

wage and pension arrears have been reduced and the government has paid all federal wage arrears. Moreover, according to the CME, Russia has reached agreements with the IMF and World Bank that would provide Russia with access to additional loans and the ability to negotiate with creditors to restructure existing debts. Further, Russia has restructured most of its domestic debt which had been frozen in August 1998.

The CME further noted that its CME/EMTA reference rate survey is widely accepted in the cash market. It was noted that the results of the survey, which is conducted daily, has been accepted as a rate source for non-deliverable forward Russian ruble-US Dollar transactions. That rate also has been approved by the Emerging Markets Traders Association, the Foreign Exchange Committee, and the International Swaps Dealers Association for settlement of U.S. dollar/Russian ruble transactions in the spot market. Thus, according to the CME, the CME/EMTA reference rate has become the de facto price discovery mechanism for the Russian ruble market. Moreover, the CME noted that the CME/EMTA reference rate survey was used successfully to cash settle the October, November, and December 1998 futures contracts and the March 1999 futures contract. Moreover, on each of those cash settlement days, at least eight survey participants provided quotes, consistent with the CME's existing contract terms and conditions regarding final cash settlement survey.

The Division requests comment on the proposal to list additional contract months. The Division specifically requests comment on whether the survey procedure has resulted, and will continue to result, in a cash settlement price that is reflective of the underlying cash market and otherwise meets the standards of the Commission's Guideline No. 1.⁵ In that regard, the Division notes that the CME survey procedure is designed to obtain an exchange rate for same-day settlement during the afternoon MICEX session but that trading for same-day settlement is not currently permitted during that MICEX session. In its December 9, 1998 letter to the CME, the Commission approved the use of a today rate to settle existing contract months, in part because there were indications that futures prices in those contract months

were based on traders' expectations that the cash settlement price ultimately would be based on a today rate. The Division now requests comment on the appropriateness of using an implied today rate for newly listed months. The Division also requests comment on whether the CME procedure will continue to result in a cash settlement price that is not readily susceptible to manipulation or distortion in light of the degree of liquidity of the Russian ruble market and the restrictions on currency trading in Russia. Specifically, will the procedures used by the CME, including setting the cash settlement price based on two surveys conducted at random times, tend to prevent market participants from influencing the cash settlement price? Finally, in the current environment and given the proposed cash settlement provisions, can the Russian ruble contract be used for hedging or price discovery?

The proposal was submitted to the Commission under the Commission's 45-day Fast Track procedures of Commission Regulation 1.41(b)(2). In view of the limited review period under the Fast Track procedures, the Division has determined to publish for public comment notice of the proposal for 15 days, rather than 30 days as provided for proposals submitted under the regular review procedures.

Copies of the proposal will be available for inspection at the Office of the Secretariat, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW, Washington, DC 20581. Copies of the proposal can be obtained through the Office of the Secretariat by mail at the above address or by phone at (202) 418-5100.

Other materials submitted by the CME may be available upon request pursuant to the Freedom of Information Act (5 U.S.C. 552) and the Commission's regulations thereunder (17 CFR part 145 (1987)), except to the extent they are entitled to confidential treatment as set forth in 17 CFR 145.5 and 145.9. Requests for copies of such materials should be made to the FOI, Privacy and Sunshine Act Compliance Staff of the Office of the Secretariat at the Commission's headquarters in accordance with 17 CFR 145.7 and 145.8.

Any person interested in submitting written data, views, or arguments on the proposal, or with respect to other materials submitted by the CME, should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st St., NW, Washington, DC 20581 by the specified date.

Issued in Washington, DC, on May 17, 1999.

John R. Mielke,

Acting Director.

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BILLING CODE 6351-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Proposed Collection; Comment Request

AGENCY: Office of the Assistant Secretary of Defense for Health Affairs.

ACTION: Notice

In accordance with Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995, the Office of the Assistant Secretary of Defense (Health Affairs) announces the proposed reinstatement of a public information collection and seeks public comment on the provisions thereof. Comments are invited on: (a) whether the proposed extension of collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection on respondents, including through the use of automated collection techniques or other forms of information technology.

DATES: Consideration will be given to all comments received July 20, 1999.

ADDRESSES: Written comments and recommendations on the information collection should be sent to Office of the Assistant Secretary of Defense (Health Affairs) TRICARE Management Activity, Skyline Five, Suite 810, 5111 Leesburg Pike, Falls Church, Virginia 22041-3206.

FOR FURTHER INFORMATION CONTACT: To request more information on this proposed information collection, please write to the above address or call Michael Talisnik, Office of the Assistant Secretary of Defense (Health Affairs), TRICARE Management Activity at (703) 681-1752.

Title; Associated Form; and OMB Number: TRICARE Enrollment Application Form, OMB No. 0720-0008.

Needs and Uses: The collection instrument serves as an application form for enrollment in the TRICARE Health Care Delivery Program established in accordance with 10 USC 1099. The information collected hereby

⁵The Commission's Guideline No. 1 (17 CFR part 5, Appendix A, section (a)(2)(iii)) requires, for cash settled contracts, that the cash price series must be reflective of the underlying cash market and be reliable, acceptable, publicly available, and timely and not readily susceptible to manipulation.

provides the private Third Party Administrator, contracted to provide administrative support services, with necessary data to determine beneficiary eligibility, other health insurance liability, premium payment, and to identify the selection of a health care option.

Affected Public: Individuals or household.

Annual Burden Hours: 75,000.

Number of Respondents: 300,000.

Responses Per Respondent: 1.

Average Burden Per Response: 15 minutes.

Frequency: On occasion.

SUPPLEMENTARY INFORMATION: The Department established TRICARE to provide for a more cost effective program for the delivery of health care services and to improve the quality of and access to health care services. In order to carry out this program, it is necessary that certain beneficiaries electing to enroll in the TRICARE Prime option complete an enrollment form. Completion of the enrollment form is an essential element of the TRICARE program.

Dated: May 14, 1999.

L.M. Bynum,

Alternative OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 99-12802 Filed 5-20-99; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Manual for Courts-Martial

AGENCY: Joint Service Committee on Military Justice (JSC).

ACTION: Notice of proposed amendments.

SUMMARY: The Department of Defense is considering recommending changes to the Manual for Courts-Martial, United States, (1998 ed.) [MCM]. The proposed changes are the 1999 draft annual review required by the MCM and DoD Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice," May 8, 1996. The proposed changes concern the rules of procedure and evidence applicable in trials by courts-martial and the punitive articles describing offenses. More specifically, the proposed changes would: (1) make a technical correction to a Rule for Courts-Martial (R.C.M.) reference; (2) clarify the rights of victims to be present at courts-martial; (3) raise the monetary amount affecting maximum punishments for various offenses; (4)

provide additional guidance regarding the charging of unauthorized credit, debit, or electronic transactions; (5) add firearm or explosive as additional criterion which would authorize greater punishment under Article 103, captured or abandoned property; and (6) delete part of the explanation of false official statement.

The proposed changes have not been coordinated within the Department of Defense under DoD Directive 5500.1, "Preparation and Processing of Legislation, Executive Orders, Proclamations, and Reports and Comments Thereon," May 21, 1964, and do not constitute the official position of the Department of Defense, Military Departments, or any other government agency.

This notice is provided in accordance with DoD Directive 5500.17, "Role and Responsibilities of the Joint Service Committee (JSC) on Military Justice," May 8, 1996. This notice is intended only to improve the internal management of the Federal Government. It is not intended to create any right or benefit, substantive or procedural, enforceable at law or by any party against the United States, its agencies, its officers, or any person.

ADDRESSES: Comments on the proposed change should be sent to LtCol Thomas C. Jaster, U.S. Air Force, Air Force Legal Services Agency, 112 Luke Avenue, Room 343, Bolling Air Force Base, Washington, DC 20332-8000.

DATES: Comments on the proposed changes must be received no later than August 4, 1999, for consideration by the JSC.

FOR FURTHER INFORMATION CONTACT:

LtCol Thomas C. Jaster, U.S. Air Force, Air Force Legal Services Agency, 112 Luke Avenue, Room 343, Bolling Air Force Base, Washington, DC 20332-8000, (202) 767-1539; FAX (202) 404-8755.

The full text of the affected sections follows:

R.C.M. 1305(d)(2) is amended to read as follows:

(2) Forwarding to the convening authority. The original and one copy of the record of trial shall be forwarded to the convening authority after compliance with subsection (d)(1) of this rule."

R.C.M. 1305(d). The Analysis to R.C.M. 1305(d) is deleted.

R.C.M. 1305(e). The Analysis to R.C.M. 1305(e) is amended as follows:

"(d) Forwarding copies of the record. Subsection (1) is based on Article 60(b)(2). Subsection (2) is based on the third paragraph 91c of MCM, 1969 (Rev.). Subsection (3) is self-explanatory.

1999 Amendment: The internal subsection reference in subsection (d)(2) was corrected to reflect the 1995 change which redesignated R.C.M. 1305(e) as R.C.M. 1305(d)"

M.R.E. 615 is amended to read as follows: "Rule 615. Exclusion of witness.

At the request of the prosecution of defense the military judge shall order witnesses excluded so that they cannot hear the testimony of other witnesses, and the military judge may make the order sua sponte. This rule does not authorize exclusion of (1) the accused, or (2) a member of an armed service or an employee of the United States designated as representative of the United States by the trial counsel, or (3) a person whose presence is shown by a party to be essential to the presentation of the party's case, or (4) a person authorized by statute to be present at courts-martial, or (5) any victim of an offense from the trial of an accused for that offense because such victim may testify or present any information in relation to the sentence or that offense during the presentencing proceedings."

The Analysis accompanying M.R.E. 615 is amended by inserting the following at the end thereof:

"1999 Amendment: These changes are intended to extend to victims at courts-martial the same rights granted to victims by The Victims' Rights and Restitution Act of 1990, 42 U.S.C. 10606(b)(4), giving crime victims "the right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial," and The Victim Rights Clarification Act of 1997, 18 U.S.C. 3510, which is restated in subsection (5). For the purposes of this rule, the term "victim" includes all persons defined as victims in 42 U.S.C. 10607(e)(2), which means "a person that has suffered direct physical, emotional, or pecuniary harm as a result of the commission of a crime, including—(A) in the case of a victim that is an institutional entity, an authorized representative of the entity; and (B) in the case of a victim who is under 18 years of age, incompetent, incapacitated, or deceased, one of the following (in order of preference): (i) A spouse; (ii) a legal guardian; (iii) a parent; (iv) a child; (v) a sibling; (vi) another family member; or (vii) another person designated by the court." The victim's right to remain in the courtroom remains subject to other rules, such as those regarding classified information, witness deportment, and conduct in the courtroom. Subsection (4) is intended to