

development of a marine mammal histology database and atlas, research on the effects of boat strikes on cetacean bone, and investigation into acute phase proteins in cetaceans. Cell lines may be developed from marine mammal tissues. The permit has been issued for five years.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), a final determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: August 3, 2004.

Jennifer Skidmore,

Acting Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.
[FR Doc. 04-18051 Filed 8-5-04; 8:45 am]

BILLING CODE 3510-22-S

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Commercial Availability Petition under the United States - Caribbean Basin Trade Partnership Act (CBTPA)

August 3, 2004.

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

ACTION: Request for public comments concerning three petitions for determinations that certain woven, 100 percent cotton, flannel fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA.

SUMMARY: On July 30, 2004, the Chairman of CITA received three petitions from Sandler, Travis & Rosenberg, P.A., on behalf of Picacho, S.A., alleging that 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), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petitions request that shirts, trousers, nightwear, robes,

dressings gowns and woven underwear of such fabrics assembled in one or more CBTPA beneficiary countries be eligible for preferential treatment under the CBTPA. CITA hereby solicits public comments on these petitions, in particular with regard to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by August 23, 2004, to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, N.W., Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT:

Janet E. Heinzen, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 213(b)(2)(A)(v)(II) of the CBERA, as added by Section 211(a) of the CBTPA; Section 6 of Executive Order No. 13191 of January 17, 2001.

Background:

The CBTPA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns or fabrics formed in the United States. The CBTPA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more CBTPA beneficiary countries from fabric or yarn that is not formed in the United States, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. In Executive Order No. 13191, the President delegated to CITA the authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the CBTPA and directed CITA to establish procedures to ensure appropriate public participation in any such determination. On March 6, 2001, CITA published procedures that it will follow in considering requests. (66 FR 13502).

On July 30, 2004, the Chairman of CITA received a petition on behalf of Picacho, S.A., alleging that certain woven, 100 percent cotton, flannel fabrics, of the specifications detailed below, classified in the indicated HTSUS subheadings, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota- and duty-free treatment under the CBTPA for

apparel articles that are cut and sewn in one or more CBTPA beneficiary countries from such fabrics.

Specifications:

Fabric 1	
Petitioner Style No:	4835
HTS Subheading:	5208.42.30.00
Fiber Content:	100% Cotton
Weight:	152.6 g/m ²
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	
Petitioner Style No:	0443B
HTS Subheading:	5209.41.60.40
Fiber Content:	100% Cotton
Weight:	251 g/m ²
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	
Petitioner Style No:	4335
HTS Subheading:	5209.41.60.40
Fiber Content:	100% Cotton
Weight:	251 g/m ²
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

The petitioner emphasizes that the fabrics must be napped on both sides, that the yarn sizes and thread count, and consequently, the weight of the fabrics must be exactly or nearly exactly as specified or the fabrics will not be suitable for their intended uses. The warp yarns must be ring spun in order to provide the additional tensile strength required to offset the degrading effects of heavy napping on both sides. The filling yarns must be open end spun to provide required loft and softness. The filling yarns must be spun from fibers that have been stock dyed prior to carding and the warp yarns must be

dyed prior to weaving in order to give the desired heather effect.

CITA is soliciting public comments regarding these requests, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other fabrics that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for the fabric for purposes of the intended use. Comments must be received no later than August 23, 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 this fabric 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 of the fabric stating that it produces the 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 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. 04-18112 Filed 8-4-04; 11:49 am]

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DEPARTMENT OF DEFENSE

Office of the Secretary

Finding of No Significant Impact Air Force Memorial, Naval Annex Site Arlington, VA

ACTION: Notice.

On Tuesday, August 3, 2004 (69 FR 46523), the Department of Defense inadvertently published a duplication of

the *Federal Register* notice that was published on April 3, 2003 (68 FR 16264). This notice publishes the intended notice.

The Director, Defense Facilities Directorate finds that the project described in the Environmental Assessment, Air Force Memorial, Naval Annex Site, March 2003, is not a major Federal action significantly affecting the quality of the human environment. Therefore, no environmental impact statement will be prepared. This decision is in accordance with the National Environmental Policy Act of 1969, as amended (NEPA, 42 U.S. Code 4321 *et seq.*), the implementing regulations of the Council on Environmental Quality (CEQ, 40 CFR 1500-1508), and DoD Instruction 4715.9, Environmental Planning and Analysis.

Congress authorized the proposed action to establish an Air Force Memorial on three acres of the Naval Annex Site to honor the men and women who served in the U.S. Air Force and its predecessors. The main element of the Memorial would be three curving vertical spires, from 200 to 270 feet high, that symbolize Air Force core values, people, and key mission ingredients. Complimentary elements include a parade ground, honor guard sculpture, contemplative outdoor areas, seating, walkways, and parking. The proposed action includes demolition of Wing 8 of the Naval Annex.

The Environmental Assessment identified project alternatives, affected environment, environmental consequences, and proposed mitigation measures. It examined potential impacts on socio-economic conditions, cultural and visual resources, transportation systems, physical and biological resources, utilities and infrastructure, and cumulative impact.

Public involvement included presentations and applications to relevant groups and agencies. The Department of Defense (DoD) Washington Headquarters Services (WHS) published a Notice of Availability of Environmental Assessment in local newspapers on March 31, 2003, and in the *Federal Register* on April 3, 2003. The document was made available by mail Web site, and library to interested or affected people and agencies. The 30-day comment period closed May 5, 2003. The Response to Comments on Environmental Assessment, June 2004, includes all comments received and how they were addressed. The comments and response address environmental issues and mitigation measures under the following topics:

Height and lighting of memorial and site design; agency reviews; and natural resources.

The Environmental Assessment and Response to Comments on Environmental Assessment are available at <http://www.dtic.mil/ref/Safety/index.htm> or by contacting the WHS Defense Facilities Directorate (703-697-7241) or the Air Force Memorial Foundation (703-247-5859).

Dated: August 3, 2004.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 04-18058 Filed 8-4-04; 9:12 am]

BILLING CODE 5001-06-M

DEPARTMENT OF DEFENSE

Department of the Army

Record of Decision for the Final Environmental Impact Statement for the Digital Multi-Purpose Range Complex at Fort Benning, GA

AGENCY: Department of the Army, DOD.

ACTION: Notice of availability.

SUMMARY: The Department of the Army announces the availability of the Record of Decision (ROD) for the Final Environmental Impact Statement (EIS) for the Digital Multi-Purpose Range Complex (DMPRC) at Fort Benning, GA. The ROD details the Army's decision with respect to the proposed action and alternatives considered in the EIS, and the rationale for the decision. Based on the EIS and other factors, the Army has decided to implement its preferred alternative. This decision allows the Army to proceed with the necessary actions to allow the construction, operation and maintenance of a DMPRC at Fort Benning. The decision also affirms the Army's commitment to implementing a series of mitigations and monitoring measures, as identified in the EIS, to offset potential adverse environmental impacts associated with the proposed action.

ADDRESSES: Interested parties desiring to review the ROD may obtain a copy by contacting Mr. Richard McDowell, Public Affairs Officer, U.S. Army Infantry Center, ATTN: ATZB-PO, Fort Benning, GA, 31905-5122 or by sending an electronic mail request to mcdowellr@benning.army.mil. The ROD may also be viewed on the Fort Benning Web site (<http://www-benning.army.mil/EMD/dmprcLegal&PublicNotices.htm>).

FOR FURTHER INFORMATION CONTACT: Mr. Richard McDowell at 706-545-2211.

SUPPLEMENTARY INFORMATION: In compliance with the National