Historic and Cultural Preservation.
5. Air Quality.
6. Traffic.
7. Noise.
8. Social and economic resources.
9. Downstream resources.

Additional issues of interest may be identified through the public scoping meeting and agency meetings.

Issuing a permit for the excavation and dredging of a 230-acre area of the Mississippi River, and discharging material into the river and adjacent wetlands to construct berms and to dispose of excess dredged material, is considered to be a major Federal action with the potential to have a significant impact on the quality of the human environment. The project: (1) Has the potential to significantly affect habitat for fish and threatened or endangered species of mussels, (2) has the potential to affect navigation and flood impacts, (3) would be conducted in an area with potential cultural and historic significance. Our environmental review will be conducted to meet the requirements of the National Environmental Policy Act of 1969, National Historic Preservation Act of 1966, Council of Environmental Quality Regulations, Endangered Species Act of 1973, section 404 of the Clean Water Act, and other applicable laws and regulations.

Dated: April 29, 2008.

**Jon L. Christensen,**  
*Colonel, Corps of Engineers, District Engineer.*  
[FR Doc. E8-10782 Filed 5-13-08; 8:45 am]  
**BILLING CODE 3710-CY-P**

## DEPARTMENT OF DEFENSE

### Department of the Navy

#### Record of Decision for 2005 Base Realignment and Closure Actions at National Naval Medical Center, Bethesda, MD

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

**ACTION:** Notice of record of decision.

**SUMMARY:** Pursuant to Section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, 42 U.S.C. Section 4332(2)(c), the regulations of the Council on Environmental Quality (CEQ) for Implementing the Procedural Provisions of (40 CFR parts 1500-1508) and the Department of the Navy (DON) NEPA regulation (32 CFR part 775), the DON announces its decision to implement 2005 Base Realignment and Closure (BRAC) Actions at the National Naval Medical Center (NNMC) in Bethesda, MD. The implementation of BRAC 2005 at NNMC will be accomplished as set out in the Preferred Alternative and described in the Final Environmental Impact Statement (Final EIS).

**FOR FURTHER INFORMATION CONTACT:**

Officer in Charge—BRAC, NNMC, 8901 Wisconsin Avenue, Bethesda, MD 20889. Telephone 301-319-4561.

**SUPPLEMENTARY INFORMATION:** The Defense Base Closure and Realignment Act of 1990, Public Law 101-510 directs the implementation of the BRAC Commission recommendations. The BRAC Commission recommendations affect NNMC in Bethesda, MD by relocating certain Walter Reed Army Medical Center (WRAMC) activities from Washington, DC to NNMC, establishing it as the Walter Reed National Military Medical Center (WRNMMC). The specific BRAC 2005 recommendation is to realign WRAMC, Washington, DC, as follows: Relocate all tertiary (sub-specialty and complex care) medical services to NNMC, Bethesda, MD, establishing it as the WRNMMC Bethesda, MD; relocate Legal Medicine to the new WRNMMC Bethesda, MD; relocate sufficient personnel to the new WRNMMC Bethesda, MD, to establish a Program Management Office that will coordinate pathology results, contract administration, and quality assurance and control of Department of Defense (DoD) second opinion consults worldwide; relocate all non-tertiary (primary and specialty) patient care functions to a new community hospital at Fort Belvoir, VA. The BRAC law requires the completion of the