

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton and Man-Made Fiber Textile Products Produced or Manufactured in Pakistan

November 10, 1998.

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

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: November 17, 1998.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 927-5850. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended.

The current limits for certain categories are being adjusted, variously, for swing and special shift.

A description of the textile and apparel categories in terms of HTS numbers is available in the **CORRELATION:** Textile and Apparel Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 62 FR 66057, published on December 17, 1997). Also see 62 FR 63524, published on December 1, 1997.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

November 10, 1998.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229.

Dear Commissioner: This directive amends, but does not cancel, the directive issued to you on November 25, 1997, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton and man-made fiber textile products, produced or manufactured in Pakistan and exported during the twelve-month period which began on January 1, 1998 and extends through December 31, 1998.

Effective on November 17, 1998, you are directed to adjust the limits for the following

categories, as provided for under the Uruguay Round Agreement on Textiles and Clothing:

Category	Adjusted limit ¹
237	280,910 dozen.
239pt. ²	1,412,946 kilograms.
334/634	298,915 dozen.
335/635	442,159 dozen.
336/636	520,251 dozen.
338	5,675,721 dozen.
339	1,507,559 dozen.
340/640	681,170 dozen.
341/641	278,715 dozen.
342/642	137,267 dozen.
347/348	1,006,622 dozen.
351/651	341,101 dozen.
352/652	882,365 dozen.
359-C/659-C ³	1,534,958 kilograms.
363	46,750,187 numbers.
369-F/369-P ⁴	2,501,057 kilograms.
369-S ⁵	755,390 kilograms.
638/639	242,511 dozen.
647/648	722,377 dozen.

¹The limits have not been adjusted to account for any imports exported after December 31, 1997.

²Category 239pt.: only HTS number 6209.20.5040 (diapers).

³Category 359-C: only HTS numbers 6103.42.2025, 6103.49.8034, 6104.62.1020, 6104.69.8010, 6114.20.0048, 6114.20.0052, 6203.42.2010, 6203.42.2090, 6204.62.2010, 6211.32.0010, 6211.32.0025 and 6211.42.0010; Category 659-C: only HTS numbers 6103.23.0055, 6103.43.2020, 6103.43.2025, 6103.49.2000, 6103.49.8038, 6104.63.1020, 6104.63.1030, 6104.69.1000, 6104.69.8014, 6114.30.3044, 6114.30.3054, 6203.43.2010, 6203.43.2090, 6203.49.1010, 6203.49.1090, 6204.63.1510, 6204.69.1010, 6210.10.9010, 6211.33.0010, 6211.33.0017 and 6211.43.0010.

⁴Category 369-F: only HTS number 6302.91.0045; Category 369-P: only HTS numbers 6302.60.0010 and 6302.91.0005.

⁵Category 369-S: only HTS number 6307.10.2005.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception of the rulemaking provisions of U.S.C. 553(a)(1).

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc.98-30684 Filed 11-16-98; 8:45 am]

BILLING CODE 3510-DR-F

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 63 FR 59549.
PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:00 a.m., Thursday, November 19, 1998.

CHANGES IN THE MEETING: The Commodity Futures Trading Commission has cancelled the meeting to discuss Enforcement Matters.

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

Catherine D. Dixon,

Assistant Secretary of the Commission.

[FR Doc. 98-30829 Filed 11-13-98; 2:17 pm]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Sunshine Act Meeting

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 63 FR 59549.
PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 10:30 a.m., Thursday, November 19, 1998.

CHANGES IN THE MEETING: The Commodity Futures Trading Commission has cancelled the meeting to discuss Enforcement Objectives.

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

Catherine D. Dixon,

Assistant Secretary of the Commission.

[FR Doc. 98-30830 Filed 11-13-98; 8:45 am]

BILLING CODE 6351-01-M

COMMODITY FUTURES TRADING COMMISSION

Adverse Registration Actions by the National Futures Association With Respect to Agricultural Trade Option Merchants and Their Associated Persons and Applicants for Registration in Either Category

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice and Order.

SUMMARY: The Commodity Futures Trading Commission (Commission) is authorizing the National Futures Association (NFA) to deny, condition, suspend, modify, restrict or revoke the registration of any agricultural trade option merchant (ATOM) or any associated person (AP) of an ATOM or to deny or condition an application for registration in either category. In addition, the Commission is authorizing NFA to perform record custodianship functions with respect to such adverse registration actions. The Commission has previously authorized NFA to perform various functions with respect to processing registration records for ATOMs and their APs, and applicants therefore, including granting such registrations where appropriate and serving as the official custodian of those Commission records. 63 FR 18821 (April 16, 1998). This Order does not authorize NFA to accept or act upon requests for exemption or to render "no-

action" opinions with respect to applicable registration requirements. This Order generally will confirm NFA's authority regarding the ATOM and ATOM AP registration categories to the authority delegated by the Commission to NFA concerning the other categories of registration under the Commodity Exchange Act (Act).¹

EFFECTIVE DATE: November 17, 1998.

FOR FURTHER INFORMATION CONTACT: Kimberly A. Browning, Attorney/Advisor, Division of Economic Analysis, or Lawrence B. Patent, Associate Chief Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581, (202) 418-5000, or electronically at [kbrowning@cftc.gov] or [lpatent@cftc.gov].

SUPPLEMENTARY INFORMATION:

Introduction

On April 16, 1998, the Commission published interim final rules in the **Federal Register** authorizing NFA to perform registration processing functions with respect to ATOMs and their APs.² These functions include: (1) processing and, where appropriate, granting applications for registration for ATOMs and their APs; and (2) establishing and maintaining systems of records regarding ATOMs and their APs and serving as the official custodian of those Commission records.³ By the Order below, issued on this date, the Commission is authorizing NFA to assume the performance of additional registration functions on behalf of the Commission, specifically, to deny, condition, suspend, modify, restrict or revoke the registration of any ATOM or any ATOM AP or to deny or condition an application for registration in either category. In addition, the Commission is authorizing NFA to perform record custodianship functions with respect to such adverse registration actions.

Further, this Order does not authorize NFA to accept or act upon requests for

exemption or to render "no-action" opinions with respect to applicable registration requirements. This Order will conform NFA's authority concerning the ATOM and ATOM AP registration categories to the authority delegated by the Commission to NFA concerning the other categories of registration under the Act.⁴

The Commission further notes that, in enacting Section 227 of the Futures Trading Practices Act of 1992, Congress added Section 8a(11) to the Act, 7 U.S.C. 12a(11) (Supp. IV 1992), which provided rulemaking authority for the Commission to modify or suspend the registration of any person charged with a felony if the Commission determines that continued registration of the person may pose a threat to the public interest or may threaten to impair public confidence in any market regulated by the Commission. The Commission adopted Rule 3.56 to implement this authority. The Commission expects that NFA will promptly notify the Commission when NFA becomes aware that any registrant has been charged with a felony.⁵

United States of America Before the Commodity Futures Trading Commission Order Authorizing the Performance of Registration Functions

I. Authority and Background

Section 8a(10) of the Act (7 U.S.C. 12a(10) (1994)) provides that the Commission may authorize any person to perform any portion of the registration functions under the Act, notwithstanding any other provision of law, in accordance with rules adopted by such person and submitted to the Commission for approval or, if applicable, for review pursuant to Section 17(j) of the Act and subject to the provision of the Act applicable to registrations granted by the

⁴ The Commission has previously authorized NFA to perform registration processing functions, and to take adverse registration actions, with respect to futures commission merchants, introducing brokers, commodity pool operators, commodity trading advisors, leverage transactions merchants, associated persons of any of the foregoing entities, floor brokers and floor traders, as well as applicants for registration in any of the aforementioned categories. See 49 FR 15940 (April 13, 1983); 49 FR 35158 (August 3, 1983); 48 FR 51809 (November 14, 1983); 48 FR 8226 (March 5, 1984); 49 FR 39593 (October 9, 1984); 50 FR 34885 (August 28, 1985); 54 FR 19594 (May 8, 1989); 54 FR 41133 (October 5, 1989); 59 FR 38957 (August 1, 1994); and 62 FR 36050 (July 3, 1997).

⁵ In this regard, the Commission notes that ATOMs and their APs, as well as applicants for registration in either category, are required to supplement their respective registration applications to include any changes to the information provided thereon and report such changes to the NFA. See Commission Rule 3.13(e)(4).

Commission. Section 17(o)(2) of the Act provides that the Commission may authorize any registered futures association, in this case NFA, in performing Commission registration functions, to deny, condition, suspend, restrict or revoke any registration, subject to Commission review.⁶

NFA submitted under cover of a letter dated August 27, 1998, amendments to its rules to govern adverse actions against ATOMs, ATOM APs and applicants for registration in either category. These amendments reflect actions taken by NFA's Board of Directors at a meeting on August 20, 1998. NFA's rule amendments establish procedures for conducting adverse registration actions with respect to the ATOM and ATOM AP registration categories. In particular, NFA will conduct a fitness review of each ATOM and ATOM AP registration applicant. In appropriate circumstances, NFA will institute adverse registration actions against ATOMs, their APs or applicants for registration in either category based on the statutory disqualifications provided under Sections 8a(2) and 8a(3) of the Act. NFA also will review the financial statements submitted by prospective ATOMs with their registration applications to determine whether such statements demonstrate compliance with the \$50,000 minimum net worth requirement provided under Commission Rule 3.13(d)(i). In those instances where the listed financial data fail to satisfy this requirement, NFA will institute adverse registration actions.

Upon consideration, the Commission has determined to authorize NFA, effective, November 17, 1998, to deny, condition, suspend, modify, restrict or revoke the registration of any ATOM, any ATOM AP or an applicant for registration in either category in accordance with the standards established by the Act and rules promulgated thereunder. In addition, the Commission is authorizing NFA to perform record custodianship functions with respect to such adverse registration actions. Separately, by letter dated September 10, 1998, the Commission's Division of Trading and Markets permitted amendments to NFA bylaws and NFA Registration Rules 201 and 501(a) to become effective without Commission approval in order to implement these grants of authority.

By prior orders, the Commission has authorized NFA to maintain various other Commission registration records and certified NFA as the official custodian of such records for this

⁶ 7 U.S.C. 21(o)(2) (1994).

¹ 7 U.S.C. 1 *et seq.* (1994).

Although "agricultural trade option merchant" and "associated person of an agricultural trade option merchant" are not registration categories defined by the Act, they are, nevertheless, registration categories "under the Act" by virtue of the Commission's promulgation of rules creating these registration categories under Section 4c(b) of the Act (its plenary authority over the regulation of options) and under Section 8a(5) of the Act (its general rulemaking authority). 62 FR 18821, 18825, n. 20.

² 63 FR 18821. These interim final rules became effective on June 15, 1998. *Id.*

³ Under cover of a letter dated June 18, 1998, NFA submitted to the Commission amendments to its bylaws and rules to govern these two registration processing functions.

agency.⁷ The Commission has now determined, in accordance with its authority under Section 8a(10) of the Act, to authorize NFA to maintain, and to serve as official custodian of, the Commission's registration records with respect to adverse actions against ATOMs, their APs and applicants for registration in either category from this time forward. This determination is based upon NFA's representations regarding the implementation of rules and procedures for maintaining and safeguarding all such records.

In maintaining the Commission's registration records pursuant to this Order, NFA shall be subject to all other requirements and obligations imposed upon it by the Commission in existing or future orders or regulations. In this regard, NFA shall also implement such additional procedures (or modify existing procedures) as are necessary and acceptable to the Commission to ensure the security and integrity of the ATOM, ATOM AP or applicant records in NFA's custody; to facilitate prompt access to those records by the Commission and its staff, particularly as described in other Commission orders or rules; to facilitate disclosure of public or nonpublic information in those records when permitted by Commission orders or rules and to keep logs as required by the Commission concerning disclosure of nonpublic information; and otherwise to safeguard the confidentiality of the records.

II. Conclusion and Order

The Commission has determined, in accordance with the provisions of Section 8a(10) of the Act, to authorize NFA, effective November 17, 1998, to perform the following registration functions:

- (1) To deny, condition, suspend, modify, restrict or revoke registration under the Commodity Exchange Act as an agricultural trade option merchant, an associated person of an agricultural trade option merchant or an applicant for registration in either category; and
- (2) To establish and to maintain a system of records regarding such adverse actions involving agricultural trade option merchants, associated persons of agricultural trade option merchants and applicants for registration in either category and to serve as the official custodian of those Commission records. NFA shall perform these functions in accordance with the

standards established by the Act and the regulations promulgated thereunder.

These determinations are based upon the Congressional intent expressed in Sections 8a(10) and 17(o) of the Act that the Commission be allowed to authorize NFA to perform any portion of the Commission's registration responsibilities under the Act for purposes of carrying out these responsibilities in the most efficient and cost-effective manner and upon NFA's representations concerning standards and procedures to be followed in administering these functions.

This Order does not, however, authorize NFA to accept or act upon requests for exemption from registration or to render "no-action" opinions or interpretations with respect to applicable registration requirements.

Nothing in this Order or in Section 8a(10) or 17 of the Act shall affect the Commission's authority to review the granting of a registration application by NFA in the performance of Commission registration functions or to review any adverse registration action taken by NFA. See also Sections 17(o) (3) and (4) of the Act, 7 U.S.C. 21(o) (3) and (4) (1994), and 17 CFR Part 171.

Issued in Washington, DC on November 10, 1998 by the Commission.

Catherine D. Dixon,

Assistant Secretary of the Commission.

[FR Doc. 98-30647 Filed 11-16-98; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Ballistic Missile Defense Organization; Preparation of the National Missile Defense Deployment Environmental Impact Statement

AGENCY: Ballistic Missile Defense Organization, DOD.

ACTION: Notice of intent.

SUMMARY: This notifies the public that the Ballistic Missile Defense Organization (BMDO) intends to prepare an Environmental Impact Statement (EIS) for a potential National Missile Defense (NMD) deployment, should the U.S. Government make such a decision. In 1996, at the direction of the Secretary of Defense, NMD was designated a Major Defense Acquisition Program. Concurrently, BMDO was tasked with developing an NMD system that could be deployed within three years. This three-year development period is to culminate in the year 2000. In the year 2000, a Department of Defense (DoD) Deployment Readiness Review will be held to review the technical readiness of NMD elements. Thereafter, the United

States government will determine whether the threat, developed capability, and other pertinent factors justify deploying an operational NMD system by the year 2003. BMDO is preparing an EIS to evaluate the potential environmental impacts of deployment of an NMD system.

Because the three-year development period is combined with an additional three-year deployment option, the total effort is referred to as the NMD "3+3" program. Should the deployment option not be exercised in the year 2000, improvements in NMD system element technology would continue, while an ability to deploy a system within three years of a decision would be maintained.

The EIS is intended to support BMDO's planning for a potential deployment of an NMD system. The decision to be made is whether to deploy such a system. This decision will be based on an analysis of the potential limited strategic ballistic missile threat to the United States from a rogue nation, technical readiness of the NMD system for deployment, and other factors including potential environmental impacts. If the decision is to deploy, then sites would be selected from the range of locations studied in the EIS. The EIS will provide the U.S. Government with the information necessary to properly account for the environmental impacts of this decision.

The NMD system would be a fixed, land-based, non-nuclear, hit-to-kill missile defense system with land and space-based sensor support capable of responding to a limited strategic ballistic missile threat to the United States by a rogue nation. The NMD system would consist of five elements: Ground-based Interceptors (GBIs); Battle Management Command, Control, and Communications, which includes the Battle Management Command and Control (BMC2), communication lines, and the In-Flight Interceptor Communications System (IFICS) as subelements; X-Band Radar (XBR); Upgraded Early Warning Radar (UEWR); and Defense Support Program (DSP) satellites/Space-Based Infrared System (SBIRS) satellites. All elements of the NMD system would work together to protect the 50 United States against a limited strategic ballistic missile attack by a rogue nation.

Proposed Action and Alternatives

The alternatives to be considered in this EIS are the No-Action Alternative and the Proposed Action. A No-Action Alternative would be a DoD recommendation not to deploy an NMD

⁷ 49 FR 39593 (October 9, 1984); 50 FR 34885 (August 28, 1985); 51 FR 25929 (July 7, 1986); 54 FR 19594 (May 8, 1989); 54 FR 41133 (October 5, 1989); 58 FR 19657 (April 15, 1993); and 59 FR 38957 (August 1, 1994).