

Director, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802-1668 (907/568-7221).

SUPPLEMENTARY INFORMATION: On February 27, 1997, notice was published in the **Federal Register** (62 FR 8929) that an amendment of permit no. 838, issued May 17, 1993 (58 FR 29810), had been requested by the above-named individual. The requested amendment has been granted under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), and the provisions of § 216.33 of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216).

Dated: April 10, 1997.

Ann Terbush,

Chief, Permits & Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 97-9959 Filed 4-17-97; 8:45 am]

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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Consolidation and Amendment of Export Visa Requirements to Include the Electronic Visa Information System for Certain Cotton, Wool, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Malaysia

April 11, 1997.

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

ACTION: Issuing a directive to the Commissioner of Customs consolidating and amending visa requirements.

EFFECTIVE DATE: May 1, 1997.

FOR FURTHER INFORMATION CONTACT: Ross Arnold, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-4212.

SUPPLEMENTARY INFORMATION:

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

In exchange of notes, the Governments of the United States and Malaysia agreed to amend the existing visa arrangement for textile products, produced or manufactured in Malaysia and exported on and after May 1, 1997. The amended arrangement consolidates existing and new provisions of the export visa arrangement, including provisions for the Electronic Visa

Information System (ELVIS). In addition to the ELVIS requirements, shipments will continue to be accompanied by an original visa stamped on the front of the original commercial invoice issued by the Government of Malaysia. Goods which currently require an exempt certificate shall not require an ELVIS transmission, but will continue to require the exempt certificate.

In the letter published below, the Chairman of CITA directs the Commissioner of Customs to amend the existing visa requirements for textile products produced or manufactured in Malaysia and exported on and after May 1, 1997.

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 61 FR 66263, published on December 17, 1996). Also see 52 FR 32158, published on August 26, 1987.

Interested persons are advised to take all necessary steps to ensure that textile products that are entered into the United States for consumption, or withdrawn from warehouse for consumption, will meet the visa requirements set forth in the letter published below to the Commissioner of Customs.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

April 11, 1997.

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 August 20, 1987, as amended, by the Chairman, Committee for the Implementation of Textile Agreements, that directed you to prohibit entry of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Malaysia for which the Government of Malaysia has not issued an appropriate export visa or exempt certification.

Under the terms of section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); and pursuant to the Uruguay Round Agreements Act, the Uruguay Round Agreement on Textiles and Clothing (ATC) and the Export Visa Arrangement, effected by exchange of notes between the Governments of the United States and Malaysia; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on May 1, 1997, entry into the Customs territory of the United States (i.e., the 50 states, the District of Columbia and the Commonwealth

of Puerto Rico) for consumption and withdrawal from warehouse for consumption of cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products in Categories 200-239, 300-369, 400-469, 600-670 and 831-859, including part categories and merged categories (see Annex A), produced or manufactured in Malaysia and exported on and after May 1, 1997 for which the Government of Malaysia has not issued an appropriate export visa, exempt certification or Electronic Visa Information System (ELVIS) transmission fully described below. Shipments covering merchandise in Categories 800-810 and 863-899 do not require a visa. Should additional categories, part categories or merged categories become subject to import quota the entire category(s), part category(s) or merged category(s) shall be included in the coverage of this arrangement.

A visa must accompany each commercial shipment of the aforementioned textile products. A circular stamped marking in blue ink will appear on the front of the original commercial invoice. The original visa shall not be stamped on duplicate copies of the invoice. The original invoice with the original visa stamp will be required to enter the shipment into the United States. Duplicates of the invoice and/or visa may not be used for this purpose.

Each visa stamp shall include the following information:

1. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numeric digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for Malaysia is "MY"), and a six digit numerical serial number identifying the shipment; e.g., 7MY123456.

2. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

3. The original signature of the issuing official of the Government of Malaysia.

4. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States, annotated, shall be reported in the spaces provided within the visa stamp (e.g., "Cat. 340-510 DOZ").

Quantities must be stated in whole numbers. Decimals or fractions will not be accepted. Merged category quota merchandise may be accompanied by either the appropriate merged category visa or the correct category visa corresponding to the actual shipment (e.g., Categories 347/348 may be visaed as 347/348 or if the shipment consists solely of Category 347 merchandise, the shipment may be visaed as "Category 347," but not as "Category 348").

U.S. Customs shall not permit entry if the shipment does not have a visa, or if the visa number, date of issuance, signature, category, quantity or units of quantity are missing, incorrect or illegible, or have been crossed out or altered in any way. If the quantity indicated on the visa is less than that of the

shipment, entry shall not be permitted. If the quantity indicated on the visa is more than that of the shipment, entry shall be permitted and only the amount entered shall be charged to any applicable quota.

If the visa is not acceptable then a new visa must be obtained from the Malaysian Government or a visa waiver may be issued by the U.S. Department of Commerce at the request of the Government of Malaysia and presented to the U.S. Customs Service before any portion of the shipment will be released. The waiver, if used, only waives the requirement to present a visa with the shipment. It does not waive the quota requirement.

If the visaed invoice is deficient, the U.S. Customs Service will not return the original document after entry, but will provide a certified copy of that visaed invoice for use in obtaining a new correct original visaed invoice, or a visa waiver.

If a shipment from Malaysia has been allowed entry into the commerce of the United States with either an incorrect visa or no visa, and redelivery is requested but cannot be made, the shipment will be charged to the correct category limit whether or not a replacement visa or waiver is provided.

ELVIS Requirements:

A. Each ELVIS message will include the following information:

I. The visa number. The visa number shall be in the standard nine digit letter format, beginning with one numeric digit for the last digit of the year of export, followed by the two character alpha country code specified by the International Organization for Standardization (ISO) (the code for Malaysia is "MY"), and a six digit numerical serial number identifying the shipment; e.g., 7MY123456.

II. The date of issuance. The date of issuance shall be the day, month and year on which the visa was issued.

III. The correct category(s), merged category(s), part category(s), quantity(s) and unit(s) of quantity in the shipment as set forth in the U.S. Department of Commerce Correlation and in the Harmonized Tariff Schedule of the United States, annotated or successor documents.

IV. The quantity of the shipment in the correct units of quantity.

V. The manufacturer ID code.

B. Entry of a shipment shall not be permitted:

I. if an ELVIS transmission has not been received for the shipment from the country of origin;

II. if the ELVIS transmission for that shipment is missing any of the following:

- a. visa number
- b. category or part category
- c. quantity
- d. unit of measure
- e. date of issuance
- f. manufacturer ID number

III. if the ELVIS transmission for the shipment does not match the information supplied by the importer or the Customs Broker acting as an agent on behalf of the importer, with regard to any of the following:

- a. visa number
- b. category or part category
- c. unit of measure

IV. if the quantity being entered is greater than the quantity transmitted.

V. if the visa number has previously been used, except in the case of a split shipment, or cancelled, except when an entry has already been made using the visa number.

C. A new, correct ELVIS transmission from the country of origin is required before a shipment that has been denied entry for one of the circumstances mentioned in paragraph B.I-V will be released. Visa waivers will only be considered for legitimate classification purposes, or for paragraph B.I-V if the shipment qualifies as a one-time special purpose shipment that is not part of an ongoing commercial enterprise.

D. A new, correct ELVIS transmission from the country of origin is required for entries made using a visa waiver under the procedures as previously described.

E. Shipments will not be released for forty-eight hours in the event of a system failure. If system failure exceeds forty-eight hours, for the remaining period of the system failure the U.S. Customs Service will release shipments on the basis of the paper visaed document.

If import quotas are in force, U.S. Customs Service shall charge only the actual quantity in the shipment to the correct category limit. If a shipment from Malaysia has been allowed entry into the commerce of the United States with an incorrect visa, no visa, an incorrect ELVIS transmission, or no ELVIS transmission, and redelivery is requested but cannot be made, the shipment will be charged to the correct category limit whether or not a replacement visa or waiver is provided or a new ELVIS message is transmitted.

Exempt certification requirements:

Shipments of certified hand printed batik, defined as fabric to which the design has been applied by hand in units of the Malaysian cottage industry, shall be exempt from the quota levels if they are certified prior to leaving Malaysia, by the placing of the original rectangular-shaped stamped marking in blue ink on the front of the original commercial invoice. The original exempt certification shall not be affixed to duplicate copies of the invoice. The original copy of the invoice with the original exempt certification will be required to enter the shipment into the United States. Duplicate copies of the invoice and/or exempt certification may not be used.

Textiles and textile articles provided for in the exempt certification system are exempt from the levels of restraint, and visa and ELVIS requirements if they are properly

certified, prior to the shipment leaving Malaysia.

Each certification stamp shall include the following information:

1. Date of issuance
2. Signature of issuing official
3. The basis for the exemption, which shall be noted as:

a. hand printed batik
b. the name of the particular traditional folklore handicraft product (Malaysian item) as cited in a list to be agreed upon by the Government of the United States and Malaysia.

Should a shipment be exported from Malaysia with an incorrect exempt certification (i.e., the date of issuance, signature or basis for exemption is missing, incorrect or illegible or has been crossed out or altered in any way), then the exempt certification will not be accepted and entry shall not be permitted until a replacement certification is issued.

Should a shipment be exported from Malaysia without an exempt certification being issued prior to the date of exportation or if the merchandise does not qualify for the exemption, then an exempt certification will not be accepted and entry shall not be permitted. In such a case, a visa or a visa waiver must be obtained, and an ELVIS transmission sent, prior to release of any portion of the shipment. If quotas are in force, the shipment will be charged to the appropriate quota level.

Other Provisions.

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked commercial sample shipments valued at U.S.\$250 or less, do not require a visa, exempt certification, or ELVIS transmission for entry and shall not be charged to agreement levels, if applicable.

Any shipment which is not accompanied by a valid and correct visa with an ELVIS transmission or exempt certification in accordance with the foregoing provisions shall be denied entry by the Government of the United States unless the Government of Malaysia authorizes the entry and any charges to the agreement levels.

The visa and certification stamps remain unchanged.

The actions taken concerning the Government of Malaysia with respect to imports of textiles and textile products in the foregoing categories have been determined by the Committee for the Implementation of Textile Agreements to involve foreign affairs functions of the United States. Therefore, these directions to the Commissioner of Customs, which are necessary for the implementation of such actions, fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1). This letter will be published in the **Federal Register**.

Sincerely,
Troy H. Cribb,
Chairman, Committee for the Implementation
of Textile Agreements.

Annex A

Part Categories

438-W Women's and girls' knit shirts and blouses: only HTS numbers
6104.21.0060,
6104.23.0020,
6104.29.2051,
6106.20.1010,
6106.20.1020,
6106.90.1010,
6106.90.1020,
6106.90.2520,
6106.90.3020,
6109.90.1540,
6109.90.8020,
6110.10.2080,
6110.30.1560,
6110.90.9074 and
6114.10.0040.

438-O Men's and boys' knit shirts: only HTS numbers
6103.21.0050,
6103.23.0025,
6105.20.1000,
6105.90.1000,
6105.90.8020,
6109.90.1520,
6110.10.2070,
6110.30.1550,
6110.90.9072,
6114.10.0020 and
6117.90.9025.

647-K Men's and boys trousers, breeches and shorts: only HTS numbers
6103.23.0040,
6103.23.0045,
6103.29.1020,
6103.29.1030,
6103.43.1520,
6103.43.1540,
6103.43.1550,
6103.43.1570,
6103.49.1020,
6103.49.1060,
6103.49.8014,
6112.12.0050,
6112.19.1050,
6112.20.1060 and
6113.00.9044.

Annex A—Continued

648-K

Women's and girls' trousers, breeches and shorts: only HTS numbers
6104.23.0032,
6104.23.0034,
6104.29.1030,
6104.29.1040,
6104.29.2038,
6104.63.2006,
6104.63.2011,
6104.63.2026,
6104.63.2028,
6104.63.2030,
6104.63.2060,
6104.69.2030,
6104.69.2060,
6104.69.8026,
6112.12.0060,
6112.19.1060,
6112.20.1070,
6113.00.9052 and
6117.90.9070.

Merged Categories and Subcategories

300/301
331/631
333/334/335/835 (Subcategories 335, 835)
336/636
338/339
340/640
341/641 (Subcategory 341)
342/642/842
347/348
350/650
351/651
445/446
613/614/615/617
634/635
638/639
645/646
647/648

[FR Doc. 97-9886 Filed 4-16-97; 8:45 am]

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DEPARTMENT OF DEFENSE

GENERAL SERVICES ADMINISTRATION

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[OMB Control No. 9000-0079]

Proposed Collection; Comment Request Entitled Corporate Aircraft Costs

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Notice of request for public comments regarding an extension to an existing OMB clearance (9000-0079).

SUMMARY: Under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Federal Acquisition Regulation (FAR) Secretariat will be submitting to the Office of Management and Budget (OMB) a request to review and approve an extension of a currently approved information collection requirement concerning Corporate Aircraft Costs. This OMB clearance expires on June 30, 1997.

DATES: *Comment Due Date:* June 16, 1997.

ADDRESSES: Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, should be submitted to: FAR Desk Officer, OMB, Room 10102, NEOB, Washington, DC 20503, and a copy to the General Services Administration, FAR Secretariat, 18th & F Streets, NW., Room 4037, Washington, DC 20405. Please cite OMB Control No. 9000-0079 in all correspondence.

FOR FURTHER INFORMATION CONTACT: Jerry Olson, Office of Federal Acquisition Policy, GSA (202) 501-3221.

SUPPLEMENTARY INFORMATION:

A. Purpose

Government contractors that use company aircraft must maintain logs of flights containing specified information to ensure that costs are properly charged against Government contracts and that directly associated costs of unallowable activities are not charged to such contracts.

B. Annual Recordkeeping Burden

The annual recordkeeping burden is estimated as follows: *Recordkeepers, 3,000; hours per recordkeeper, 6; and total recordkeeping burden hours, 18,000.*

Obtaining Copies of Proposals

Requester may obtain a copy the of the justification from the General Services Administration, FAR Secretariat (VRS), Room 4037, Washington, DC 20405, telephone (202) 501-4755. Please cite OMB Control No. 9000-0079, Corporate Aircraft Costs, in all correspondence.

Dated: April 10, 1997.

Sharon A. Kiser,
FAR Secretariat.

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