

applicable to ethnic printed fabrics is 5208.52.40, not 5208.32.40.

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

Committee for the Implementation of Textile Agreements

November 18, 2005.

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

Dear Commissioner: The directive issued to you on July 21, 2005 regarding articles made in Nigeria to be treated as "handloomed, handmade, folklore articles, or ethnic printed fabrics" under the AGOA is amended as follows:

1. Add Atlantic Textiles Manufacturing Co. Ltd. to the list of producers of ethnic printed fabrics in Nigeria in Annex B.
2. Strike 5208.32.40 and replace with 5208.52.40 in Annex B.

Sincerely,
James C. Leonard III,
Chairman, Committee for the Implementation of Textile Agreements.
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COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Request for Public Comments on Commercial Availability Petition under the United States - Andean Trade Promotion and Drug Eradication Act (ATPDEA)

November 21, 2005.

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

ACTION: Request for public comments concerning a petition for a determination that certain 100 percent cotton, 2 x 2 twill weave, flannel fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the ATPDEA.

SUMMARY: On November 18, 2005, the Chairman of CITA received a petition from Oxford Industries alleging that 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns, of 2 X 2 twill weave construction, weighing not more than 200 grams per square meter, classified under subheading 5208.43.00 of the Harmonized Tariff Schedule of the United States (HTSUS), cannot be supplied by the domestic industry in commercial quantities in a timely manner. The petition requests that such fabrics, for use in the manufacture of shirts, trousers, nightwear, robes and dressing gowns and woven underwear in an ATPDEA beneficiary country for

export to the United States, be eligible for preferential treatment under the ATPDEA. CITA hereby solicits public comments on this petition, in particular with regard to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Comments must be submitted by December 12, 2005 to the Chairman, Committee for the Implementation of Textile Agreements, Room 3001, United States Department of Commerce, 14th and Constitution, NW., Washington, D.C. 20230.

FOR FURTHER INFORMATION CONTACT: Maria K. Dybczak, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 482-3400.

SUPPLEMENTARY INFORMATION:

Authority: Section 204 (b)(3)(B)(ii) of the ATPDEA, Presidential Proclamation 7616 of October 31, 2002, Executive Order 13277 of November 19, 2002, and the United States Trade Representative's Notice of Further Assignment of Functions of November 25, 2002.

BACKGROUND:

The ATPDEA provides for quota- and duty-free treatment for qualifying textile and apparel products. Such treatment is generally limited to products manufactured from yarns and fabrics formed in the United States or a beneficiary country. The ATPDEA also provides for quota- and duty-free treatment for apparel articles that are both cut (or knit-to-shape) and sewn or otherwise assembled in one or more ATPDEA beneficiary countries from fabric or yarn that is not formed in the United States or a beneficiary country, if it has been determined that such fabric or yarn cannot be supplied by the domestic industry in commercial quantities in a timely manner. Pursuant to Executive Order No. 13277 (67 FR 70305) and the United States Trade Representative's Notice of Redlegation of Authority and Further Assignment of Functions (67 FR 71606), the President's authority to determine whether yarns or fabrics cannot be supplied by the domestic industry in commercial quantities in a timely manner under the ATPDEA has been delegated to CITA.

On November 18, 2005, the Chairman of CITA received a petition from Oxford Industries alleging that certain 100 percent cotton woven flannel fabrics, made from 21 through 36 NM single ring-spun yarns, of 2 X 2 twill weave construction, weighing not more than 200 grams per square meter, classified under HTSUS subheading 5208.43.00, cannot be supplied by the domestic industry in commercial quantities in a timely manner and requesting quota-

and duty-free treatment under the ATPDEA for such fabrics, for use in the manufacture of shirts, trousers, nightwear, robes and dressing gowns and woven underwear in an ATPDEA beneficiary country for export to the United States.

Specifications:

Fiber Content:	100% Cotton
Weight:	not more than 200 grams/square meter
Yarn Number:	ring spun 21-36 NM
Weave:	2 x 2 twill woven flannel
Finish:	Yarn dyed, napped on both sides

The petitioner emphasizes that the construction of the fabrics must be exactly or nearly exactly as specified or the fabrics will not be suitable for their intended uses.

CITA is soliciting public comments regarding this request, particularly with respect to whether these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner. Also relevant is whether other fabrics that are supplied by the domestic industry in commercial quantities in a timely manner are substitutable for the fabrics in question for purposes of the intended use. Comments must be received no later than December 12, 2005. Interested persons are invited to submit six copies of such comments or information to the Chairman, Committee for the Implementation of Textile Agreements, room 3100, U.S. Department of Commerce, 14th and Constitution Avenue, NW., Washington, DC 20230.

If a comment alleges that these fabrics can be supplied by the domestic industry in commercial quantities in a timely manner, CITA will closely review any supporting documentation, such as a signed statement by a manufacturer of the fabric stating that it produces the fabric that is the subject of the request, including the quantities that can be supplied and the time necessary to fill an order, as well as any relevant information regarding past production.

CITA will protect any business confidential information that is marked "business confidential" from disclosure to the full extent permitted by law. CITA generally considers specific details, such as quantities and lead times for providing the subject product as business confidential. However, information such as the names of domestic manufacturers who were contacted, questions concerning the capability to manufacture the subject product, and the responses thereto should be available for public review to ensure proper public participation in

the process. If this is not possible, an explanation of the necessity for treating such information as business confidential must be provided. CITA will make available to the public non-confidential versions of the request and non-confidential versions of any public comments received with respect to a request in room 3100 in the Herbert Hoover Building, 14th and Constitution Avenue, NW., Washington, DC 20230. Persons submitting comments on a request are encouraged to include a non-confidential version and a non-confidential summary.

James C. Leonard III,

Chairman, Committee for the Implementation of Textile Agreements.

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COMMODITY FUTURES TRADING COMMISSION

Self-Regulation and Self-Regulatory Organizations in the Futures Industry

AGENCY: Commodity Futures Trading Commission ("Commission").

ACTION: Request for additional comments on self-regulation and self-regulatory organizations ("SROs").¹

SUMMARY: This Request for Comments ("Request") continues the Commission's ongoing review of self-regulation and self-regulatory organizations in the U.S. futures industry ("SRO Study"). The Request seeks public comment on a range of SRO issues, including governance, minimizing conflicts of interest within self-regulation, the composition of SROs' boards of directors and disciplinary committees, and the impact of increasing competition, changing business models and new ownership structures on SROs' self-regulatory responsibilities.² Commenters are also asked to consider the impact of securities exchanges' listing standards and the unique role of registered futures associations ("RFAs") and other third-party regulatory service providers. The questions presented update the Commission's prior fact-finding on self-regulation, build on industry developments since that time,

¹ For purposes of this Request, SROs include designated contract markets ("DCMs"), derivatives clearing organizations ("DCOs"), and registered futures associations.

² SROs' self-regulatory responsibilities include, among other things, market surveillance, trade practice surveillance, and audits and examinations of member firms (e.g., ensuring compliance with financial integrity, financial reporting, sales practice, and recordkeeping requirements). An SRO's specific responsibilities will depend upon whether it is a DCM, DCO, or RFA.

and offer interested parties an additional opportunity to comment as the SRO Study nears conclusion. The questions raised in this Request will also form the basis of an upcoming Commission roundtable on self-regulation. The roundtable will provide a forum for industry participants to present their views on both the challenges and opportunities of self-regulation in a rapidly evolving futures industry.

DATES: Responses must be received January 9, 2006.

ADDRESSES: Written responses should be sent to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581. Responses may also be submitted via e-mail at secretary@cftc.gov. "Self-Regulation and Self-Regulatory Organizations" must be in the subject field of responses submitted via e-mail, and clearly indicated in written submissions. This document is also available for comment at <http://www.regulations.gov>.

FOR FURTHER INFORMATION CONTACT: Stephen Braverman, Deputy Director, (202) 418-5487; Rachel Berdansk, Special Counsel, (202) 418-5429; or Sebastian Pujol Schott, Attorney-Advisor, (202) 418-5641. Division of Market Oversight, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION:

I. Introduction

Since its initiation in May of 2003, the SRO Study has proceeded through two phases.³ Phase I included staff interviews with over 100 individuals representing every segment of the futures industry, including futures commission merchants ("FCMs"), DCMs, DCOs, and industry associations. Staff also interviewed industry executives, academics, consultants, and individuals associated with securities-side entities. Based on these interviews, the Commission identified several issues for further attention and launched Phase II of the SRO Study in February of 2004.⁴

³ The SRO Study was initiated in an address by former Commission Chairman James E. Newsome at the Futures Industry Association Law and Compliance Luncheon (May 28, 2003), available at: <http://www.cftc.gov/opa/speeches03/opanewsm-40.htm>.

⁴ As a prelude to Phase II, the Commission encouraged every SRO to reexamine its policies, employee training efforts, and day-to-day practices to confirm that there are safeguards in place to prevent the misuse of confidential information obtained by SROs during audits, investigations, or

Phase II of the SRO Study has pursued two lines of inquiry. The first addresses issues relating to the cooperative regulatory agreement by which DCMs and the National Futures Association ("NFA") coordinate compliance examinations of FCMs ("DSRO System"). In April of 2004, Commission staff sought public comment on the governance and operation of the Joint Audit Committee ("JAC") and on the effectiveness of JAC and NFA examination programs.⁵ Commission staff also sought comment on certain proposed amendments to the Joint Audit Agreement. The proposed amendments, among other things, add additional parties to the JAC, add certain voting eligibility provisions, and memorialize certain DSRO assignment procedures. The comments received and the proposed amendments to the JAC remain under consideration by Commission staff.

The second line of inquiry in Phase II of the SRO Study focuses primarily on conflicts of interest in self-regulation, and those factors that may tend to increase or ameliorate such conflicts. In June of 2004, the Commission sought public comment on SRO board composition, changing ownership structures and business models among SROs, and the organization and oversight of SROs' regulatory departments and personnel, among other things.⁶ Simultaneously, the Commission distributed to each SRO a questionnaire to help evaluate the governance structures, policies, and procedures of the self-regulators under the Commission's authority. The comments solicited in 2004 and in the earlier interviews generated an array of responses and approaches to self-regulation that the Commission is now re-examining in light of industry developments and findings since that time.

One significant development in self-regulation since the beginning of the SRO Study is the creation of exchange "regulatory oversight committees" ("ROCs"). In each case, the ROCs are board-level committees, composed only

other self-regulatory activities. The Commission continues to examine confidentiality of information as it moves forward with the SRO Study. See CFTC Progresses with Study of Self-Regulation, CFTC Press Release No. 4890-04 (Feb. 6, 2004), available at: <http://www.cftc.gov/opa/press04/opa4890-04.htm>.

⁵ CFTC Seeks Comment on How Self-Regulatory Exams of Futures Firms Are Coordinated, CFTC Press Release No. 4910-04 (Apr. 7, 2004), available at: <http://www.cftc.gov/opa/press04/opa4910-04.htm>.

⁶ SRO Governance, 69 FR 32,326 (June 9, 2004) and 69 FR 42,971 (July 19, 2004) (extending comment period to Sept. 30, 2004).