

require the self-regulatory organizations to promulgate telemarketing rules consistent with the legislation, unless the SEC determines that the federal securities laws or SEC rules provide protection from abusive telemarketing similar to the rules adopted by the FTC or that a rule by the SEC is not necessary in the public interest.¹² The NASD believes that it is both appropriate and necessary to create an exemption for calls to a class of customers for whom personal and timely contact with a broker is important, particularly in the emerging environment of 24-hour trading and trading in multiple time zones across the United States where prompt contact with customers to respond to market developments may be necessary. Specifically, the NASD believes that the failure to create such an exemption would be harmful for those securities customers for whom the need exists to be called in a timely manner on certain occasions, and thus inconsistent with the mandate of the Telemarketing Act. The NASD, however, also believes that an exemption for existing customers should not extend to all customers, and should not cover calls to those customers whose accounts do not meet certain minimum levels of activity.

Demand Draft Authorization and Recordkeeping. The proposed rule change amends Rule 3110 of the NASD's Conduct Rules to (i) prohibit a member or person associated with a member from obtaining from a customer or submitting for payment a check, draft, or other form of negotiable paper drawn on a customer's checking, savings, share, or similar account ("demand draft") without that person's express written authorization, which may include the customer's signature on the instrument, and (ii) to require the retention of such authorization for a period of three years. A "demand draft" is a methodology for obtaining funds from a customer's bank account without that person's signature on a negotiable instrument. The customer provide a potential payee with bank account identification information that permits the payee to create a piece of paper that will be processed like a check, including the words "signature on file" or "signature pre-approved" in the location where the customer's signature normally appears. Most potential payees obtain a written authorization for the use of such a demand draft, but the FTC found that in certain cases only oral authorization was provided by the customer. The new language in subparagraph (g)(2) of Rule 3110 is

drawn substantially from the FTC Rule, with the difference that the proposed rule change requires that the customer provide written authorization of a negotiable instrument, in comparison to the FTC Rule which would permit both written and oral authorization subject to certain conditions.¹³ The provision in the proposed rule for demand drafts is only intended to reflect and implement the exact same requirement as set forth in the FTC Rule.

2. Statutory Basis

The NASD believes that the proposed rule change is consistent with the provisions of Section 15A(b) (6) of the Act,¹⁴ which require that the Association adopt and amend its rules to promote just and equitable principles of trade and generally provide for the protection of customers and the public interest, in that the proposed rule change, by imposing time restriction and disclosure requirements, with certain exceptions, on members' telemarketing calls, and by requiring verifiable authorization from a customer for demand drafts, prevents members from engaging in certain deceptive and abusive telemarketing acts and practices while allowing for legitimate telemarketing practices. The NASD also believes that the proposed rule change fulfills the mandate that SRO rules promulgated under the Telemarketing Act provide protection from deceptive and abusive telemarketing practices and are necessary and appropriate in the public interest and for the protection of investors.

B. Self-Regulatory Organization's Statement on Burden on Completion

The Association does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to

which the self-regulatory organizations consents, the Commission will:

(A) By order approve the proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Comments particularly are requested as to whether the proposed rule change satisfies the requirements of the Telemarketing Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and by any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to File No. SR-NASD-96-28 and should be submitted by August 20, 1996.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 96-19296 Filed 7-29-96; 8:45 am]

BILLING CODE 8010-01-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton Textile Products Produced or Manufactured in India

July 24, 1996.

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

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: July 24, 1996.

FOR FURTHER INFORMATION CONTACT: Janet Heinzen, International Trade Specialist, Office of Textiles and

¹² Telemarketing Act, *supra* note 10.

¹³ § 310.3 of FTC Rules.

¹⁴ § 15 U.S.C. 78o-3.

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 or call (202) 927-6704. For information on embargoes and quota re-openings, call (202) 482-3715.

SUPPLEMENTARY INFORMATION:

Authority: Executive Order 11651 of March 3, 1972, as amended; section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); Uruguay Round Agreements Act.

The current limits for certain categories are being adjusted variously for an additional five percent handloomed fabrics allowance, swing, carryover, carryforward and carryforward used in 1995.

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 60 FR 65299, published on December 19, 1995). Also see 60 FR 62399, published on December 6, 1995.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing, but are designed to assist only in the implementation of certain of their provisions.

Troy H. Cribb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

July 24, 1996.

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 November 29, 1995, by the Chairman, Committee for the Implementation of Textile Agreements. That directive concerns imports of certain cotton, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in India and exported during the twelve-month period which began on January 1, 1996 and extends through December 31, 1996.

Effective on July 24, 1996, you are directed to amend the directive dated November 29, 1995 to adjust the limits for the following categories, as provided for under the Uruguay Round Agreements Act and the Uruguay Round Agreement on Textiles and Clothing.

Category	Adjusted twelve-month Level ¹
219	61,838,518 square meters.
313	35,679,609 square meters.
314	7,269,833 square meters.
317	40,108,127 square meters.
326	8,748,359 square meters.
334/634	127,332 dozen.
335/635	626,270 dozen.
336/636	785,061 dozen.
340/640	1,746,791 dozen.
341	3,874,365 dozen, of which not more than 2,346,540 shall be in Category 341-Y ² .
342/642	1,147,937 dozen.
345	178,273 dozen.
347/348	542,556 dozen.
351/651	242,652 dozen.
369-D ³	1,069,492 kilograms.
369-S ⁴	724,317 kilograms.
Group II	
200, 201, 220-229, 237, 239, 300, 301, 330-333, 349, 350, 352, 359-362, 600-607, 611-629, 630-633, 638, 639, 643-646, 649, 650, 652, 659, 665-O ⁴ , 666, 669, 670, and 831-859, as a group.	105,968,941 square meters equivalent.

¹ The limits have not been adjusted to account for any imports exported after December 31, 1995.

² Category 341-Y: only HTS numbers 6204.22.3060, 6206.30.3010, 6206.30.3030 and 6211.42.0054.

³ Category 369-D: only HTS numbers 6302.60.0010, 6302.91.0005 and 6302.91.0045.

⁴ Category 369-S: only HTS number 6307.10.2005.

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.

[FR Doc. 96-19274 Filed 7-29-96; 8:45 am]

BILLING CODE 3510-DR-F

ACTION: Notice.

SUMMARY: The U.S. Coast Guard is seeking applicants for appointment to membership in the Towing Safety Advisory Committee (TSAC). This Committee is a 16 member Federal Advisory Committee that advised the Secretary of Transportation on matters related to shallow-draft inland and coastal waterway navigation and towing safety.

DATES: Completed applications and resumes must be received by September 11, 1996.

ADDRESSES: To your request an application either call (202) 267-2997 and give your name and mailing address or write to Commandant (G-MSE-1), U.S. Coast Guard, 2100 Second Street, SW., Room 1304 Washington, DC 2093-0001.

FOR FURTHER INFORMATION CONTACT: Lieutenant Junior Grade Patrick J. DeShon, Assistant Executive Director, TSAC, Commandant (G-MSE-1), U.S. Coast Guard, 2100 Second Street, SW., Room 1304, Washington, DC 20593-0001, (202) 267-2997.

SUPPLEMENTARY INFORMATION: The Towing Safety Advisory Committee (TSAC) is a 16 member Federal Advisory Committee that advises the Secretary of Transportation on matters related to shallow-draft inland and coastal waterway navigation and towing safety. TSAC meets at least a twice a year in Washington, DC or another location selected by the U.S. Coast Guard.

Applications will be considered for several expiring terms of follows: Four members from the barge and towing industry, reflecting a geographical balance; one member from port districts, authorities of terminal operators; one member from maritime labor; and one member from shipping. All members serve without compensation (neither travel nor per diem) from the Federal Government.

To achieve the balance of membership required by the Federal Advisory Committee Act, the U.S. Coast Guard is especially interested in receiving applications from minorities and women.

Those persons who have previously submitted applications must reapply as no applications received prior to this solicitation will be considered.

Applicants may be required to complete an Executive Branch Confidential Financial Disclosure Report (SF 450).

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 96-027]

Towing Safety Advisory Committee; Request for Applications

AGENCY: Coast Guard, DOT.