

Broadway, Saugus, MA 01906; telephone: (781) 231-0422

The committee and panel will review draft enforcement guidelines for Council consideration.

*Monday, June 28, 1999, 9:30 a.m.—* Habitat Committee and Advisory Panel Joint Meeting

Location: Sheraton Plymouth Inn, 180 Water Street Plymouth, MA 02360; telephone: (508) 747-4900.

The committee and panel will review the 1999 Habitat Annual Review Report and consider recommending additional Habitat Areas of Particular Concern, in addition to measures to protect essential fish habitat (EFH). The committee also will consider habitat-related issues to be addressed during development of the next Groundfish and Sea Scallop Amendments. They will review NMFS's EFH consultation process and coordination criteria.

Although other issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal Council action during this meeting. Council action will be restricted to those issues specifically listed in this notice.

#### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Paul J. Howard (see ADDRESSES) at least 5 days prior to the meeting dates.

Dated: May 25, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 99-13827 Filed 5-28-99; 8:45 am]

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## DEPARTMENT OF COMMERCE

### National Oceanic and Atmospheric Administration

[I.D. 052499F]

#### Pacific Fishery Management Council; Public Meetings

**AGENCY:** National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

**ACTION:** Notice of public meetings.

**SUMMARY:** The Pacific Fishery Management Council (Council) and its advisory entities will hold public meetings.

**DATES:** The Council and its advisory entities will meet June 20-25, 1999. The Council meeting will begin on Tuesday, June 22, at 8 a.m., reconvening each day through Friday. All meetings are open to the public, except a closed session will be held from 8 a.m. until 8:30 a.m. on Thursday, June 24 to address litigation and personnel matters. The Council will meet as late as necessary each day to complete its scheduled business.

**ADDRESSES:** The meetings will be held at the Sheraton Portland Airport Hotel, 8235 NE Airport Way, Portland, OR; telephone: (503) 281-2500.

*Council address:* Pacific Fishery Management Council, 2130 SW Fifth Avenue, Suite 224, Portland, OR 97201.

**FOR FURTHER INFORMATION CONTACT:** Lawrence D. Six, Executive Director; telephone: (503) 326-6352.

**SUPPLEMENTARY INFORMATION:** The following items are on the Council agenda, but not necessarily in this order:

- A. Call to Order
  1. Opening Remarks, Introductions, Roll Call
  2. Approve Agenda
  3. Approve March and April Meeting Minutes
- B. Coastal Pelagic Species Management
  1. Status of Approval of Fishery Management Plan
  2. Anchovy Biomass Estimate and Quotas for 1999-2000 Season
- C. Highly Migratory Species Management - Determine Need for Council Fishery Management Plan
- D. Salmon Management
  1. Sequence of Events and Status of Fisheries
  2. Revisions to the Preseason Process
  3. Non-Retention Mortality in Ocean Salmon Fisheries
  4. Options to Recover Snake River Chinook Salmon
- E. Marine Reserves - Council Direction to Committee
- F. Habitat Issues
  1. Groundfish Habitat Areas of Particular Concern
  2. Other Issues
- G. Groundfish Management
  1. Status of Federal Regulations and Activities and Applications for Exempted Fishing Permits
  2. Status Reports on Review of Groundfish Priorities, Recreational Fishery Data Collection Issues, the Fixed Gear Sablefish Industry Meeting, the Ability to Address Permit Stacking in 1999, Experimental Setnet Landings as Qualification for Sablefish Tier Assignment, Industry Survey of Buyback Program, Process Required to Allow Use of Open Access Hook-and-Line Gear by Fixed Gear Limited Entry

Permit Holders, Harvest Policy Review, Rockfish Stock Status, and Bycatch Issues

3. Strategic Planning
4. Stock Assessment Priorities for 2000
5. Consistency of California Rockfish Size Limits with Groundfish Plan
6. Status of Fisheries and Inseason Adjustments
7. Observer Program
8. Control Date for Potential Limited Access in the Open Access Fishery
9. Rebuilding Plans for Lingcod, Bocaccio, and Pacific Ocean Perch, Including Allocation and Bycatch Reduction
10. Rockfish Allocation
11. Groundfish Priorities and Schedules
- H. Administrative and Other Matters
  1. Report of the Budget Committee
  2. Status of Legislation
  3. Appointments to Advisory Groups
  4. Revisions to Statement of Organization, Practices, and Procedures
  5. Draft Agenda for September 1999

#### Advisory Meetings

The Groundfish Management Team will convene on Sunday, June 20, at 2 p.m. and on Monday, June 21, at 8 a.m. to address groundfish issues on the Council agenda.

The Scientific and Statistical Committee will convene on Monday, June 21, at 8:30 a.m. and on Tuesday, June 22, at 8 a.m. to address scientific issues on the Council agenda.

The Habitat Steering Group meets at 9 a.m. on Monday, June 21, to address issues and actions affecting habitat of fish species managed by the Council.

The Groundfish Advisory Subpanel will convene on Monday, June 21, at 1 p.m. and will continue to meet throughout the week as necessary to address groundfish management items on the Council.

The Ad-Hoc Salmon Mortality Committee will meet on Monday, June 21, at 1 p.m. to discuss estimation of hook-and-release mortality for ocean salmon fisheries.

The Budget Committee meets on Monday, June 21 at 3 p.m. to review the status of the 1999 Council budget.

The Enforcement Consultants meet at 5:30 p.m. on Tuesday, June 22, to address enforcement issues relating to Council agenda items.

Although other issues not contained in this agenda may come before this Council for discussion, in accordance with the Magnuson-Stevens Fishery Conservation and Management Act, those issues may not be the subject of formal action during this meeting. Action will be restricted to those issues

specifically identified in the agenda listed in this notice.

### Special Accommodations

These meetings are physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to Mr. John S. Rhoton at (503) 326-6352 at least 5 days prior to the meeting date.

Dated: May 25, 1999.

**Bruce C. Morehead,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*

[FR Doc. 99-13826 Filed 5-28-99; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### Performance of Certain Functions by National Futures Association With Respect to Those Domestic and Foreign Firms Acting in the Capacity of a Commodity Pool Operator or a Commodity Trading Advisor

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice and order.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") is authorizing the National Futures Association ("NFA") to conduct reviews of disclosure documents required to be filed with the Commission pursuant to Rule 30.6(b)(2) by firms acting in the capacity of commodity pool operators ("CPOs") and commodity trading advisors ("CTAs").<sup>1</sup> Further, the Commission is authorizing NFA to maintain and serve as the official custodian of certain Commission records.

**EFFECTIVE DATE:** July 1, 1999.

**FOR FURTHER INFORMATION CONTACT:**

Laurie Plessala Duperier, Special Counsel, or Andrew Chapin, Staff Attorney, Division of Trading and Markets, Commodity Futures Trading Commission, 1155 21st Street, N.W., Washington, D.C. 20581. Telephone: (202) 418-5430.

### Order Authorizing the Performance of Certain Functions With Respect to U.S. and Non-U.S. Firms

#### I. Authority and Background

Section 8a(10) of the Commodity Exchange Act<sup>2</sup> ("Act") 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<sup>3</sup> and subject to the provisions of the Act applicable to registrations granted by the Commission. Section 17(o)(1) of the Act<sup>4</sup> provides that the Commission may require NFA to perform Commission registration functions in accordance with the Act and NFA rules. NFA has confirmed its willingness to perform certain functions now performed by the Commission and has provided the Commission with a detailed proposal setting forth standards and procedures to be followed and reports to be generated in administering the functions discussed below.<sup>5</sup>

Upon consideration, the Commission has determined to authorize NFA, effective July 1, 1999, to conduct reviews of disclosure documents required to be filed pursuant to Rule 30.6(b)(2) by firms registered or required to be registered as CPOs or CTAs under Part 30, or exempt from registration pursuant to Rule 30.5, and to maintain and serve as the official custodian of records for these disclosure documents.

#### Compliance With Rule 30.6(b)(2)

Rule 30.6(b)(2)<sup>6</sup> requires CPOs and CTAs registered or required to be registered under Part 30, or exempt from registration pursuant to Rule 30.5, to provide a disclosure document<sup>7</sup> to prospective U.S. foreign futures and foreign options customers<sup>8</sup> that do not meet the definition of qualified eligible participants and qualified eligible clients, respectively.<sup>9</sup> Rule 30.6(b)(2) also requires CPOs and CTAs to file the disclosure documents with the Commission in accordance with Rule

4.26(d) and 4.36(d), respectively.<sup>10</sup> Pursuant to an October 6, 1997 delegation order, the Commission authorized NFA to review disclosure documents required to be filed with the Commission by CPOs and CTA pursuant to Rules 4.26(d) and 4.36(d), respectively.<sup>11</sup> In light of NFA's experience in receiving and reviewing disclosure documents filed in accordance with Rules 4.26(d) and 4.36(d), the Commission believes that it is appropriate for NFA to undertake the performance of this function as it relates to Rule 30.6(b)(2). Accordingly, by this Order, NFA is authorized to review all disclosure documents filed pursuant to Rule 30.6(b)(2) by firms registered or required to be registered as CPOs or CTAs under Part 30, or exempt from registration pursuant to Rule 30.5.

#### II. Conclusion and Order

The Commission has determined, in accordance with Sections 8a(10) and 17(o)(1) of the Act, subject to any restriction by a given jurisdiction that information must pass directly between regulatory authorities, to authorize NFA to perform the following functions:

- (1) To conduct reviews of disclosure documents required to be filed with the Commission pursuant to Rule 30.6(b)(2) by firms registered or required to be registered as CPOs or CTAs under Part 30, or exempt from registration pursuant to Rule 30.5; and
- (2) To maintain and to serve as the official custodian of records for the disclosure documents required to Rule 30.6(b)(2).

NFA shall perform these functions in accordance with the standards established by the Act and the regulations and Commission orders issued thereunder and shall provide the Commission with such summaries and periodic reports as the Commission may determine are necessary for the effective oversight of this program.

These determinations are based on the Congressional intent expressed in

<sup>3</sup> 7 U.S.C. 21(j) (1998).

<sup>4</sup> 7 U.S.C. 21(o)(1) (1998).

<sup>5</sup> U.S.C. Letter from Robert K. Wilmouth, President of NFA, to Brooksley Born, Chairperson of the Commission, dated June 20, 1997.

<sup>6</sup> On January 11, 1999, the Commission proposed to amend Rules 30.5 and 30.6. 64 FR 1566 (January 11, 1999).

<sup>7</sup> The information contained in the disclosure document must comply with Rule 4.21 for CPOs and Rule 4.31 for CTAs.

<sup>8</sup> Pursuant to Rule 30.1(c), "foreign futures or foreign options customer" means "any person located in the United States, its territories or possessions who trades in foreign futures or foreign options. *Provided*, That an owner or holder of a proprietary account defined in paragraph (y) or § 1.3 of this Chapter shall not be deemed to be a foreign futures or foreign options customer within §§ 30.6 and 30.7 of this part."

<sup>9</sup> Qualified eligible participants and qualified eligible clients are defined in Rules 4.7(a)(1)(ii) and 4.7(b)(1)(ii), respectively.

<sup>10</sup> Rule 4.26(d)(1) requires that a CPO file a disclosure document with the Commission for each pool that it operates or intends to operate not less than 21 calendar days prior to the date the CPO intends to deliver the document to prospective participants in the pool. Similarly, Rule 4.36(d)(1) requires that a CTA file a disclosure document with the Commission for each trading program that it offers or intends to offer not less than 21 calendar days prior to the date the CTA first intends to deliver the document to a prospective client in the trading program. Further, pursuant to Rules 4.26(d) and 4.36(d), CPOs and CTAs, respectively, must file with the Commission all subsequent amendments to their disclosure documents within 21 calendar days of the date upon which the CPO or CTA first knows or has reason to know of the defect requiring amendment. In addition, CPOs and CTAs may not use their disclosure documents for more than nine months from the effective dates of such documents, in accordance with Rules 4.26(a)(2) and 4.36(a)(2), respectively.

<sup>11</sup> 62 FR 52088 (October 6, 1997).

<sup>1</sup> Commission rules referred to herein are found at 17 CFR Ch. I (1999).

<sup>2</sup> 7 U.S.C. 12a(10) (1998).