

Yarn Number: Warp: 40.6 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 24.1 metric

Finish: gingham check or plaid of yarns of different colors; napped on both sides, sanforized

**Fabric 11**

HTS Subheading: 5209.41.60.40

Fiber Content: 100% Cotton

Weight: 251 g/m<sup>2</sup>

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: Plaid, of yarns of different colors; napped on both sides, sanforized

\*The cotton fiber must all be stock dyed prior to carding in order to produce the desired heather effect in the finished fabric.

**Fabric 12**

HTS Subheading: 5209.41.60.40

Fiber Content: 100% Cotton

Weight: 251 g/m<sup>2</sup>

Width: 160 centimeters cuttable

Thread Count: 19.7 warp ends per centimeter; 11.8 filling picks per centimeter; total: 31.5 threads per square centimeter

Yarn Number: Warp: 20.3 metric, ring spun; filling: 8.46 metric, open end spun; overall average yarn number: 20.1 metric

Finish: Plaid 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. Further, the warp yarn 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 yarn must be open end spun to provide required loft and softness.

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 6, 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.

**James C. Leonard III,**  
*Chairman, Committee for the Implementation of Textile Agreements.*

[FR Doc.04-16815 Filed 7-20-04; 12:52 pm]

**BILLING CODE 3510-DR-S**

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Solicitation of Public Comments on Request for Textile and Apparel Safeguard Action on Imports from China

July 19, 2004.

**AGENCY:** The Committee for the Implementation of Textile Agreements (the Committee)

**ACTION:** Solicitation of public comments concerning a request for safeguard action on imports from China of cotton, wool, and man-made fiber socks, merged Category 332/432 and 632 part.

**SUMMARY:** On June 28, 2004, the Committee received a request from the Domestic Manufacturers Committee of The Hosiery Association, the American Manufacturing Trade Action Coalition, the National Council of Textile Organizations, and the National Textile Association requesting that the

Committee limit imports from China of cotton, wool, and man-made fiber socks (merged Category 332/432 and 632 part). They request that a textile and apparel safeguard action, as provided for in the Report of the Working Party on the Accession of China to the World Trade Organization (the Accession Agreement), be taken on imports of such socks. The Committee hereby solicits public comments on this request, in particular with regard to whether imports from China of such socks are, due to market disruption, threatening to impede the orderly development of trade in this product. Comments must be submitted by August 23, 2004 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, United States Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

**FOR FURTHER INFORMATION CONTACT:** Jay Dowling, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4058.

#### SUPPLEMENTARY INFORMATION:

**Authority:** Section 204 of the Agriculture Act of 1956, as amended; Executive Order 11651, as amended.

#### BACKGROUND:

The Accession Agreement textile and apparel safeguard allows the United States and other World Trade Organization Members that believe imports of Chinese origin textile and apparel products are, due to market disruption, threatening to impede the orderly development of trade in these products to request consultations with China with a view to easing or avoiding such market disruption. Upon receipt of the request, China has agreed to hold its shipments to a level no greater than 7.5 percent (6 percent for wool product categories) above the amount entered during the first 12 months of the most recent 14 months preceding the request for consultations. The Member requesting consultations may implement such a limit. Consultations with China will be held within 30 days of receipt of the request for consultations, and every effort will be made to reach agreement on a mutually satisfactory solution within 90 days of receipt of the request for consultations. If agreement on a different limit is reached, the Committee will issue a **Federal Register** Notice containing a directive to the Bureau of Customs and Border Protection that implements the negotiated limit. The limit is effective beginning on the date of the request for consultations and ending on December 31 of the year in which consultations were requested, or where three or fewer

months remained in the year at the time of the request for consultations, for the period ending 12 months after the request for consultations. In order to facilitate the implementation of the Accession Agreement textile and apparel safeguard, the Committee has published procedures (the Procedures) it will follow in considering requests for Accession Agreement textile and apparel safeguard actions (68 FR 27787, published May 21, 2003; 68 FR 49440, published August 18, 2003).

On June 28, 2004, the Committee received a request that an Accession Agreement textile and apparel safeguard action be taken on imports from China of cotton, wool, and man-made fiber socks (merged Category 332/432 and 632 part). The Committee has determined that this request provides the information necessary for the Committee to consider the request in light of the considerations set forth in the Procedures. The text of the request is reproduced in full below.

The Committee is soliciting public comments on this request, in particular with regard to whether imports from China of such socks are, due to market disruption, threatening to impede the orderly development of trade in this product. Comments may be submitted

by any interested person. Comments must be received no later than August 23, 2004. Interested persons are invited to submit ten copies of such comments to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001A, U.S. Department of Commerce, 14th and Constitution Avenue N.W., Washington, DC 20230.

If a comment alleges that there is no market disruption or that the subject imports are not the cause of market disruption, the Committee will closely review any supporting information and documentation, such as information about domestic production or prices of like or directly competitive products. Particular consideration will be given to comments representing the views of actual producers in the United States of a like or directly competitive product.

The Committee will protect any business confidential information that is marked business confidential from disclosure to the full extent permitted by law. To the extent that business confidential information is provided, two copies of a non-confidential version must also be provided in which business confidential information is summarized or, if necessary, deleted. Comments received, with the exception of information marked "business

confidential", will be available for inspection between Monday - Friday, 8:30 a.m and 5:30 p.m in the Trade Reference and Assistance Center Help Desk, Suite 800M, USA Trade Information Center, Ronald Reagan Building, 1300 Pennsylvania Avenue, NW, Washington, DC, (202) 482-3433.

The Committee will make a determination within 60 calendar days of the close of the comment period as to whether the United States will request consultations with China. If the Committee is unable to make a determination within 60 calendar days, it will cause to be published a notice in the **Federal Register**, including the date by which it will make a determination. If the Committee makes a negative determination, it will cause this determination and the reasons therefore to be published in the **Federal Register**. If the Committee makes an affirmative determination that imports of Chinese origin textiles and apparel products are, due to market disruption, threatening to impede the orderly development of trade in these products, the United States will request consultations with China with a view to easing or avoiding such market disruption.



## Domestic Manufacturers Committee

To Preserve, Support, and Promote Hosiery Manufacturing in the United States

The DMC is a committee within The Hosiery Association

June 28, 2004



Mr. Jim Leonard  
Chairman of the Committee for Implementation of Textile Agreements  
Room 3000 Department of Commerce  
14<sup>th</sup> and Constitution NW  
Washington, DC 20230

JUN 28 2004

Dear Mr. Leonard:

The Domestic Manufacturers Committee (DMC) of The Hosiery Association, hereby files this petition requesting that the Committee for the Implementation of Textile Agreements (CITA) impose textile safeguard actions with respect to sock imports from China, under the procedures set forth in Federal Register notice 03-12893 as provided for by the Report of the Working Party on the Accession of China to the World Trade Organization (WTO). We file this petition on behalf of the overwhelming majority of the companies manufacturing socks in the U.S., which represent over 2/3 of domestic sock manufacturing volume in the U.S. We are joined in submitting this petition by the American Manufacturing Trade Action Coalition, which represents domestic sock manufacturers, and representatives of the yarn suppliers to the domestic sock industry, the National Council of Textile Organizations and the National Textile Association.

### **QUANTITATIVE RESTRICTION REQUEST AND PRODUCT DESCRIPTION**

In particular, we request that the U.S. Government establish the most stringent specific limits possible on cotton, wool, and man-made fiber socks, merged category 332/ 432 and 632/part. The specific HTS numbers for this merged category are 6115910000, 6115926000, 6115929000, 6115936010, 6115936020, 6115939010, 6115939020, 6115991410, 6115991420, 6115991810, and 6115991820.

### **MARKET DISRUPTION**

Urgent, significant action is needed immediately to save the domestic sock industry, the most competitive sector remaining of the once flourishing U.S. domestic apparel manufacturing industry. The U.S. sock manufacturing industry has also been hit hard recently, suffering severe market disruption over the last two years as subsidized sock imports from China have soared, while U.S. production has declined steadily, sock prices have declined precipitously, and sock plant closings have multiplied. Sock imports from China have skyrocketed from less than 1 million dozen pair in 2001 to 22 million dozen pair in 2003. China's share of the U.S. sock import market has likewise ballooned from about 1 % in 2001 to about 15 % in 2003, and surged to 21% in the 1<sup>st</sup> Q of 2004. At the same time, the average market price of socks, as measured by the average landed duty paid value of sock imports from China has collapsed from \$9 a dozen pair in 2001 to \$4.15 a dozen pair in 2003.

Meanwhile, in addition to this steep downward price pressure, U.S. domestic sock production has declined from 207 million dozen pair in 2001 to 166 million dozen pair in 2003. U.S. market share for domestic producers has fallen from 64.0 % in 2001 to 43.6 % in 2003. And U.S. domestic sock production employment has declined from 19,300 in 2001 to 16,000 in 2003. See charts to follow.

**SOCK IMPORT DATA: World / China Sock Imports and China Share of Imports:**

*Note that world imports were up 63.3% from 2001 to 2003, while China imports soared by 2,153%.*

Annual Data	1999	2000	2001	2002	2003	1st Qtr 2003	1st Qtr 2004
World	58,106,681	77,885,698	90,167,116	121,433,531	147,281,558	29,694,074	37,906,020
China	461,430	503,647	976,411	5,873,978	21,999,835	2,565,691	7,934,962
China Share	0.79%	0.65%	1.08%	4.84%	14.94%	8.64%	20.93%

All quantities are in dozen pairs

Source – United States International Trade Commission Website - <http://dataweb.usitc.gov/>

**DOMESTIC SOCK PRODUCTION AND MARKET SHARE DATA - Dozen Pairs**

To the best of our knowledge, the data represent substantially all of the domestic production of the like or directly competitive product(s) of U.S. origin.

	1999	2000	2001	2002	2003
U.S. Production - Quantity	209,774,000	214,968,000	207,321,337	184,820,316	166,055,894
% Change	-	2.48%	-3.56%	-10.85%	-10.15%
Imported Socks	58,106,681	77,885,698	90,167,116	121,433,531	147,281,558
Exported Socks	24,407,745	40,632,875	46,832,155	52,600,300	52,065,101
Apparent Domestic Market	243,472,936	252,220,823	250,656,298	253,653,547	261,272,351
All Imports - Domestic Market Share (DMS)	23.87%	30.88%	35.97%	47.87%	56.37%
Chinese Imports - DMS	0.19%	0.20%	0.39%	2.32%	8.42%
US production - DMS	76.13%	69.12%	64.03%	52.13%	43.63%

Source – U.S. International Trade Commission Website – <http://dataweb.usitc.gov> and The Hosiery Association survey of hosiery manufacturing. See Addendum 1 and 2.

**DOWNWARD PRICE PRESSURE IN U.S. SOCK MARKET**

The U.S. wholesale market price of socks is under heavy downward price pressure. A key factor in this downward price pressure is the accelerating flood of subsidized and extremely low priced socks from China sold to mass merchandisers. This results in an additional decrease in the price we must sell for in the U.S. market and of equal concern, a lower level of volume due to the impact of the new high volume, low cost supply of socks coming in from China.

Here is information on the value of Chinese Sock Imports to the U.S. This is arrived at by taking the Average Landed Duty Paid Value of imports from China and dividing this by the number of dozens of socks imports from China. This gives a value of \$/Dozen. It shows the trend of the dozens getting lower in value as our imports from China increased.

**China Sock Imports Unit Value**

	1999	2000	2001	2002	2003	2003 1 <sup>st</sup> Q	2004 1 <sup>st</sup> Q
China \$ Value of Imports	\$3,924,803	\$4,319,393	\$8,789,813	\$29,580,016	\$91,207,432	\$9,721,564	\$30,158,200
China Quantity of Imports	461,430	503,647	976,411	5,873,978	21,999,835	2,565,691	7,934,962
China \$/Dozen	\$8.51	\$8.58	\$9.00	\$5.04	\$4.15	\$3.79	\$3.80

All numbers were from the USITC Dataweb.

Current wholesale sock prices from China are significantly lower than all other countries, including price quotes that can be achieved by finishing socks off-shore that can be knit in the U.S.

**RAPID DECLINE OF U.S. SOCK MANUFACTURING COMPANIES IN 2002 - 2003**

Company	City	State	Year	Jobs	Action
Robin Lynn's Airport Road Plant	Ft Payne	AL	2002	20	Facility Closed
Shirley's Hosiery Mill	Ft Payne	AL	2002	4	Company Closed
Gold Toe Brands, Inc	Bally	PA	2002	290	Facility Closed
Sandstone Knitting	Burlington	NC	2002	45	Company Closed
Mauney Hosiery	Kings Mountain	NC	2002	130	Facility Closed
Alba Waldensian	Valdese	NC	2002	500	Facility Closed
Beagle Brand Hosiery	Hickory	NC	2002	10	Company Closed
Charleston Hosiery	Rainsville	AL	2002	120	Facility Closed
Renfro Corporation	Star	NC	2002	450	Facility Closed
Abel Hosiery	Ft Payne	AL	2003	25	Company Closed
FlisCinKim	Ft Payne	AL	2003	30	Company Closed
Ramseur Knitting	Ramseur	NC	2003	75	Company Closed
Ann-Barrett Hosiery	Ft Payne	AL	2003	20	Company Closed
Sock Factory USA	Ft Payne	AL	2003	25	Company Closed
Blue Chip Hosiery	Ft Payne	AL	2003	60	Company Closed
Silver Cloud Legwear	Concord	NC	2003	8	Company Closed
Carolina Casual Knitting	Hickory	NC	2003	10	Company Closed
Gold Toe Brands, Inc	Newton	NC	2003	175	Facility Closed
Lutz Hosiery	Hickory	NC	2003	25	Company Closed
Randolph Knitting	Ramseur	NC	2003	55	Company Closed
Jon Scott Hosiery	Hickory	NC	2003	10	Company Closed
Wade Hosiery	Hickory	NC	2003	20	Company Closed
Foothills Hosiery	Connelly Springs	NC	2003	20	Company Closed
Classic Hosiery	Burlington	NC	2003	85	Company Closed
Crossroads Knitting	Claudeville	VA	2003	15	Company Closed
Efland Hosiery	Efland	NC	2003	75	Company Closed
Piedmont Industries	Connelly Springs	NC	2003	30	Company Closed
Prewett Associated Mills	Ft Payne	AL	2003	100	Employee Layoff
Renfro Corporation	Pulaski	VA	2003	481	Facility Closed
Harriss & Covington	High Point	NC	2003	60	Employee Layoff
Auburn Hosiery	Auburn	KY	2003	190	Employee Layoff
Locklear Hosiery	Ft Payne	AL	2003	84	Employee Layoff
Kentucky Derby Hosiery	Mt Airy	NC	2003	300	Employee Layoff
Americal Hosiery	2 NC facilities	NC	2003	170	Employee Layoff
<b>Total Job Losses</b>				<b>3,717</b>	

Compiled by The Hosiery Association and The Hosiery Technology Center

**Page 5**

The previous chart dramatically shows the job losses that have occurred in this industry in the past two years. There are 20 company closings, 8 facility closings and 6 major plant layoffs. This is a total of direct job elimination of 3,717 employees for 2002 – 2003 in sock manufacturing alone. It does not include the job losses incurred by suppliers to the sock industry. Another disturbing trend is the increased number of mills that are closed permanently in 2003 versus 2002. It is no longer a matter of reducing labor to stay in business; the companies are forced to close. This trend is continuing in 2004 with the closing of three companies. Locklear Manufacturing (25 employees), Whitener Hosiery (20 employees) and Monarch Hosiery (130 employees closing in July).

**NATIONAL SOCK EMPLOYMENT: Thousands of Employees (Not Seasonally Adjusted)****Thousands of Production Workers (Not Seasonally Adjusted)****Average Weekly Hours of Production Workers (Not Seasonally Adjusted)**

	1999	2000	2001	2002	2003	YTD* 2003	YTD* 2004
U.S. Employees	25.6	24.6	22.3	20.1	19.0	19.2	17.9
U.S. Production Workers	21.9	21.2	19.3	17.4	16.0	16.4	14.1
Hours Worked - Production Workers	40.2	40.3	38.0	37.6	38.0	37.3	39.8

\* YTD figures for January-March

Note: Data for this chart collected from the U.S. Department of Labor – Bureau of Labor Statistics website [www.bls.gov](http://www.bls.gov). Specifically, data for U.S. Employees (Series ID CEU3231511901), U.S. Production Workers (Series ID CEU3231511903) and Hours Worked (Series ID CEU3231511905) is found under the “National Employment, Hours and Earnings” section.

**ADDITIONAL FACTORS**

The home field advantage for the U.S. domestic sock industry is compromised by the high degree of concentration in the retail end of the U.S. sock market. Huge low-price retailers dominate our retail market, and often employ worldwide reverse-bid auctioning on the internet to solicit low bid sock contracts. Thus with a very few successful bids, through reverse-bid auctioning, foreign manufacturers can gain access to the majority of the U.S. market with ease. No such facilitation in the retail sector is available to U.S. sock exporters in China. The top 3 sock retailers account for 52% of the U.S. sock market, according to NPD Fashionworld Market Analysis for September 2002-August 2003.

The majority of the U.S. sock industry is comprised of small family owned businesses that want to stay within their respective communities. The infrastructure of these communities is dependent on the sock industry for their survival.

**Page 6**

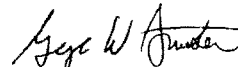
Lastly, but not least, the domestic sock industry and its direct value chain, provides employment to over 60,000 people in this country. In Dekalb County Alabama alone, the 11,580 sock industry related jobs make up 35% of total payroll in the county. The jobs provided a sales revenue impact of \$386 million in 2003, and a tax revenue impact of \$12.8 million, according to a 2003 study conducted by the Center for Economic Development and Business Research at Jacksonville State University.

Decisive action must be taken now by the federal government, to implement and enforce the terms of the U.S. – China WTO Accession Agreement, or we will lose most, if not all of our domestic sock manufacturing industry.

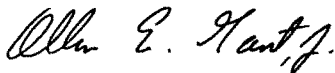
Sincerely,



Charles Cole  
Chairman  
Domestic Manufacturers Committee  
The Hosiery Association



George Shuster  
Co-Chairman  
American Manufacturing Trade Action Coalition



Allan Gant  
Chairman  
National Council of Textile Organizations



Karl Spilhaus  
President  
National Textile Association



**Addendum 1**

**Sock Mills**

## **Addendum 2**

### **Explanation of Survey Methodologies**

For the latest THA domestic production survey series for 2001, 2002, and 2003, all companies on the list in Addendum 1 were surveyed. There follows an explanation of how certain production numbers included in these survey results were arrived at. An earlier THA survey series covered the years 1999, 2000, 2001.

**Overlap of THA Surveys** – To verify the accuracy of the production numbers over 5 years using overlapping methodologies, we can look to the results for the year 2001, which both series covered, and where both methodologies were employed and overlapped. The latest THA series number for US production in 2001 based on the latest survey was 207,321,337, compared to the earlier THA estimate for 2001 done according to THA's earlier series back through 1998, which was 206,584,000. This represents a difference of only .36% between the earlier THA series methodology for 2001, and the latest THA Survey series for 2001.

(Submitted on June 28, 2004)

**James C. Leonard III,**  
*Chairman, Committee for the Implementation*  
*of Textile Agreements.*  
 [FR Doc. 04-16734 Filed 7-21-04; 8:45 am]  
**BILLING CODE 3510-DR-S**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meeting

#### AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

**TIME AND DATE:** 11 a.m., Friday, August 6, 2004.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
 Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 04-16799 Filed 7-20-04; 11:22 am]

**BILLING CODE 6351-01-M**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meeting

#### AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

**TIME AND DATE:** 11 a.m., Friday, August 13, 2004.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
 Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 04-16800 Filed 7-20-04; 11:22 am]

**BILLING CODE 6351-01-M**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meeting

#### AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

**TIME AND DATE:** 11 a.m., Friday, August 20, 2004.

**PLACE:** 1155 21st St., NW., Washington, DC, 9th Floor Commission Conference Room

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
 Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 04-16801 Filed 7-20-04; 11:22 am]

**BILLING CODE 6351-01-M**

## COMMODITY FUTURES TRADING COMMISSION

### Sunshine Act Meetings

#### AGENCY HOLDING THE MEETING:

Commodity Futures Trading Commission.

**TIME AND DATE:** 11 a.m., Friday, August 27, 2004.

**PLACE:** 1155 21st St., NW., Washington, DC., 9th Floor Commission Conference Room

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Surveillance Matters.

**CONTACT PERSON FOR MORE INFORMATION:**  
 Jean A. Webb, 202-418-5100.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 04-16802 Filed 7-20-04; 11:22 am]

**BILLING CODE 6351-01-M**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Office of the Under Secretary of Defense (Personnel and Readiness).

**ACTION:** Notice.

In compliance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Under Secretary of Defense (Personnel and Readiness) announces the following proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be

collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

**DATES:** Consideration will be given to all comments received by September 20, 2004.

**ADDRESSES:** Written comments and recommendations on the proposed information collection should be sent to the Office of the Principal Deputy Under Secretary of Defense (Personnel and Readiness) (Military Personnel Policy/Compensation), Attn: Thomas R. Tower, 4000 Defense Pentagon, Washington, DC 20301-4000.

**FOR FURTHER INFORMATION CONTACT:** To request more information on this proposed information collection or to obtain a copy of the proposal and associated collection instruments, please write to the above address or call (703) 693-1059.

*Title, Associated Form, and OMB Control Number:* Application for Annuity—Certain Military Surviving Spouses, Form #: DD Form 2769, OMB Number: 0704-0402.

*Needs and Uses:* This information collection requirement is necessary to identify and pay surviving spouses who meet the criteria established for benefits under the provisions of the National Defense Authorization Act for Fiscal Year 1998, Public Law 105-85, section 644, as amended. The DD Form 2769, "Application for Annuity—Certain Military Surviving Spouses," used in this information collection, provides a vehicle for the surviving spouse to apply for the annuity benefit. The Department will use this information to determine if the applicant is eligible for the annuity benefit and make payment to the surviving spouse. The respondents of this information collection are a never-remarried surviving spouse of a member of a Uniformed Service who (1) died before March 21, 1974, and was entitled to retired or retainer pay on the date of death, or (2) was a member of a Reserve Component of the Armed Forces who died before October 1, 1978 and on the date of death would have been entitled to retired pay except for not yet being 60 years of age.

*Affected Public:* Individuals.

*Annual Burden Hours:* 200.

*Number of Respondents:* 200.

*Responses Per Respondent:* 1.

*Average Burden Per Response:* 1 hour.

*Frequency:* On occasion.

**SUPPLEMENTARY INFORMATION:**