

terrorism preparedness; (8) works collaboratively with the Centers for Disease Control and Prevention and the Department's Office of the Assistant Secretary for Public Health Emergency Preparedness in administering the National Bioterrorism Hospital Preparedness Program. Further, HRSA has identified key stakeholders in other Federal agencies, including the Department of Defense and Homeland Security as well as key national professional organizations: (9) administers the Trauma-Emergency Medical Services Systems Program; (10) promotes coordination of terrorism preparedness under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (Section 319 of the Public Health Service Act, 42 U.S.C. 201 *et seq.*) while supporting activities related to countering potential terrorist threats to civilian populations; (11) administers the Trauma-Emergency Medical Services Systems Program within the authority of Title XII of the PHS Act and provides leadership to facilitate the development of effective, comprehensive and inclusive statewide trauma systems. The program promotes trauma systems that are prepared and are responsive to emergency and disaster situations, are coordinated with State Emergency Management and disaster planning efforts. The Trauma-EMS Systems Program works to accomplish these goals by providing national leadership, performing nation system assessments, strategic planning for priority initiatives, awarding grants to support State infrastructure development, supporting the development of best practices and models for State trauma systems planning and evaluation, and coordinating related Federal activities.

#### **Smallpox Vaccine Injury Compensation Program Office (RR6)**

The Smallpox Vaccine Injury Compensation Program Office (SVICPO) administers all statutory authorities related to the operation of the Smallpox Emergency Personnel Protection Act (SEPPA). Specifically the SVICPO: (1) Evaluates petitions for compensation filed under the SEPPA through medical review and assessment of compensability for all completed claims; (2) processes awards for compensation made under the SEPPA; (3) promulgates regulations to revise the Smallpox Vaccine Injury Table; (4) develops and maintains all automated information systems necessary for program implementation; (5) provides and disseminates program information; and, (6) maintains a working relationship with other Federal and

private sector partners in the administration and operation of the SEPPA.

#### **Delegation of Authority**

All delegations and redelegations of authorities to officers and employees of the Health Resources and Services Administration which were in effect immediately prior to the effective date of this action will be continued in effect in them or their successors, pending further redelegation, provided they are consistent with this action.

This document is effective upon the date of signature.

Dated: November 4, 2003.

**Elizabeth M. Duke,**

*Administrator.*

[FR Doc. 03-28374 Filed 11-12-03; 8:45 am]

**BILLING CODE 4165-15-P**

## **DEPARTMENT OF HOMELAND SECURITY**

### **Bureau of Customs and Border Protection**

#### **Notice of a Decision of the United States Court of Appeals for the Federal Circuit Reversing the Decision of the Court of International Trade To Sustain a Domestic Party Petition Concerning the Classification of Textile Costumes**

**AGENCY:** Customs and Border Protection, Department of Homeland Security.

**ACTION:** Notice of the decision of the United States Court of Appeals for the Federal Circuit in the matter of *Rubie's Costume Company v. United States*, Appeal No. 02-1373 (decided August 1, 2003), reversing the decision of the Court of International Trade which sustained a domestic party petition seeking classification of textile costumes as wearing apparel of chapters 61 or 62 of the Harmonized Tariff Schedule of the United States (HTSUS).

**SUMMARY:** On August 1, 2003, the United States Court of Appeals for the Federal Circuit (CAFC) issued its decision in the matter of *Rubie's Costume Company v. United States*, Appeal No. 02-1373, reversing the Court of International Trade (CIT) in *Rubie's Costume Company v. United States*, 196 F. Supp 2d 1320 (Ct. Int'l Trade 2002). The CIT had ruled that the textile costumes before it were "fancy dress" of textile and therefore classifiable as wearing apparel of chapter 61, HTSUS. In reversing the CIT, the CAFC upheld the earlier classification determination of Customs and Border Protection (CBP), which classified textile costumes of a flimsy

nature and construction, lacking in durability, and generally recognized as not being normal articles of apparel, as "festive articles" of chapter 95, HTSUS. This document provides notice of the CAFC decision and informs the public that imported textile costumes, which CBP determines to be of a flimsy nature and construction, lacking in durability and generally recognized as not being normal articles of wearing apparel, are to be classified and assessed duty in accordance with the CAFC decision as "festive articles" of chapter 95, HTSUS.

**EFFECTIVE DATE:** CBP began liquidating suspended entries and classifying incoming entries of merchandise in accord with the decision in the matter of *Rubie's Costume Company v. United States* as of October 31, 2003.

**FOR FURTHER INFORMATION CONTACT:** For questions regarding operational issues, contact Janet Labuda, Textile Enforcement and Operations Division, Office of Field Operations, 202-927-0414; for legal questions, contact Rebecca Hollaway, Textiles Branch, Office of Regulations and Rulings, 202-572-8814.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

On February 19, 2002, the Court of International Trade (CIT) issued a decision in *Rubie's Costume Company v. United States*, 196 F. Supp 2d 1320 (Ct. Int'l Trade 2002), in which the court ruled that certain imported textile costumes before it were classifiable as wearing apparel of chapter 61 of the Harmonized Tariff Schedule of the United States (HTSUS). The decision sustained the position of a domestic interested party under the provisions of section 516, Tariff Act of 1930, as amended (19 U.S.C. 1516). Pursuant to 19 U.S.C. 1516(f) and 19 CFR 175.31, CBP published notice of the court's decision in the **Federal Register**, 67 FR 9504, on March 1, 2002, and notified the public that, effective the day after publication of the notice in the **Federal Register**, CBP would classify merchandise of the character of the merchandise at issue, which was entered for consumption or withdrawn from warehouse for consumption, in accordance with the court's decision. See "Notice of Decision of the United States Court of International Trade Sustaining Domestic Interested Party Petition Concerning Classification of Textile Costumes," 67 FR 9504 (March 1, 2002) for detailed background of the domestic interested party petition.

On August 1, 2003, the Court of Appeals for the Federal Circuit (CAFC) reversed the decision of the CIT. The

court held that the CBP classification ruling on the textile costumes at issue is persuasive and must be granted deference under *Skidmore v. Swift & Co.*, 323 U.S. 134 (1944). The court concluded that "textile costumes of a flimsy nature and construction, lacking in durability, and generally recognized as not being normal articles of apparel, are classifiable as 'festive articles.'" The court reversed the decision of the CIT holding the merchandise at issue to be classifiable as "wearing apparel." (The court's decision may be viewed on the court's Web site at <http://www.fedcir.gov>).

Under 19 CFR 175.31, CBP is not required to publish notice to the public of a decision of the CAFC reversing a cause of action before the CIT under the provisions of section 516, Tariff Act of 1930, as amended (19 CFR 1516). However, due to the length of the controversy of the classification of textile costumes and the significant interest in this issue, CBP believes notice to the public of the reversal of this decision of the CIT is warranted. CBP will take no action on entries subject to this case until the appeal period has run. See 19 CFR 176.31(b).

Dated: November 7, 2003.

**Michael T. Schmitz,**

*Assistant Commissioner, Office of Regulations and Rulings.*

[FR Doc. 03-28409 Filed 11-12-03; 8:45 am]

BILLING CODE 4820-02-P

## DEPARTMENT OF HOMELAND SECURITY

### Federal Emergency Management Agency

#### Open Meeting of the Federal Interagency Committee on Emergency Medical Services (FICEMS)

**AGENCY:** Federal Emergency Management Agency (FEMA), Emergency Preparedness and Response Directorate, Department of Homeland Security.

**ACTION:** Notice of open meeting.

**SUMMARY:** FEMA announces the following open meeting.

**Name:** Federal Interagency Committee on Emergency Medical Services (FICEMS).

**Date of Meeting:** December 4, 2003.

**Place:** Building J, Room 102, National Emergency Training Center (NETC), 16825 South Seton Avenue, Emmitsburg, Maryland 21727.

**Times:** 9 a.m. "Ambulance Safety Subcommittee; 10:30 a.m.—Main Meeting; 1 p.m. "Counter-Terrorism

Subcommittee and the Performance Technology Subcommittee.

**Proposed Agenda:** Review and submission for approval of previous FICEMS Committee Meeting Minutes; Ambulance Safety Subcommittee and Counter-terrorism Subcommittee report; Action Items review; presentation of member agency reports; and reports of other interested parties.

**SUPPLEMENTARY INFORMATION:** This meeting will be open to the public with limited seating available on a first-come, first-served basis. See the Response and Security Procedures below.

**Response Procedures:** Committee Members and members of the general public who plan to attend the meeting should contact Ms. Patti Roman, on or before Tuesday, December 2, 2003, via mail at NATEK Incorporated, 21355 Ridgeway Circle, Suite 200, Dulles, Virginia 20166-8503, or by telephone at (703) 674-0190, or via facsimile at (703) 674-0195, or via e-mail at [proman@natekinc.com](mailto:proman@natekinc.com). This is necessary to be able to create and provide a current roster of visitors to NETC Security per directives.

**Security Procedures:** Increased security controls and surveillance are in effect at the National Emergency Training Center. All visitors must have a valid picture identification card and their vehicles will be subject to search by Security personnel. All visitors will be issued a visitor pass, which must be worn at all times while on campus. Please allow adequate time before the meeting to complete the security process.

**Conference Call Capabilities:** If you are not able to attend in person, a toll free number has been set up for teleconferencing. The toll free number will be available from 9 a.m. until 4 p.m. Members should call in around 9 a.m. The number is 1-800-320-4330. The FICEMS conference code is "430746#."

**FICEMS Meeting Minutes:** Minutes of the meeting will be prepared and will be available upon request 30 days after they have been approved at the next FICEMS Committee Meeting on March 4, 2004. The minutes will also be posted on the United States Fire Administration Web site at <http://www.usfa.fema.gov/ems/ficems.htm> within 30 days after their approval at the March 4, 2004, FICEMS Committee Meeting.

Dated: November 6, 2003.

**R. David Paulison,**

*U.S. Fire Administrator, Director of the Preparedness Division.*

[FR Doc. 03-28415 Filed 11-12-03; 8:45 am]

BILLING CODE 9110-17-P

## DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

[Docket No. FR-4815-N-87]

### Notice of Submission of Proposed Information Collection to OMB: Alaska Native/Native Hawaiian Institutions Assisting Communities (AN/NHAIC)

**AGENCY:** Office of the Chief Information Officer, HUD.

**ACTION:** Notice.

**SUMMARY:** The proposed information collection requirement described below has been submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act. The Department is soliciting public comments on the subject proposal.

This is a request to reinstate the information collection requirements for the grants application and reporting for Alaska Native/Native Hawaiian colleges and universities. These competitive grants promote CDEG eligible activities to expand their role and effectiveness in helping their communities with neighborhood revitalization, housing, and economic development.

**DATES:** *Comments Due Date:* December 15, 2003.

**ADDRESSES:** Interested persons are invited to submit comments regarding this proposal. Comments should refer to the proposal by name and/or OMB approval number (2528-0206) and should be sent to: Lauren Wittenberg, OMB Desk Officer, Office of Management and Budget, Room 10235, New Executive Office Building, Washington, DC 20503; Fax number (202) 395-6974; e-mail [Lauren.Wittenberg@omb.eop.gov](mailto:Lauren.Wittenberg@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Wayne Eddins, Reports Management Officer, AYO, Department of Housing and Urban Development, 451 Seventh Street, Southwest, Washington, DC 20410; e-mail [Wayne.Eddins@HUD.gov](mailto:Wayne.Eddins@HUD.gov); telephone (202) 708-2374. This is not a toll-free number. Copies of the proposed forms and other available documents submitted to OMB may be obtained from Mr. Eddins or on HUD's Web site at <http://www5.hud.gov:63001/po/i/icbts/collectionsearch.cfm>.

**SUPPLEMENTARY INFORMATION:** The Department has submitted the proposal for the collection of information, as described below, to OMB for review, as required by the Paperwork Reduction Act (44 U.S.C. Chapter 35). The Notice lists the following information: (1) The title of the information collection proposal; (2) the office of the agency to collect the information; (3) the OMB