

publication of the final results of this changed circumstances review.

#### Public Comment

Any interested party may request a hearing within 10 days of publication of this notice. Any hearing, if requested, will be held no later than 28 days after the date of publication of this notice. Written comments from interested parties may be submitted not later than 14 days after the date of publication of this notice. Rebuttal comments to written comments, limited to issues raised in those comments, may be filed not later than 21 days after the date of publication of this notice. All written comments shall be submitted in accordance with 19 CFR 351.303. Persons interested in attending the hearing should contact the Department for the date and time of the hearing. The Department will publish the final results of this changed circumstances review, including the results of its analysis of issues raised in any written comments.

This notice is in accordance with section 751(b)(1) of the Act and 19 CFR 351.216 and 351.222.

Dated: June 1, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-14523 Filed 6-7-99; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF COMMERCE

##### International Trade Administration

[A-588-041]

#### Notice of Final Court Decision and Amended Final Results of Expedited Sunset Review on Synthetic Methionine from Japan

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of final court decision and amended final results of expedited sunset review on synthetic methionine from Japan.

**SUMMARY:** On April 22, 1999, the Court of International Trade (the Court) affirmed the Department of Commerce's (the Department) remand determination arising out of the expedited sunset review of the antidumping finding on synthetic methionine from Japan. See *NOVUS International, et. al. v. United States*, Slip Op. 99-38 (CIT April 22, 1999). As there is now a final and conclusive court decision in this action, we are amending the final results of review in this matter and will notify the

U.S. International Trade Commission ("the Commission") that the magnitude of the margin likely to prevail were the finding to be revoked is 48 percent.

**EFFECTIVE DATE:** June 8, 1999.

**FOR FURTHER INFORMATION CONTACT:** Martha V. Douthit or Melissa G. Skinner, Office of Policy for Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-3207 or (202) 482-1560, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Background

On January 27, 1999, the Court issued an order remanding to the Department the final results of the expedited sunset review on synthetic methionine from Japan.<sup>1</sup> On April 21, 1999, in accordance with the Court's remand order, the Department filed its final results of redetermination. See Final Results of Redetermination Pursuant to Court Remand, April 21, 1999, *NOVUS International, et. al. v. United States*, Court No. 99-01-00007 (Remand Results). In this determination, the Department reconsidered the 48 percent rate from the Treasury Department's less-than-fair-value investigation of synthetic methionine from Japan as a possible appropriate indicator of the magnitude of dumping that would prevail were the dumping finding on synthetic methionine from Japan to be revoked. The Department determined that a reliable source that contains a Treasury fair-value rate can be used as a basis for reporting margins to the Commission. See Remand Results at 6. Further, the Department determined that, regardless of whether the investigation rate was published in the Treasury finding, the Department did ascertain and rely on a rate from the original investigation for purposes of the final results of the first administrative review. Therefore, we determined that, "consistent with our policy of selecting a margin "from the investigation, because that is the only calculated rate that reflects the behavior of the exporters \* \* \* without the discipline of an order in place (footnote omitted)," we should report the 48 percent rate to the Commission. See Remand Results at 7.

On April 22, 1999, the Court upheld the Department's redetermination pursuant to Court remand. *NOVUS International, et. al. v. United States*,

<sup>1</sup> *NOVUS International, Inc., Degussa Corporation, and Rhone-Poulenc Animal Nutrition v. United States*, Slip Op. 99-14 (CIT January 27, 1999).

Slip Op. 99-38 (CIT April 22, 1999). The period to appeal has expired and no appeal was filed. Therefore, as there is now a final and conclusive court decision in this action, we are amending our final results of the expedited sunset review.

#### Amended Final Results of Review

Pursuant to section 516A(e) of the the Tariff Act of 1930, as amended (the Act), we are now amending the final results of the expedited sunset review on synthetic methionine from Japan and determining that the magnitude of dumping that is likely to prevail if the finding on synthetic methionine from Japan were revoked is 48 percent.

Dated: June 1, 1999.

**Robert S. LaRussa,**

*Assistant Secretary for Import Administration.*

[FR Doc. 99-14513 Filed 6-7-99; 8:45 am]

BILLING CODE 3510-DS-P

#### DEPARTMENT OF COMMERCE

##### National Oceanic and Atmospheric Administration

[I.D. 052499B]

#### Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish of the Gulf of Alaska; Application for an Exempted Fishing Permit

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

**ACTION:** Receipt of an exempted fishing permit application.

**SUMMARY:** NMFS announces receipt of an application from the Alaska Fisheries Development Foundation (AFDF) for an Exempted Fishing Permit (EFP) to test artificial longline bait fabricated from seafood wastes in the Gulf of Alaska. It is intended to promote the objectives of the North Pacific Fishery Management Council (Council).

**ADDRESSES:** Copies of the EFP application are available by writing to Steven Pennoyer, Administrator, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802, Attn: Lori Gravel.

**FOR FURTHER INFORMATION CONTACT:** Susan Salvesson, 907-586-7228.

**SUPPLEMENTARY INFORMATION:** The Fishery Management Plan (FMP) for Groundfish of the Gulf of Alaska and its implementing regulations at 50 CFR part 679.6 authorize issuance of EFPs to allow fishing that would otherwise be prohibited. Procedures for issuing EFPs are contained in the implementing

regulations. NMFS received an application for an EFP from the AFDF on April 19, 1999. If approved, the EFP would be used to test artificial longline bait fabricated from seafood wastes in the Gulf of Alaska. The AFDF reports that the potential benefits of using artificial bait for longline fisheries include higher catches, enhanced species and size selectivity, consistent product quality and size, enhanced safety, and lower bait loss.

In accordance with regulations, NMFS has determined that the proposal warrants further consideration and has initiated consultation by forwarding the application to the Council. The Council will consider the EFP application during its June 9–14, 1999, meeting which will be held at the Best Western Kodiak Inn, Kodiak, Alaska, and public comment on the application will be requested at this meeting. The applicant has been invited to appear in support of the application if the applicant desires.

A copy of the application is available for review from the NMFS Regional Administrator (see ADDRESSES).

**Authority:** 16 U.S.C. 1801 *et seq.*

Dated: June 3, 1999.

**Richard W. Surdi,**

*Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service.*  
[FR Doc. 99–14474 Filed 6–7–99; 8:45 am]

BILLING CODE 3510–22–F

## COMMODITY FUTURES TRADING COMMISSION

### Performance of Certain Functions by National Futures Association With Respect to Those Foreign Firms Acting in the Capacity of a Futures Commission Merchant

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice and order.

**SUMMARY:** The Commodity Futures Trading Commission (“Commission”) is authorizing National Futures Association (“NFA”) to revoke, after thirty days written notice, the confirmation of Rule 30.10 relief for any firm that fails to comply with the terms and conditions on which relief was confirmed. In addition, the Commission is authorizing NFA to withdraw the confirmation of Rule 30.10 relief from any firm that notifies NFA of its decision to forfeit such relief.

**EFFECTIVE DATE:** July 8, 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.

### United States of America

#### *Before the Commodity Futures Trading Commission*

Order Authorizing the Performance of Certain Functions by National Futures Association With Respect to Firms That Have Received Confirmation of Rule 30.10 Relief

### I. Authority and Background

Section 8a(10) of the Commodity Exchange Act<sup>1</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>2</sup> and subject to the provisions of the Act applicable to registrations granted by the Commission. NFA has confirmed its willingness to perform certain functions now performed by the Commission.<sup>3</sup>

Upon consideration, the Commission has determined to authorize NFA, effective July 8, 1999, to revoke or withdraw exemptive relief granted to firms acting in the capacity of futures commission merchants (“FCMs”) that are members of regulatory or self-regulatory bodies to which an order under Commission Rule 30.10<sup>4</sup> has been issued and that have received confirmation of relief.

Rule 30.10 allows the Commission to exempt a foreign firm acting in the capacity of an FCM from compliance with certain Commission rules and regulations based upon the firm’s compliance with comparable regulatory requirements imposed by the firm’s home-country regulator. The Commission has established a process whereby a foreign regulator or self-regulatory organization (“SRO”) can petition on behalf of its regulatees or members, respectively, for such an exemption based upon the comparability of the regulatory structure in the foreign jurisdiction to that under the Act. Once the Commission determines that the foreign jurisdiction’s regulatory structure offers comparable regulatory oversight,<sup>5</sup> the

Commission may issue an Order granting general relief subject to certain conditions.<sup>6</sup> Firms seeking confirmation of relief must make certain representations set forth in the Rule 30.10 Order issued to the regulator or SRO from the firm’s home country.<sup>7</sup>

On September 11, 1997, the Commission authorized NFA to receive requests for confirmation of Rule 30.10 relief on behalf of particular firms, to verify such firms’ fitness and compliance with the conditions of the appropriate Rule 30.10 Order, and to grant exemptive relief from registration to qualifying firms pursuant to Rule 30.10.<sup>8</sup> The Commission stated that, once it had examined the foreign jurisdiction’s regulatory structure and issued an Order under Rule 30.10 granting general relief based upon the comparability of that structure to the structure under the Act, the steps

provides a basis for permitting substituted compliance for purposes of exemptive relief pursuant to Commission Rule 30.10 are set forth in Appendix A to Part 30. See 52 FR 28990, 29001 (August 5, 1987).

<sup>6</sup> These conditions require the regulator or SRO responsible for monitoring the compliance of the firm with the regulatory requirements described in the Rule 30.10 petition to make certain representations regarding the fitness of each firm seeking to receive confirmation of Rule 30.10 relief, the protections to be afforded to U.S. customers, and the exchange of information with the Commission. See 62 FR 47792, 47793, n.7 (September 11, 1997).

<sup>7</sup> A firm seeking confirmation of Rule 30.10 relief is generally required to:

(1) consent to jurisdiction in the United States and designate an agent for service of process in the United States in accordance with the requirements set forth in Rule 30.5;

(2) agree to make its books and records available upon the request of any representative of the Commission or the U.S. Department of Justice;

(3) agree that all futures or regulated option transactions with respect to U.S. customers will be made on or subject to the rules of the applicable exchanges and will be undertaken consistent with rules and codes under which such firm operates;

(4) represent that no principal of the firm would be disqualified under Section 8a(2) of the Act from registering to do business in the U.S. and notify the Commission promptly of any change in that representation;

(5) disclose the identity of each U.S. affiliate or subsidiary;

(6) agree to be subject to NFA arbitration;

(7) consent to the release of certain financial information;

(8) segregate customer funds from the firm’s proprietary funds, even if that option is not generally available under local law;

(9) consent to report the value of funds required to be segregated on behalf of U.S. customers; and

(10) undertake to comply with the provisions of law and rules which form the basis for granting the exemption. 62 FR 47792, 47793, n.8. The terms and conditions vary from order to order depending upon the regulatory structure of the firm’s home country. *Id.*

<sup>8</sup> 62 FR 47792–47793. The Commission also authorized NFA to serve as the official custodian for all filings, acknowledgments and records produced pursuant to this undertaking. *Id.*

<sup>1</sup> 7 U.S.C. 12a(10)(1998).

<sup>2</sup> 7 U.S.C. 21(j)(1998).

<sup>3</sup> Letter from Robert K. Wilmouth, President of NFA, to Brooksley Born, Chairperson of the Commission, dated August 27, 1997.

<sup>4</sup> Commission rules referred to herein can be found at 17 CFR Ch. I (1999).

<sup>5</sup> The specific elements examined in evaluating whether the particular foreign regulatory program