

Bangladeshi Items—Continued

Borka	A loose overall, two piece garment dress, ankle length, with hood portion containing veil for covering face worn by Muslim women and girls of Bangladesh when going out of the house. Made from cotton or man-made fiber of a solid color, with a full front opening with buttons.
Kurta	A men's or boys' shirt type garment similar to a panjabi, of mid-thigh length of cotton or man-made fiber fabric, with no collar or a one inch stand up collar, with full or half sleeves, with a partial front opening with or without buttons.
Batwa	Small drawstring pouches used by women and girls for carrying betel nut and small personal things. Printed or hand embroidered.
Nakshi Kantha	Traditional hand stitched, extensively hand embroidered, wall hanging with a design depicting rural life or folklore motifs made from cotton, silk, or man-made fibers.
Batik Wall Hangings	Cut pieces of cotton, silk, or man-made fiber fabric that have been printed using the batik process.

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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 Sri Lanka

December 14, 1999.

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: January 1, 2000.

FOR FURTHER INFORMATION CONTACT: Roy Unger, International Trade Specialist, 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.

In exchange of notes dated December 10, 1999, the Governments of the United States and Sri Lanka agreed to amend the existing visa arrangement for 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, 831-859, produced or manufactured in Sri Lanka and exported on and after January 1, 2000. The amended arrangement consolidates existing provisions and new provisions for the Electronic Visa Information System (ELVIS). The Governments of the United States and Sri Lanka will implement a 6-month test phase in which, in addition to the ELVIS requirements, shipments will continue to be accompanied by a visa. This notice supersedes the notice and letter to the Commissioner of Customs, as amended, published in the **Federal Register** on September 7, 1988 (53 FR 34573).

A description of the textile and apparel categories in terms of Categories with the Harmonized Tariff Schedule of the United States (see **Federal Register** notice 63 FR 71096, published on December 23, 1998). Information regarding the 2000 CORRELATION will be published in the **Federal Register** at a later date.

Goods integrated into GATT 1994 in Stage II by the United States will not require a visa or ELVIS transmission (see **Federal Register** notice 63 FR 53881, published on October 7, 1998).

Interested persons are advised to take all necessary steps to ensure that textile products 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

December 14, 1999.

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

Dear Commissioner: This directive supersedes the directive issued to you on September 1, 1988 by the Chairman, Committee for the Implementation of Textile Agreements. 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 Agreement on Textiles and Clothing and the Export Visa Arrangement, effected by

exchange of notes dated December 10, 1999, between the Governments of the United States and Sri Lanka; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on January 1, 2000, 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, 831-859, including part categories and merged categories, produced or manufactured in Sri Lanka and exported on and after January 1, 2000 for which the Government of Sri Lanka has not issued an appropriate export visa and Electronic Visa Information System (ELVIS) transmission fully described below. Should additional categories, part-categories or merged categories become subject to import quotas, 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 shipment of the aforementioned textile products. A circular stamped marking in blue ink will appear on the front of the original 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.

Visa Requirements

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 code specified by the International Organization for Standardization (ISO) (the code for Sri Lanka is "LK"), and a six digit serial number identifying the shipment; e.g., 0LK123456.

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 authorized by the Government of Sri Lanka.

4. The correct category(s), part category(s), merged category(s), quantity(s) and unit(s) of quantity in the shipment in the unit(s) of quantity provided for in Annex A of the Export Visa Arrangement, in the U.S. Department of Commerce Correlation, and in the Harmonized Tariff Schedule of the United States Annotated, or successor document and 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. (For example, quota Category 347/348 may be visaed as "Cat. 347/348" or if the shipment consists solely of Category 347 merchandise, the shipment

may be visaed as "Cat. 347," but not as "Cat. 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, 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.

The categories and units of measure shall be those listed in Annex A of the Export Visa Arrangement and as determined by the U.S. Customs Service.

If the visa is not acceptable then a new correct visa must be obtained from the Government of Sri Lanka or a visa waiver may be issued by the U.S. Department of Commerce at the request of the Government of Sri Lanka 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 any quota requirement. Visa waivers will only be issued for classification purposes or for one-time special purpose shipments that are not part of an ongoing commercial enterprise.

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

Only the actual quantity in the shipment and the correct category will be charged to the applicable restraint level.

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

The Government of the United States will make available to the Government of Sri Lanka, upon request, information on the amounts and categories involved for all items subject to quota administered by the U.S. Customs Service.

The complete name and address of a company performing the major production steps in the manufacturing process of the textile products covered by the visa shall be provided on the textile visa document.

ELVIS Requirements

A. Each ELVIS message will include the following information:

- i. The visa number as defined above.
- 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), part category(s), merged category(s), quantity(s) and unit(s) of quantity of the shipment in the unit(s) of quantity provided for 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 number (MID). The MID shall begin with "LK," followed by the first three characters from each of the first two words of the name of the manufacturer, followed by the largest number on the address line up to the first four digits, followed by three letters from the city name.

B. Entry of a shipment shall not be permitted:

- i. if an ELVIS transmission has not been received for the shipment from Sri Lanka;
- 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 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 canceled, except when an entry has already been made using the visa number.

C. A new, correct ELVIS transmission from Sri Lanka is required before a shipment that has been denied entry for one of the circumstances described above will be released.

D. Notwithstanding the previous paragraph, a visa waiver may be accepted, at the discretion of the U.S. Department of Commerce, in lieu of an ELVIS transmission, if the shipment qualifies as a one-time special purpose shipment that is not part of an ongoing commercial enterprise.

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.

F. If a shipment from Sri Lanka is 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 is not 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.

G. The U.S. Customs will provide the Government of Sri Lanka with a report on visa utilization which is accessible at any time. This report will contain:

- a. visa number
- b. category number
- c. unit of measure
- d. quantity charged to quota
- e. entry number
- f. entry line number

Shipments not Requiring visas or ELVIS Transmissions

Merchandise imported for the personal use of the importer and not for resale, regardless of value, and properly marked commercial sample shipments valued \$800 or less do not require a visa or an ELVIS transmission for entry and shall not be charged to Agreement levels.

Other provisions

Except as provided for above, any shipment which is not accompanied by a valid and correct visa and ELVIS transmission shall be denied entry by the Government of the United States unless the Government of Sri Lanka authorizes the entry and any charges to the agreement levels.

After a six-month test phase is completed, both governments will conduct a joint assessment and make recommendations regarding the elimination of the visa stamp on the commercial invoice.

Effective on January 1, 2000, neither a visa nor an ELVIS transmission will be required for products integrated in the second stage of the integration of textiles and clothing into GATT 1994 from WTO member countries (see directive dated September 30, 1998) A visa and ELVIS transmission will continue to be required for non-integrated products.

The visa stamp remains unchanged.

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

Sincerely,

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Merged and Part Categories

Merged Category	Designation in Agreement	Conversion Factor to SME	Unit
331 and 631	331/631	2.90	dozen pairs
333 and 633	333/633	30.30	dozen
334 and 634	334/634	34.50	dozen
335 and 835	335/835	34.50	dozen
336, 636 and 836	336/636/836	37.90	dozen
338 and 339	338/339	6.00	dozen
340 and 640	340/640	20.10	dozen
341 and 641	341/641	12.10	dozen
342, 642 and 842	342/642/842	14.90	dozen

Merged Category	Designation in Agreement	Conversion Factor to SME	Unit
345 and 845	345/845	30.80	dozen
347, 348 and 847	347/348/847	14.90	dozen
350 and 650	350/650	42.60	dozen
351 and 651	351/651	43.50	dozen
352 and 652	352/652	11.30	dozen
359-C and 659-C	359-C/659-C	10.10	kilograms
638, 639 and 838	638/639/838	13.00	dozen
645 and 646	645/646	30.80	dozen
647 and 648	647/648	14.90	dozen

Part Category	Description
359-C	Cotton Coveralls and Overalls
359-O	Other Cotton Apparel
369-D	Cotton Dishtowels
369-O	Other Cotton Manufactures
369-S	Cotton Shop Towels
659-C	Man-Made Fiber Overalls and Coveralls
659-O	Other Man-Made Fiber Apparel

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COMMODITY FUTURES TRADING COMMISSION

Proposed Amendments to the Chicago Mercantile Exchange Oriented Strand Board Futures Contract

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of availability of proposed amendments to contract terms and conditions.

SUMMARY: The Chicago Mercantile (CME or Exchange) has proposed amendments to its oriented strand board (OSB) futures contract. The primary proposed amendments would allow delivery of OSB from storage facilities and allow shipments via truck. The proposal was submitted under the Commission's 45-day Fast Track procedures. The Acting Director of the Division of Economic Analysis (Division) of the Commission, acting pursuant to the authority delegated by Commission Regulation 140.96, has determined that publication of the proposals for comment is in the public interest, will assist the Commission in considering the views of interested persons, and is consistent with the purpose of the Commodity Exchange Act.

DATES: Comment must be received on or before January 4, 2000.

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. Reference should be made to the CME oriented strand board futures contract rule amendments.

FOR FURTHER INFORMATION CONTACT:

Please contact John Forkkio of the Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581, telephone (202) 418-5281. Facsimile number: (202) 418-5527. Electronic mail: jforkkio@cftc.gov.

SUPPLEMENTARY INFORMATION: The proposed amendments include two substantive revisions to the delivery procedures as well as several minor revisions.

One substantive change is to allow delivery from a storage facility. The amended rules would provide that a delivery unit must be delivered from a single mill or storage facility and must be produced by only one manufacturer. According to the CME, "this is a normal cash market practice that gives some assurance of product integrity and uniformity to the buyer."

Another significant proposed change is to allow delivery via truck. According to the Exchange.

Truck shipment is possible by mutual agreement between buyer and seller. Although the buyer is responsible for arranging shipment, the seller may provide the trucks under terms acceptable to the buyer. These terms would include a shipping schedule. If the buyer provides the trucks, however, a shipping interval must be specified by the seller using the dates required by the futures contract. A delivery unit of panels would consist of 3 truckloads. The seller must pick an interval of 4 consecutive business days that may start as soon as the fifth day, and must start no later than the eighth day, after delivery instructions have been received from the buyer.

In addition, the CME is proposing to add the phrase "wood-based structural-use" to the commodity specifications for futures contract deliveries. This would clarify the type of panel allowed in deliveries on the futures contract. According to the CME, "[t]he phrase

matches the title of U.S. Department of Commerce product standard PS2-92 that governs the performance standards of OSB panels, as noted in current Rule 7304.A.1.

The Exchange also is proposing to require the buyer who chooses rail shipment to provide a routing to destination that is acceptable to the originating carrier. The CME stated that "[t]his is necessary to ensure that rail shipment is possible along the entire route chosen by the buyer and matches a provision of the delivery procedures in the current Random Length Lumber futures contract. In the absence of instructions from the buyer, delivery will be made via rail to Chicago."

The CME stated that current contract calls for the seller to prepay rail freight from the mill to the buyer's destination and then bill the buyer for any excess charges over the freight cost incurred if the shipment were to have been made from the mill to Chicago, using the lowest published freight rate. The CME indicated that, since this language is hard to follow, it proposes to amend the rules to add "explicit language to detail how the calculation of any excess charges is to be made."

Another proposed amendment provides that shipping the charges are to be based on the rate for 52-foot 8-inch boxcars. The CME stated that "this provision means only that the rate charged to the buyer must be for that size boxcar; however, any size boxcar can be used to actually ship the panels." According to the Exchange, in cash market transactions, this size of boxcar is commonly used for shipping panels of the amounts, thickness and dimension specified by the OSB futures contract.

The CME also proposes to require that deliverable OSB panels may not be older than 18 months, dated from the transfer of title. According to the Exchange, "an 18-month span was considered by industry representatives to be long enough to allow for storage programs to be meaningful yet short enough so that panels would retain their fresh appearance and condition."

Finally, rule 7305 is proposed to be amended by adding a clause allowing