

D. Michael Hutchinson,  
Acting Chairman, Committee for the  
Implementation of Textile Agreements.  
[FR Doc. 01-20761 Filed 8-16-01; 8:45 am]  
BILLING CODE 3510-DR-S

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Adjustment of an Import Limit for Certain Cotton Textile Products Produced or Manufactured in the Republic of Turkey

August 13, 2001.

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

**ACTION:** Issuing a directive to the  
Commissioner of Customs increasing a  
limit.

**EFFECTIVE DATE:** August 17, 2001.

**FOR FURTHER INFORMATION CONTACT:** Roy  
Unger, International Trade Specialist,  
Office of Textiles and Apparel, U.S.  
Department of Commerce, (202) 482-  
4212. For information on the quota  
status of this limit, refer to the Quota  
Status Reports posted on the bulletin  
boards of each Customs port, call (202)  
927-5850, or refer to the U.S. Customs  
website at <http://www.customs.gov>. For  
information on embargoes and quota re-  
openings, refer to the Office of Textiles  
and Apparel website at [http://  
otexa.ita.doc.gov](http://otexa.ita.doc.gov).

#### 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 limit for Category 361 is  
being increased for the recrediting of  
unused carryforward.

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 65 FR 82328,  
published on December 28, 2000). Also  
see 65 FR 66730, published on  
November 7, 2000.

#### D. Michael Hutchinson,

Acting Chairman, Committee for the  
Implementation of Textile Agreements.

#### Committee for the Implementation of Textile Agreements

August 13, 2001.

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 October 27, 2000, by the  
Chairman, Committee for the Implementation  
of Textile Agreements. That directive  
concerns imports of certain cotton, wool and  
man-made fiber textile products, produced or  
manufactured in the Republic of Turkey and  
exported during the twelve-month period  
which began on January 1, 2001 and extends  
through December 31, 2001.

Effective on August 17, 2001, you are  
directed to increase the current limit for  
Category 361 to 2,576,045 numbers<sup>1</sup>, as  
provided for under the Uruguay Round  
Agreement on Textiles and Clothing:

The Committee for the Implementation of  
Textile Agreements has determined that this  
action falls within the foreign affairs  
exception of the rulemaking provisions of 5  
U.S.C. 553(a)(1).

Sincerely,  
D. Michael Hutchinson,  
Acting Chairman, Committee for the  
Implementation of Textile Agreements.  
[FR Doc. 01-20763 Filed 8-16-01; 8:45 am]

BILLING CODE 3510-DR-S

## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

### Request for Public Comments on the Elimination of the Paper Visa Requirement for Certain Textile Products Exported from the Philippines

August 13, 2001.

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

**ACTION:** Request for public comments.

**FOR FURTHER INFORMATION CONTACT:** Lori  
Mennitt, Office of Textiles and Apparel,  
U.S. Department of Commerce, (202)  
482-3400.

#### 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.

Pursuant to a textile visa arrangement  
between the United States and the  
Government of the Philippines, certain  
textiles and textile products exported  
from the Philippines must be  
accompanied by a visa issued by the  
Government of the Philippines in order  
to be imported into the United States.  
See 44 FR 68005 (November 28, 1979).

The Electronic Visa Information  
System (ELVIS) allows certain foreign  
governments to electronically transfer  
textile and textile product shipment  
information to the U.S. Customs Service  
and thereby issue a visa electronically.  
On August 18, 1997 (62 FR 43993),

<sup>1</sup> The limit has not been adjusted to account for  
any imports exported after December 31, 2000.

CITA announced that the Government  
of the Philippines would begin an  
ELVIS test implementation phase using  
both paper and electronic visas.

As a result of successful use of the  
dual visa system, preparations are under  
way to move beyond the current dual  
system to the paperless ELVIS system  
with the Philippines. Exempt goods, for  
example cottage industry handwoven  
and handloomed fabrics, handmade  
articles and garments of handwoven and  
handloomed fabric, and traditional  
folklore handicraft products, would still  
require an exempt certification issued  
by the Government of the Philippines.

CITA is soliciting public comments  
on the elimination of the paper visa  
requirement for the Philippines and  
utilization of the ELVIS system  
exclusively. Comments must be  
received on or before October 16, 2001.  
Comments may be mailed to D. Michael  
Hutchinson, Acting Chairman,  
Committee for the Implementation of  
Textile Agreements, room 3001, U.S.  
Department of Commerce, 14th and  
Constitution Avenue, N.W.,  
Washington, DC 20230.

The solicitation of comments is not a  
waiver in any respect of the exemption  
to the rulemaking provisions contained  
in 5 U.S.C. 553(a)(1) relating to matters  
which constitute a foreign affairs  
function of the United States.

#### D. Michael Hutchinson,

Acting Chairman, Committee for the  
Implementation of Textile Agreements.

[FR Doc. 01-20762 Filed 8-16-01; 8:45 am]

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## COMMODITY FUTURES TRADING COMMISSION

### Performance of Notice Registration Processing Functions by National Futures Association With Respect to Certain Securities Brokers and Dealers

**AGENCY:** Commodity Futures Trading  
Commission.

**ACTION:** Notice and order.

**SUMMARY:** The Commodity Futures  
Trading Commission ("Commission") is  
authorizing the National Futures  
Association ("NFA"), effective  
September 17, 2001, to process notice  
registration filings as a futures  
commission merchant ("FCM") or  
introducing broker ("IB") in the case of  
a securities broker or dealer ("BD")  
registered with the Securities and  
Exchange Commission ("SEC") that,  
among other things, limits its  
involvement with commodity futures  
contracts to security futures products. In

addition, the Commission also is authorizing NFA (1) to terminate any such registration in the event the criteria upon which it was based are no longer satisfied, (2) to maintain, on behalf of the Commission, records regarding BDs notice-registered as an FCM or IB, and (3) to serve as the official custodian of those Commission records. This Order does not, however, authorize NFA to grant conditional registrations to BDs notice-registered as an FCM or IB or, except as stated above, to deny, revoke, suspend or take any other adverse actions with respect to such registrations. This Order also does not authorize NFA to accept or act upon requests for exemption, "no-action" or interpretative letters with respect to applicable registration requirements.

**EFFECTIVE DATE:** September 17, 2001.

**FOR FURTHER INFORMATION CONTACT:**

Barbara S. Gold, Assistant Chief Counsel, 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) 418-5450, electronic mail: [bgold@cftc.gov](mailto:bgold@cftc.gov), or [lpatent@cftc.gov](mailto:lpatent@cftc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Authority and Background**

In a separate notice published elsewhere today in the **Federal Register**, the Commission is amending its rules to implement the Congressional mandate in section 252(b) of the Commodity Futures Modernization Act of 2000 ("CFMA")<sup>1</sup> requiring notice registration as an FCM or IB of certain SEC-registered BDs if:

(A) The broker or dealer limits its solicitation of orders, acceptance of orders, or execution of orders, or placing of orders on behalf of others involving any contracts of sale of any commodity for future delivery, on or subject to the rules of any contract market or registered derivatives transaction execution facility to security futures products;

(B) The broker or dealer files written notice with the Commission in such form as the Commission, by rule, may prescribe containing such information as the Commission, by rule, may prescribe as necessary or appropriate in the public interest or for the protection of investors;

(C) The registration of the broker or dealer is not suspended pursuant to an order of the Securities and Exchange Commission; and

(D) The broker or dealer is a member of a national securities association registered pursuant to section 15A(a) of the Securities Exchange Act of 1934.

Specifically, the Commission is amending Rule 3.10 by adding paragraph (a)(3) to provide for such notice registration.<sup>2</sup>

As proposed and as adopted, Rule 3.10(a)(3) provides that this notice registration may be made "by following such procedures . . . as may be specified" by NFA. As the Commission explained in proposing paragraph (a)(3), this is consistent with the Commission's previous delegations of registration authority to NFA under Rule 3.2 and through various Commission orders.<sup>3</sup> The Commission further explained that this also is consistent with section 125 of the CFMA, which requires the Commission to report to Congress later this year on a study of the CEA and the Commission's rules, regulations and orders governing the conduct of persons required to be registered under the CEA. In this regard, the Commission noted that one area that the study must identify is "the regulatory functions the Commission currently performs that can be delegated to a registered futures association."<sup>4</sup>

NFA Registration Rule 204, like Commission Rule 3.10, concerns the registration of persons as FCMs and IBs. On May 17, 2001, NFA's Board of Directors approved a proposed amendment to Rule 204 so as to conform NFA's rule to that proposed by the Commission for notice registration of certain BDs as an FCM or IB.<sup>5</sup>

Upon consideration, the Commission has determined to authorize NFA, effective September 17, 2001, to perform notice registration functions as set forth in Rule 3.10 in accordance with the standards established by section 4f(a)(2) of the CEA. The Commission is further

<sup>2</sup> Commission rules referred to herein generally are found in 17 CFR Ch. I (2001).

<sup>3</sup> See, e.g., 48 FR 15940 (April 13, 1983); 48 FR 35158 (August 3, 1983). Section 8a(10) of the Act, 7 U.S.C. 12a(10), provides that the Commission may authorize any person to perform any portion of the registration functions under the CEA, 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 CEA, 7 U.S.C. 21(j), and subject to the provisions of the CEA applicable to registrations granted by the Commission. See also section 17(o) of the CEA, 7 U.S.C. 21(o).

<sup>4</sup> See 66 FR 27476 at 27478 (May 17, 2001).

<sup>5</sup> NFA's proposed amendments to Rule 204 also provide that notice registration under that rule "shall be terminated immediately if any of the conditions set for [such] registration are no longer satisfied." Inasmuch as the Commission adopted as proposed the amendments to Rule 3.10, the Commission similarly approved as proposed NFA's amendments to Rule 204.

authorizing NFA, under specified conditions, to terminate any such registration and to perform records custodian functions with respect to notice registration under Rule 3.10. Concurrently, the Commission is separately approving on this date NFA's proposed amendment to its Registration Rule 204.<sup>6</sup>

The Commission further notes that section 17(p)(1) of the CEA<sup>7</sup> requires that each registered futures association (such as NFA) "establish training standards and proficiency testing for \* \* \* all persons for which it has registration responsibilities." While this provision of the CEA would appear to require NFA to establish testing requirements for securities BD applicants for notice registration as an FCM or IB, the Commission believes that it is not the intent of Congress to require testing of these applicants. This is because section 252(c) of the CFMA provides that a BD notice-registered as an FCM or IB "shall not be required to become a member of any futures association registered under section 17."<sup>8</sup> The Commission also notes that testing requirements are generally intended to apply to associated persons, and associated persons of BDs that notice register as an FCM or IB are specifically exempted from registration under section 4k(5) of the Act, as added by Section 252(d) of the CFMA. In light of the foregoing, the Commission has determined to adopt a "no-action" position with respect to the establishment by NFA of a proficiency testing requirement for BDs who notice register as FCMs or IBs. Accordingly, the Commission will not institute any enforcement action under section 17(p)(1) of the CEA against NFA based solely upon NFA's failure to establish training standards and proficiency testing for these BDs even though NFA is being authorized to perform certain registration functions with respect to these BDs.<sup>9</sup>

<sup>6</sup> Notice registration will be made on Notice Form 7-R, which was included in the NFA notice registration submission that the Commission approved.

<sup>7</sup> 7 U.S.C. 21(p)(1).

<sup>8</sup> This provision has been codified at section 4f(a)(4)(C) of the CEA. In proposing amendments to Rule 3.10 the Commission explained that: (a) although the Commission cannot require NFA to perform registration functions for persons that are not NFA members, the Commission may authorize NFA to perform any registration function. Commission staff have discussed this matter with NFA, and NFA has agreed to undertake the function of processing notice registrations for BDs as discussed herein. If the Commission adopts these amendments to Rule 3.10, it expects to issue an order authorizing NFA to perform this function. 66 FR 27476 at 27478.

<sup>9</sup> This treatment of NFA concerning testing requirements for these BDs is similar to the

<sup>1</sup> Pub. L. 106-554, 114 Stat. 2763. The provision in question will be codified at Section 4f(a)(2) of the Commodity Exchange Act ("CEA"), 7 U.S.C. 6f(a)(2).

Because the CFMA speaks in terms of a "broker or dealer," the term "BD as used in this release applies equally to a broker, a dealer or a person registered as both a broker and a dealer.

Section 17(o)(2) of the CEA provides that the Commission may authorize NFA, in performing Commission registration functions, to deny, condition, suspend, restrict or revoke any registration, subject to Commission review.<sup>10</sup> As stated above, NFA Registration Rule 204, which the Commission has today approved, provides that BD notice registration as an FCM or IB "shall be terminated immediately if the other conditions set for [such] registration are no longer satisfied." The Commission is not at this time, however, authorizing NFA to take any other adverse registration actions with respect to the BD notice registration applications that it processes pursuant to this Order. This is consistent with Section 252 of the CFMA.

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 agency.<sup>11</sup> The Commission has now determined, in accordance with its authority under section 8a(10) of the CEA,<sup>12</sup> to authorize NFA to maintain and serve as official custodian of the Commission's registration records with respect to BDs notice-registered as an FCM or IB.

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.<sup>13</sup> In this regard, NFA shall also implement such additional procedures (or modify existing procedures) as are necessary to ensure the security and integrity of the BD notice-registered records in NFA's custody as acceptable to the Commission; 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

Commission's position regarding testing requirements for floor traders. See 58 FR 19657 at 19658 (April 15, 1993). The Commission further notes, however, that the futures and securities industry self-regulatory organizations, including NFA, are developing enhancements to existing proficiency examinations, as well as training modules for existing registrants, so that industry professionals will be aware of their responsibilities to the public concerning security futures products.

<sup>10</sup> 7 U.S.C. 21(o)(2).

<sup>11</sup> See, e.g., 49 FR 39593 (October 9, 1984).

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

<sup>13</sup> See, e.g., 49 FR 39593 at 39595-97.

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 CEA, to authorize NFA, effective September 17, 2001, to perform the following registration functions:

(1) To receive and maintain filings for notice registration under the Commodity Exchange Act as a futures commission merchant or introducing broker by those brokers and dealers registered with the Securities and Exchange Commission who meet the requirements of NFA Registration Rule 204;

(2) To terminate the notice registration of a registered broker or dealer as a futures commission merchant or introducing broker where the broker or dealer no longer meets the requirements of NFA Registration Rule 204; and

(3) To maintain records regarding brokers and dealers notice-registered as a futures commission merchant or introducing broker and to serve as the official custodian of those Commission records.

NFA shall perform these functions in accordance with the standards established by the CEA and the regulations promulgated thereunder.

These determinations are based upon the Congressional intent expressed in sections 8a(10) and 17(o) of the CEA and section 125 of the CFMA. This Order does not, however, authorize NFA to accept or act upon requests for exemption from registration, to render "no-action" or interpretative letters with respect to applicable registration requirements, to grant conditional registrations, or, except as stated in item (2) above, to deny or take any other adverse action with respect to such registrations.

Nothing in this Order or in sections 8a(10) or 17 of the CEA or in section 125 of the CFMA shall affect the Commission's authority to review the performance by NFA of Commission registration functions.<sup>14</sup>

Issued in Washington, DC on August 10, 2001.

**Jean A. Webb,**

*Secretary of the Commission.*

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<sup>14</sup> See also section 17(o)(3) of the CEA, 7 U.S.C. 21(o)(3).

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### Proposed Collection; Comment Request

**AGENCY:** Office of the Assistant Secretary of Defense for Health Affairs, DoD.

**ACTION:** Notice.

In accordance with section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense for Health Affairs announces the proposed extension 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 the burden of the 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 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 October 16, 2001.

**ADDRESSES:** Written comments and recommendations on the information collection should be sent to LTC Thomas V. Williams, Ph.D., M.S., U.S.A., Dir., Program Evaluation TRICARE Management Activity; HPA&E, 5111 Leesburg Pike, Suite 810, Falls Church, VA 22041.

**FOR FURTHER INFORMATION CONTACT:** Please refer to the information cited above.

*Title, Associated Form, and OMB Number:* Military Health System (MHS) Provider Survey in Military Treatment Facilities (MTF).

*Needs and Uses:* The purpose of this project is to design and pilot test a survey of direct care providers within Region 1 followed by a full deployment of the survey in future years. The MHS Provider Survey is intended to provide Department of Defense (DoD) with data that contributes to the delivery of high quality healthcare. The perspective of prescriptive providers has not been collected systematically despite their important role in delivering care within the constraints of limited resources and complicated guidelines. The first goal of this work is to gain insight of direct care providers who provide care at MTFs regarding the challenges associated with