

*et seq.*), the regulations governing the taking, importing, and exporting of endangered and threatened species (50 CFR parts 222–226), and the Fur Seal Act of 1966, as amended (16 U.S.C. 1151 *et seq.*).

File No. 704–1698: The University of Alaska Museum is authorized to take, import and export specimen samples (whole carcasses; hard and soft parts) from all marine mammal species (pinnipeds and cetaceans) under NMFS jurisdiction. The objective of this permit is to archive specimens for future bona fide research at the University of Alaska and other institutions in the U.S. and world-wide.

File No. 1044–1706: TASSC is authorized to take, import and export parts and tissues from marine mammals taken from legally subsistence hunted Steller sea lions and other species. The objectives of this research are to promote Alaska Native participation in Steller sea lion conservation and management; assess the health and condition of Steller sea lions through biological data and tissue collection; educate and inform the public on the traditional and contemporary relationship between the Steller sea lion and Alaska Natives; and work with regulatory agencies toward the common goal of enhancing and protecting healthy Steller sea lion populations.

Issuance of these permits, as required by the ESA, was based on a finding that such permits (1) were applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of these permits, and (3) are consistent with the purposes and policies set forth in section 2 of the ESA.

Dated: December 12, 2003.

**Stephen L. Leathery,**

*Chief, Permits, Conservation and Education Division, Office of Protected Resources, National Marine Fisheries Service.*

[FR Doc. 03–31228 Filed 12–17–03; 8:45 am]

BILLING CODE 3510–22–S

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**Establishment of Import Limits for Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in Belarus**

December 12, 2003.

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

**ACTION:** Issuing a directive to the Commissioner, Bureau of Customs and Border Protection establishing limits.

**EFFECTIVE DATE:** January 1, 2004.

**FOR FURTHER INFORMATION CONTACT:** Naomi Freeman, 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, call (202) 927-5850, or refer to the Bureau of Customs and Border Protection Web site at <http://www.customs.gov>. For information on embargoes and quota re-openings, refer to the Office of Textiles and Apparel Web site at <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 Bilateral Textile Memorandum of Understanding dated January 10, 2003 between the Governments of the United States and Belarus establishes limits for the period January 1, 2004 through December 31, 2004.

These limits may be revised if Belarus becomes a member of the World Trade Organization (WTO) and the United States applies the WTO agreement to Belarus.

In the letter published below, the Chairman of CITA directs the Commissioner, Bureau of Customs and Border Protection to establish the limits.

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 68 FR 1599, published on January 13, 2003). Information regarding the availability of the 2004 **CORRELATION** will be published in the **Federal Register** at a later date.

**James C. Leonard III,**

*Chairman, Committee for the Implementation of Textile Agreements.*

**Committee for the Implementation of Textile Agreements**

December 12, 2003.

Commissioner,  
*Bureau of Customs and Border Protection,  
Washington, DC 20229.*

Dear Commissioner: Pursuant to section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Executive Order 11651 of March 3, 1972, as amended; you are directed to prohibit, effective on January 1, 2004, entry into the United States for consumption and withdrawal from

warehouse for consumption of textiles and textile products in the following categories, produced or manufactured in Belarus and exported during the twelve-month period beginning on January 1, 2004 and extending through December 31, 2004:

Category	Twelve-month restraint limit
622 .....	9,646,000 square meters of which not more than 1,590,000 square meters shall be in Category 622-L <sup>1</sup> .
435 .....	67,320 dozen.
448 .....	34,680 dozen.

<sup>1</sup> Category 622-L: only HTS numbers 7019.51.9010, 7019.52.4010, 7019.52.9010, 7019.59.4010, and 7019.59.9010.

Products in the above categories exported during 2003 shall be charged to the applicable category limit and sublimit for that year (see directive dated January 21, 2003) to the extent of any unfilled balance. In the event the limit and sublimit established for that period have been exhausted by previous entries, such products shall be charged to the limit and sublimit set forth in this directive.

The limits set forth above are subject to adjustment pursuant to the current bilateral agreement between the Governments of the United States and Belarus.

This limits may be revised if Belarus becomes a member of the World Trade Organization (WTO) and the United States applies the WTO agreement to Belarus.

In carrying out the above directions, the Commissioner, Bureau of Customs and Border Protection should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

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

[FR Doc. E3–00585 Filed 12–17–03; 8:45 am]

BILLING CODE 3510–DR–S

**COMMODITY FUTURES TRADING COMMISSION**

**In the Matter of Intermarket Clearing Corporation—Request for Vacation From Designation as Derivatives Clearing Organization**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Proposed order.

**SUMMARY:** In response to a request by the Intermarket Clearing Corporation (“ICC”), the Commodity Futures Trading Commission (“Commission” or

“CFTC”) is proposing to issue an order vacating ICC’s designation as a Derivatives Clearing Organization (“DCO”).

**ADDRESSES:** Interested persons should submit their views and comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418–5521, or by electronic mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to “ICC”.

**DATES:** Comments must be received by December 23, 2003.

**FOR FURTHER INFORMATION CONTACT:** R. Trabue Bland, Attorney, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418–5430. E-mail: [tbland@cftc.gov](mailto:tbland@cftc.gov).

**SUPPLEMENTARY INFORMATION:**

**I. Statutory Background**

Section 5b(d) of the Commodity Exchange Act<sup>1</sup> provides that DCOs that clear contracts for boards of trade designated by the Commission as contract markets prior to a certain date are deemed registered with the Commission. Under section 1a(29)(C) of the Act, registered DCOs are “registered entities.” Section 7 of the Act<sup>2</sup> provides that “any person that has been designated or registered as a registered entity in the manner herein provided may have such designation or registration vacated and set aside by giving notice to the Commission requesting that its designation or registration as a registered entity be vacated, which notice shall be served at least ninety days prior to the date named therein as the date when vacation of designation or registration shall take effect.” ICC has requested that the vacation of its registration take place before the expiration of the ninety-day period. In response to the request, the Commission is proposing to exempt ICC from the notice requirements of section 7 of the Act pursuant to section 4(c) of the Act,<sup>3</sup> which gives the Commission broad exemptive authority and then vacate ICC’s registration.

**II. Request for Vacation of Registration**

*A. Background*

By letter to the Division of Clearing Intermediary Oversight, the ICC

submitted a request for the vacation of registration.<sup>4</sup> The ICC is a registered DCO under section 5b(d) of the Act and thus a registered entity as defined in section 1a(29)(C) of the Act. The ICC is a wholly owned subsidiary of The Options Clearing Corporation (“OCC”), another registered DCO. For the past several years, ICC has not engaged in any clearing activities, and thus the OCC wishes to merge the ICC into the OCC. At the completion of the merger, ICC will cease to exist as a corporate entity. Therefore, the ICC requests that the Commission vacate the registration of ICC as a DCO.

Section 7 of the Act allows “any person that has been designated or registered as a registered entity in the manner herein provided may have such designation or registration vacated and set aside by giving notice to the Commission requesting that its designation or registration as a registered entity be vacated, which notice shall be served at least ninety days prior to the date named therein as the date when vacation of designation or registration shall take effect.” ICC served notice to the Commission on November 17, 2003. However, the merger of ICC and OCC will take place before the end of the calendar year 2003, which will occur before the expiration of the ninety-day notice requirement required by section 7 of the Act. Therefore, at ICC’s request, pursuant to section 4(c) of the Act, the Commission proposes to exempt ICC from section 7’s 90-day notice requirement.

*B. Public Interest Considerations*

This proposed order is waiving the section 7 90-day notice requirement pursuant to section 4(c) of the Act, which grants the Commission broad exemptive authority. Section 4(c) of the Act provides that, in order to promote responsible economic or financial innovation and fair competition, the Commission “may, by rule, regulation or order, exempt any class of agreements, contracts or transactions, including any person or class of persons offering, entering into, rendering advice or rendering other services with respect to, the agreement, contract, or transaction, from the contract market designation requirement of section 4(a) of the Act, or any other provision of the Act \* \* \* if the Commission

determines that the exemption would be consistent with the public interest.”<sup>5</sup>

As explained above, the ICC has not operated as a clearing entity in a number of years. The merger of ICC into OCC will allow the OCC to streamline its operations. The Commission believes that exempting ICC from the 90-day requirement of section 7 is consistent with the public interest, is consistent with the purposes of the Act and would have no adverse effect on the ability of OCC to fulfill its self-regulatory responsibilities imposed by the Act.

**III. Conclusion**

After consideration of the ICC request, the Commission is proposing to exempt ICC from the 90-day notice requirement of section 7 of the Act. Furthermore, the Commission proposes to vacate the Intermarket Clearing Corporation’s registration as a derivatives clearing organization upon completion of the merger between ICC and OCC.

The Commission specifically invites comment on whether it should vacate the registration of ICC and whether the Commission should exempt ICC from the 90-day notice requirement of section 7. In addition to issues specified above, the Commission welcomes comment on any aspect of the proposed order.

**IV. Cost-Benefit Analysis**

Section 15(a) of the Act requires the Commission to consider the costs and benefits of its action before issuing a new regulation or order under the Act. By its terms, section 15(a) does not require the Commission to quantify the costs and benefits of a new regulation or to determine whether the benefits of the proposed regulation outweigh its costs. Rather, section 15(a) simply requires the Commission to “consider the costs and benefits” of its action.

Section 15(a) further specifies that costs and benefits shall be evaluated in light of five broad areas of market and public concern: Protection of market participants and the public; efficiency, competitiveness, and financial integrity of futures markets; price discovery; sound risk management practices; and other public interest considerations. Accordingly, the Commission could in its discretion give greater weight to any one of the five enumerated areas and could in its discretion determine that, notwithstanding its costs, a particular rule was necessary or appropriate to protect the public interest or to effectuate any of the provisions or to

<sup>1</sup> 7 U.S.C. 7a-1 (2003).

<sup>2</sup> 7 U.S.C. 11 (2003).

<sup>3</sup> 7 U.S.C. 6c (2003).

<sup>4</sup> The letter, dated November 17, 2003, was sent to John Lawton, Deputy Director and Chief Counsel of the Division of Clearing and Intermediary Oversight.

<sup>5</sup> See, e.g. 65 FR 77993 (December 13, 2000) (adopting final rules pursuant to the 4(c) exemption).

accomplish any of the purposes of the Act.

The proposed order is intended to vacate the registration of the ICC, in order to allow the Options Clearing Corporation to merge with the ICC. The Commission has considered the costs and benefits of the order in light of the specific provisions of section 15(a) of the Act.

#### 1. Protection of Market Participants and the Public

The ICC does not provide any clearing services to any designated contract markets. Accordingly, the proposed order should have no effect on the Commission's ability to protect market participation and the public.

#### 2. Efficiency and Competition

The proposed order is not expected to have an effect on efficiency or competition.

#### 3. Financial Integrity of Futures Markets and Price Discovery

The proposed order should have no effect, from the standpoint of imposing costs or creating benefits, on the financial integrity or price discovery function of the commodity futures and options markets.

#### 4. Sound Risk Management Practices

The proposed order should have no effect on sound risk management practices.

#### 5. Other Public Interest Considerations

The proposed order will have the positive effect of allowing the OCC to streamline its operations.

### V. Proposed Order

Upon due consideration, and pursuant to its authority under section 7 of the Act to vacate the designation of a registered entity and pursuant to its authority under section 4(c) of the Act to exempt ICC from the requirement that notice be served within 90 days of vacation, the Commission finds that:

(1) The Intermarket Clearing Corporation ("ICC") is currently registered with the Commission as a derivatives clearing organization ("DOC") under section 5b(d) of the Commodity Exchange Act (the "Act");

(2) ICC has not engaged in activity as a DCO for several years;

(3) ICC proposes to merge into The Options Clearing Corporation, which is also registered as a DCO;

(4) Upon the effectiveness of that merger, ICC will cease to exist as a corporate entity;

(5) ICC has requested that the Commission terminate ICC's registration

as a DCO upon the effectiveness of that merger;

(6) The merger of ICC and OCC will take place before the expiration of the ninety day requirement of section 7 of the Act; and

(7) Exempting ICC from the 90-day requirement of section 7 of the Act will have no adverse effect on any of the regulatory or self-regulatory responsibilities imposed by the Act and will be consistent with the public interest.

Therefore, the Commission hereby orders that ICC's designation as a DCO be and hereby is vacated upon the effectiveness of that merger.

Issued in Washington, DC, on December 12, 2003, by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 03-31220 Filed 12-17-03; 8:45 am]

**BILLING CODE 6351-01-M**

## DEPARTMENT OF DEFENSE

### Department of the Air Force

#### Proposed Collection; Comment Request

**AGENCY:** Department of the Air Force, DoD.

**ACTION:** Notice.

The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35).

*Title, Form Number, and OMB*

*Number:* Application for Establishment of Air Force Junior ROTC Unit; AFOATS Form 59; OMB Number 0701-0114.

*Type of Request:* Extension.

*Number of Respondents:* 1.

*Responses per Respondent:* 1.

*Annual Responses:* 40.

*Average Burden per Response:* 30 minutes.

*Annual Burden Hours:* 20.

*Needs and Uses:* The information collection requirement is necessary to obtain information about schools that would like to host an Air Force Junior ROTC unit. Respondents are high school officials who provide information about their school. The completed form is used to determine the eligibility of the school to host an Air Force JROTC unit.

*Affected Public:* Not-For-Profit Institutions; State, Local or Tribal Government.

*Frequency:* On Occasion.

*Respondent's Obligation:* Required to obtain or retain benefits.

*OMB Desk Officer:* Mr. Edward C. Springer.

Written comments and recommendations on the proposed information collection should be sent to Mr. Springer at Office of Management and Budget, Desk Officer for DoD, Room 10236, new Executive Office Building, Washington DC 20503.

**Pamela Fitzgerald,**

*Air Force Federal Register Liaison Officer.*

[FR Doc. 03-31169 Filed 12-17-03; 8:45 am]

**BILLING CODE 5001-01-P**

## DEPARTMENT OF EDUCATION

### Submission for OMB Review; Comment Request

**AGENCY:** Department of Education.

**SUMMARY:** The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

**DATES:** Interested persons are invited to submit comments on or before January 20, 2004.

**ADDRESSES:** Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Melanie Kadlic, Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503, or should be electronically mailed to the Internet address [Melanie\\_Kadlic@omb.eop.gov](mailto:Melanie_Kadlic@omb.eop.gov).

**SUPPLEMENTARY INFORMATION:** Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early opportunity to comment on information collection requests. OMB may amend or waive the requirement for public consultation to the extent that public participation in the approval process would defeat the purpose of the information collection, violate State or Federal law, or substantially interfere with any agency's ability to perform its statutory obligations. The Leader, Regulatory Information Management Group, Office of the Chief Information Officer, publishes that notice containing proposed information collection requests prior to submission of these requests to OMB. Each proposed information collection, grouped by office, contains the following: (1) Type of review requested, e.g., new, revision, extension, existing or reinstatement; (2)