DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 71

[Airspace Docket No. 85-ANM-25]

Establish 700′ Transition Area; Tillamook, OR

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action provides controlled airspace from 700′ above the surface for aircraft executing a new instrument approach procedure at the Tillamook Airport. The area will be shown on aeronautical charts enabling pilots to circumnavigate the area or, otherwise, comply with instrument flight rules (IFR) during instrument flight conditions.

EFFECTIVE DATE: 0901 UTC, May 8, 1986.

FOR FURTHER INFORMATION CONTACT: Ted Melland, Airspace & Procedures Specialist, ANM-533, Federal Aviation Administration, Docket No. 85-ANM-25, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, Telephone: (206) 431-2530.

SUPPLEMENTARY INFORMATION:

History

On October 1, 1985, the FAA proposed to amend Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish the Tillamook, Oregon, 700′ transition area (50 FR 40035).

Interested parties were invited to participate in this rulemaking proceeding by submitting written comments on the proposal to the FAA. No comments objecting to the proposal were received. Except for editorial changes, this amendment is the same as that proposed in the notice. Section 71.181 of Part 71 of the Federal Aviation Regulations was republished in Handbook 7400.6A dated January 2, 1985.

The Rule

This amendment to Part 71 of the Federal Aviation Regulations establishes a 700′ transition area to provide controlled airspace for aircraft executing a new instrument approach procedure to Tillamook, Oregon, Airport.

The FAA determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore: (1) Is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Transition areas, Aviation safety.

Adoption of the Amendment

PART 71—[AMENDED]

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration (FAA) amends Part 71 of the FAR (14 CFR Part 71) as follows:

1. The authority citation for Part 71 continues to read as follows:

Authority: 49 U.S.C. 1348(a), 1354(a), 1510; Executive Order 10854; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); [14 CFR 11.69].

2. By amending § 71.181 as follows:

Tillamook, Oregon, Transition Area (New)

That airspace extending upward from 700′ above the surface within an 8.5 mile radius of the Tillamook Airport (Lat. 45°25′08″ N/Long. 123°48′45″ W).

Issued in Seattle, Washington, on January 27, 1986.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 86-2664 Filed 2-6-86; 8:45 am]

BILLING CODE 4910-13-M

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14 CFR Part 95

[Docket No. 24894; Amdt. No. 328]

IFR Altitudes; Miscellaneous Amendments

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts miscellaneous amendments to the required IFR (instrument flight rule) altitudes and changeover points for certain Federal airways, jet routes, or direct routes for which a minimum or maximum en route authorized IFR altitude is prescribed. These regulatory actions are needed because of changes occurring in the National Airspace System. These changes are designed to provide for the safe and efficient use of the navigable airspace under instrument conditions in the affected areas.

EFFECTIVE DATE: January 16, 1986.

FOR FURTHER INFORMATION CONTACT: Donald K. Funai, Flight Procedures Standards Branch (AFO-230), Air Transportation Division, Office of Flight Operations, Federal Aviation Administration, 800 Independence Avenue SW., Washington, DC 20591; telephone: (202) 426-8277.

SUPPLEMENTARY INFORMATION: This amendment to Part 95 of the Federal Aviation Regulations (14 CFR Part 95) prescribes new, amended, suspended, or revoked IFR altitudes governing the operation of all aircraft in IFR flight over a specified route or any portion of that route, as well as the changeover points (COPs) for Federal airways, jet routes, or direct routes as prescribed in Part 95. The specified IFR altitudes, when used in conjunction with the prescribed changeover points for those routes, ensure navigation aid coverage that is adequate for safe flight operations and free of frequency interference.

The reasons and circumstances which create the need for this amendment involve matters of flight safety, operational efficiency in the National Airspace System, and are related to published aeronautical charts that are essential to the user and provide for the safe and efficient use of the navigable airspace. In addition, those various reasons or circumstances require making this amendment effective before the next scheduled charting and publication date of the flight information to assure its timely availability to the user. The effective date of this amendment reflects those considerations. In view of the close and immediate relationship between these regulatory changes and safety in air commerce, I find that notice and public procedure before adopting this amendment is unnecessary, impracticable, and contrary to the public interest and that good cause exists for making the amendment effective in less than 30 days.

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a "major rule" under Executive Order 12291; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 95

Aircraft, Airspace.

Issued in Washington, DC on January 16, 1986.

John S. Kern,
Acting Director of Flight Standards.

Adoption of the Amendment

Accordingly and pursuant to the authority delegated to me by the Administrator, Part 95 of the Federal Aviation Regulations (14 CFR Part 95) is amended as follows effective at 0901 GMT:

PART 95—[AMENDED]

1. The authority citation for Part 95 continues to read as follows:

Authority: 49 U.S.C. §§ 1348, 1354 and 1510; 49 U.S.C. 106(g) (Revised, Pub. L. 97–449, January 12, 1983); and 14 CFR 11.49(b)(2).

2. Part 95 is amended to read as follows:

BILLING CODE 4910-13-M

REVISIONS TO MINIMUM ENROUTE IFR ALTITUDES & CHANGEOVER POINTS

AMENDMENT 328 EFFECTIVE DATE, JANUARY 16, 1986

§95.6003 VOR FEDERAL AIRWAY 3
IS AMENDED TO READ IN PART

FROM	TO	MEA
SANDHILLS, NC VORTAC	RALEIGH-DURHAM, NC VORTAC	2500
PEASE, NH VOR	*YUKES, NH FIX	**3500
*5500 - MRA		
**2200 - MOCA		
YUKES, NH FIX	PARSO, ME FIX	*3500
*2200 - MOCA		

§95.6006 VOR FEDERAL AIRWAY 6
IS DELETED

FROM	TO	MEA
OAKLAND, CA VORTAC	*SALAD, CA FIX	
VIA S ALTER.	VIA S ALTER.	4000
*4700 - MCA SALAD FIX, NE BND		
SALAD, CA FIX	*OAKEY, CA FIX	
VIA S ALTER.	VIA S ALTER.	5000
*3000 - MCA OAKEY FIX, S BND		
OAKEY, CA FIX	SACRAMENTO, CA VORTAC	
VIA S ALTER.	VIA S ALTER.	2500
SACRAMENTO, CA VORTAC	ROZZY, CA FIX	
VIA N ALTER.	VIA N ALTER.	*3500
*2200 - MOCA		
ROZZY, CA FIX	*HAGAN, CA FIX	
VIA N ALTER.	VIA N ALTER.	**4000
*7500 - MCA HAGAN FIX, N BND		
**3000 - MOCA		
HAGAN, CA FIX	CONYO, CA FIX	
VIA N ALTER.	VIA N ALTER.	
	S BND	*7000
	N BND	*11000
*2700 - MOCA		
CONYO, CA FIX	SIGNA, CA FIX	
VIA N ALTER.	VIA N ALTER.	*11000
*9000 - MOCA		
SIGNA, CA FIX	RENO, NV VORTAC	
VIA N ALTER.	VIA N ALTER.	11500

§95.6008 VOR FEDERAL AIRWAY 8
IS DELETED

FROM	TO	MEA
AHEIM, CA FIX	*POMONA, CA VORTAC	
VIA N ALTER.	VIA N ALTER.	4000
*10300 - MCA POMONA VORTAC, NE BND		
POMONA, CA VORTAC	CALBE, CA FIX	
VIA N ALTER.	VIA N ALTER.	
	NE BND	10800
	SW BND	5300
CALBE, CA FIX	MEANT, CA FIX	
VIA N ALTER.	VIA N ALTER.	
	NE BND	11500
	SW BND	10700
MEANT, CA FIX	*APLES, CA FIX	
VIA N ALTER.	VIA N ALTER.	11500
*9100 - MCA APLES FIX, SW BND		
APLES, CA FIX	DAGGETT, CA VORTAC	
VIA N ALTER.	VIA N ALTER.	7500
DAGGETT, CA VORTAC	LAS VEGAS, NV VORTAC	
VIA N ALTER.	VIA N ALTER.	9500

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§95.6008 VOR FEDERAL AIRWAY 8—Continued

FROM	TO	MEA
LAS VEGAS, NV VORTAC	MORMON MESA, NV VORTAC	
VIA N ALTER.	VIA N ALTER.	*7500
*6500 - MOCA		

§95.6009 VOR FEDERAL AIRWAY 9
IS AMENDED TO READ IN PART

FROM	TO	MEA
IRON MOUNTAIN, MI VORTAC	HOUGHTON, MI VORTAC	3800

§95.6012 VOR FEDERAL AIRWAY 12
IS DELETED

FROM	TO	MEA
SANTA BARBARA, CA VORTAC	*FILLMORE, CA VORTAC	
VIA S ALTER.	VIA S ALTER.	8000
*6100 - MCA FILLMORE VORTAC, W BND		
FILLMORE, CA VORTAC	*SAUGS, CA FIX	
VIA S ALTER.	VIA S ALTER.	6000
*6300 - MCA SAUGS FIX, NE BND		
SAUGS, CA FIX	PALMDALE, CA VORTAC	
VIA S ALTER.	VIA S ALTER.	7000

§95.6015 VOR FEDERAL AIRWAY 15
IS AMENDED TO READ IN PART

FROM	TO	MEA
MALTS, OK FIX	*PRYOR, OK FIX	2900
*2900 - MRA		

§95.6021 VOR FEDERAL AIRWAY 21
IS DELETED

FROM	TO	MEA
BULGY, CA FIX	DAGGETT, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	8000
DAGGETT, CA VORTAC	DANBY, CA FIX	
VIA W ALTER.	VIA W ALTER.	10000

§95.6023 VOR FEDERAL AIRWAY 23
IS DELETED

FROM	TO	MEA
FRESNO, CA VORTAC	*MENDO, CA FIX	
VIA W ALTER.	VIA W ALTER.	2000
*3000 - MCA MENDO FIX, SW BND		
MENDO, CA FIX	PANOCHE, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	4500
PANOCHE, CA VORTAC	VOLTA, CA FIX	
VIA W ALTER.	VIA W ALTER.	5000
VOLTA, CA FIX	STOCKTON, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	3000
STOCKTON, CA VORTAC	LODDI, CA FIX	
VIA W ALTER.	VIA W ALTER.	2000

§95.6023 VOR FEDERAL AIRWAY 23—Continued

FROM	TO	MEA
LODDI, CA FIX	SACRAMENTO, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	3000

§95.6025 VOR FEDERAL AIRWAY 25
IS DELETED

FROM	TO	MEA
PASO ROBLES, CA VORTAC	*SARDO, CA FIX	
VIA E ALTER.	VIA E ALTER.	5000
*5500 - MRA		
*5500 - MCA SARDO FIX, N BND		
SARDO, CA FIX	SALINAS, CA VORTAC	
VIA E ALTER.	VIA E ALTER.	5500

§95.6027 VOR FEDERAL AIRWAY 27
IS DELETED

FROM	TO	MEA
MENDOCINO, CA VORTAC	FORTUNA, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	*13000
*6100 - MOCA		
FORTUNA, CA VORTAC	CRESCENT CITY, CA VORTAC	
VIA W ALTER.	VIA W ALTER.	*6000
*3500 - MOCA		

§95.6037 VOR FEDERAL AIRWAY 37
IS AMENDED TO READ IN PART

FROM	TO	MEA
BLOTS, SC FIX	CHARLOTTE, NC VOR/DME	2500
CHARLOTTE, NC VOR/DME	*TOLLY, NC FIX	2500
*2600 - MRA		

§95.6054 VOR FEDERAL AIRWAY 54
IS AMENDED BY ADDING

FROM	TO	MEA
CHARLOTTE, NC VOR/DME	SANDHILLS, NC VORTAC	3000
SANDHILLS, NC VORTAC	RAEFO, NC FIX	3000
RAEFO, NC FIX	FAYETTEVILLE, NC VOR/DME	2400

IS AMENDED TO READ IN PART

FROM	TO	MEA
SPARTANBURG, SC VORTAC	*GAFFE, SC FIX	3000
*3000 - MRA		
GAFFE, SC FIX	CHARLOTTE, NC VOR/DME	3000

§95.6066 VOR FEDERAL AIRWAY 66
IS AMENDED TO READ IN PART

FROM	TO	MEA
ATHENS, GA VORTAC	GREENWOOD, SC VORTAC	2500
GREENWOOD, SC VORTAC	SANDHILLS, NC VORTAC	*4000
*2200 - MOCA		

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§95.6066 VOR FEDERAL AIRWAY 66—Continued

FROM	TO	MEA
SANDHILLS, NC VORTAC	RALEIGH-DURHAM, NC VORTAC	2500

§95.6068 VOR FEDERAL AIRWAY 68
IS AMENDED TO READ IN PART

FROM	TO	MEA
HONDS, NM FIX	ROSWELL, NM VORTAC	
	SE BND	*6000
	NW BND	*9000
*6000 - MOCA		

§95.6083 VOR FEDERAL AIRWAY 83
IS AMENDED TO READ IN PART

FROM	TO	MEA
ROSWELL, NM VORTAC	HONDS, NM FIX	
	NW BND	*9000
	SE BND	*6000
*6000 - MOCA		

§95.6087 VOR FEDERAL AIRWAY 87
IS AMENDED BY ADDING

FROM	TO	MEA
PANOCHE, CA VORTAC	SALINAS, CA VORTAC	6000
SALINAS, CA VORTAC	*SANTY, CA FIX	**5000
*7000 - MRA		
**4000 - MOCA		
SANTY, CA FIX	WOODSIDE, CA VORTAC	5000
WOODSIDE, CA VORTAC	SAN FRANCISCO, CA VOR/DME	4500

§95.6103 VOR FEDERAL AIRWAY 103
IS AMENDED BY ADDING

FROM	TO	MEA
CHESTERFIELD, SC VOR/DME	GREENSBORO, NC VORTAC	2500

§95.6106 VOR FEDERAL AIRWAY 106
IS AMENDED TO READ IN PART

FROM	TO	MEA
MANCHESTER, NH VORTAC	RAYMY, NH FIX	*2600
*2100 - MOCA		
RAYMY, NH FIX	*YUKES, NH FIX	**5500
*5500 - MRA		
**2100 - MOCA		
YUKES, NH FIX	KENNEBUNK, ME VORTAC	*5500
*2100 - MOCA		

§95.6107 VOR FEDERAL AIRWAY 107
IS DELETED

FROM	TO	MEA
PANOCHE, CA VORTAC	*SUNOL, CA FIX	
VIA E ALTER.	VIA E ALTER.	6500
*6500 - MCA SUNOL FIX, SE BND		
SUNOL, CA FIX	OAKLAND, CA VORTAC	
VIA E ALTER.	VIA E ALTER.	4000

§95.6108 VOR FEDERAL AIRWAY 108

IS AMENDED TO READ IN PART

FROM	TO	MEA
MEEKER, CO VORTAC	RED TABLE, CO VOR/DME	*14000
*12800 - MOCA		
RED TABLE, CO VOR/DME	COLORADO SPRINGS, CO VORTAC	*16000
*15000 - MOCA		

§95.6133 VOR FEDERAL AIRWAY 133

IS AMENDED BY ADDING

FROM	TO	MEA
LINCO, NC FIX	BARRETTS MOUNTAIN, NC VOR/DME	4000

IS AMENDED TO DELETE

FROM	TO	MEA
FORT MILL, SC VORTAC	STANN, NC FIX	3400
STANN, NC FIX	BARRETTS MOUNTAIN, NC VOR/DME	*3500
*3000 - MOCA		

§95.6134 VOR FEDERAL AIRWAY 134

IS AMENDED TO READ IN PART

FROM	TO	MEA
*FAIRFIELD, UT VORTAC	**CARBON, UT VOR/DME#	***12700
*10800 - MCA FAIRFIELD VORTAC, E BND		
**10200 - MCA CARBON VOR/DME, W BND		
***11800 - MOCA		
#MEA IS ESTABLISHED WITH A GAP IN NAVIGATION SIGNAL COVERAGE.		
GRAND JUNCTION, CO VORTAC	TRACI, CO FIX	
	E BND	11000
	W BND	9000
TRACI, CO FIX	PACES, CO FIX	*11000
*10100 - MOCA		
PACES, CO FIX	GLENO, CO FIX	13000
GLENO, CO FIX	RED TABLE, CO VOR/DME	14000
RED TABLE, CO VOR/DME	HERLS, CO FIX	
	E BND	*16000
	W BND	*14000
*14000 - MOCA		
HERLS, CO FIX	FUNDS, CO FIX	16000
FUNDS, CO FIX	DENVER, CO VORTAC	16300

§95.6141 VOR FEDERAL AIRWAY 141

IS AMENDED TO READ IN PART

FROM	TO	MEA
NANTUCKET, MA VORTAC	HYANNIS, MA VORTAC	1700

§95.6142 VOR FEDERAL AIRWAY 142

IS AMENDED BY ADDING

FROM	TO	MEA
*TWIN FALLS, ID VORTAC	MURTH, ID FIX	
	E BND	13000
	W BND	7800
*12000 - MCA TWIN FALLS VORTAC, E BND		

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§95.6142 VOR FEDERAL AIRWAY 142—Continued

FROM	TO	MEA
MURTH, ID FIX	OCLEY, ID FIX	
	E BND	15000
	W BND	9500
OCLEY, ID FIX	*SHEAR, UT FIX	**16500
*16500 - MCA SHEAR FIX, W BND		
**12400 - MOCA		
SHEAR, UT FIX	*MALAD CITY, ID VORTAC	
	SW BND	11000
	NE BND	10000
*13500 - MCA MALAD CITY VORTAC, SW BND		

§95.6143 VOR FEDERAL AIRWAY 143

IS AMENDED BY ADDING

FROM	TO	MEA
BAYIM, NC FIX	GREENSBORO, NC VORTAC	2300

IS AMENDED TO DELETE

FROM	TO	MEA
FORT MILL, SC VORTAC	BROKK, NC FIX	3000
BROKK, NC FIX	AZELL, NC FIX	*2600
*2300 - MOCA		
AZELL, NC FIX	GREENSBORO, NC VORTAC	*2500
*2300 - MOCA		

§95.6155 VOR FEDERAL AIRWAY 155

IS AMENDED TO READ IN PART

FROM	TO	MEA
SANDHILLS, NC VORTAC	RALEIGH-DURHAM, NC VORTAC	2500

§95.6159 VOR FEDERAL AIRWAY 159

IS AMENDED TO READ IN PART

FROM	TO	MEA
TUSKEGEE, AL VORTAC	KENTT, AL FIX	2600
KENTT, AL FIX	KYLEE, AL FIX	8000

§95.6195 VOR FEDERAL AIRWAY 195

IS AMENDED BY ADDING

FROM	TO	MEA
STOCKTON, CA VORTAC	TRACY, CA FIX	
	E BND	2000
	W BND	4000
TRACY, CA FIX	SUNOL, CA FIX	5000
SUNOL, CA FIX	OAKLAND, CA VORTAC	4000

§95.6230 VOR FEDERAL AIRWAY 230

IS DELETED

FROM	TO	MEA
SALINAS, CA VORTAC VIA S ALTER.	PANOCHE, CA VORTAC VIA S ALTER.	6000

§95.6244 VOR FEDERAL AIRWAY 244

IS DELETED

FROM	TO	MEA
OAKLAND, CA VORTAC VIA S ALTER.	SUNOL, CA FIX VIA S ALTER.	4000
SUNOL, CA FIX VIA S ALTER.	TRACY, CA FIX VIA S ALTER.	5000
TRACY, CA FIX VIA S ALTER.	STOCKTON, CA VORTAC VIA S ALTER.	
	E BND	2000
	W BND	4000

§95.6248 VOR FEDERAL AIRWAY 248

IS AMENDED BY ADDING

FROM	TO	MEA
SALINAS, CA VORTAC	*SARDO, CA FIX	5500
*5500 - MRA		
*5500 - MCA SARDO FIX, N BND		
SARDO, CA FIX	PASO ROBLES, CA VORTAC	5000

§95.6259 VOR FEDERAL AIRWAY 259

IS AMENDED BY ADDING

FROM	TO	MEA
MOPED, NC FIX	BARRETTS MOUNTAIN, NC VOR/DME	4000
BARRETTS MOUNTAIN, NC VOR/DME	HOLSTON MOUNTAIN, TN VORTAC	7500

IS AMENDED TO READ IN PART

FROM	TO	MEA
CHESTERFIELD, SC VOR/DME	HUSTN, NC FIX	2500

IS AMENDED TO DELETE

FROM	TO	MEA
FORT MILL, SC VORTAC	MIDET, NC FIX	3700
MIDET, NC FIX	*OLETE, NC FIX	5000
*8000 - MCA OLETE FIX, NW BND		
OLETE, NC FIX	*LIVIL, NC FIX	8000
*8000 - MCA LIVIL FIX, SE BND		
LIVIL, NC FIX	HOLSTON MOUNTAIN, TN VORTAC	7500

§95.6283 VOR FEDERAL AIRWAY 283

IS AMENDED BY ADDING

FROM	TO	MEA
BULGY, CA FIX	DAGGETT, CA VORTAC	8000
DAGGETT, CA VORTAC	*WHIGG, CA FIX	10000
*12000 - MRA		
WHIGG, CA FIX	BOULDER CITY, NV VORTAC	10000

§95.6293 VOR FEDERAL AIRWAY 293

IS AMENDED TO READ IN PART

FROM	TO	MEA
BULLION, NV VORTAC	SAMAN, ID FIX	10600
SAMAN, ID FIX	*TWIN FALLS, ID VORTAC	
	N BND	7500

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§95.6293 VOR FEDERAL AIRWAY 293—Continued

FROM	TO	MEA
	S BND	8600
*6500 - MCA TWIN FALLS VORTAC, S BND		

§95.6296 VOR FEDERAL AIRWAY 296

IS AMENDED TO READ IN PART

FROM	TO	MEA
HUSTN, NC FIX	FAYETTEVILLE, NC VOR/DME	2400

IS AMENDED TO DELETE

FROM	TO	MEA
FORT MILL, SC VORTAC	FAYETTEVILLE, NC VOR/DME	*3000
*2700 - MOCA		

§95.6301 VOR FEDERAL AIRWAY 301

IS AMENDED BY ADDING

FROM	TO	MEA
PANOCHE, CA VORTAC	*SUNOL, CA FIX	6500
*6500 - MCA SUNOL FIX, SE BND		
SUNOL, CA FIX	OAKLAND, CA VORTAC	4000
OAKLAND, CA VORTAC	COMMO, CA FIX	*5000
*4000 - MOCA		
COMMO, CA FIX	POINT REYES, CA VORTAC	5000

§95.6327 VOR FEDERAL AIRWAY 327

IS AMENDED TO READ IN PART

FROM	TO	MEA
SALT RIVER, AZ VORTAC	*KNOBB, AZ FIX	
	N BND	8000
	S BND	6000
*8000 - MRA		

§95.6358 VOR FEDERAL AIRWAY 358

IS AMENDED TO READ IN PART

FROM	TO	MEA
ALEXX, OK FIX	WILL ROGERS, OK VORTAC	2800

§95.6361 VOR FEDERAL AIRWAY 361

IS AMENDED BY ADDING

FROM	TO	MEA
FARMINGTON, NM VORTAC	MONTROSE, CO VOR/DME	16200
MONTROSE, CO VOR/DME	RED TABLE, CO VOR/DME	15000
RED TABLE, CO VOR/DME	KREMMLING, CO VORTAC	14000

§95.6362 VOR FEDERAL AIRWAY 362

IS AMENDED TO DELETE

FROM	TO	MEA
MACON, GA VORTAC	NORCROSS, GA VORTAC	*5000
*3000 - MOCA		MAA- 7000
NORCROSS, GA VORTAC	*NELLO, GA FIX	4900
*5000 - MRA		MAA- 7000

§95.6364 VOR FEDERAL AIRWAY 364

IS AMENDED BY ADDING

FROM	TO	MEA
LINCO, NC FIX	SUGARLOAF MOUNTAIN, NC VORTAC	6000

§95.6386 VOR FEDERAL AIRWAY 386

IS AMENDED BY ADDING

FROM	TO	MEA
SANTA BARBARA, CA VORTAC	*FILLMORE, CA VORTAC	8000
*6100 - MCA FILLMORE VORTAC, W BND		
FILLMORE, CA VORTAC	*SAUGS, CA FIX	6000
*6300 - MCA SAUGS FIX, NE BND		
SAUGS, CA FIX	PALMDALE, CA VORTAC	7000

§95.6392 VOR FEDERAL AIRWAY 392

IS ADDED TO READ

FROM	TO	MEA
OAKLAND, CA VORTAC	*SALAD, CA FIX	4000
*4700 - MCA SALAD FIX, NE BND		
SALAD, CA FIX	*OAKEY, CA FIX	5000
*3000 - MCA OAKEY FIX, S BND		
OAKEY, CA FIX	SACRAMENTO, CA VORTAC	2500
SACRAMENTO, CA VORTAC	ROZZY, CA FIX	*3500
*2200 - MOCA		
ROZZY, CA FIX	*HAGAN, CA FIX	**4000
*7500 - MCA HAGAN FIX, N BND		
**3000 - MOCA		
HAGAN, CA FIX	*AUDIO, CA FIX	
	N BND	**11000
	S BND	**7000
*9000 - MCA AUDIO FIX, NE BND		
**2700 - MOCA		
AUDIO, CA FIX	CONYO, CA FIX	
	NE BND	*11000
	SW-BND	*7000
*2700 - MOCA		
CONYO, CA FIX	SIGNA, CA FIX	*11000
*9000 - MOCA		
SIGNA, CA FIX	RENO, NV VORTAC	11500

§95.6394 VOR FEDERAL AIRWAY 394

IS ADDED TO READ

FROM	TO	MEA
SEAL BEACH, CA VORTAC	AHEIM, CA FIX	*3000
*2200 - MOCA		
AHEIM, CA FIX	*POMONA, CA VORTAC	4000
*10300 - MCA POMONA VORTAC, NE BND		
POMONA, CA VORTAC	CALBE, CA FIX	
	SW BND	5300
	NE BND	10800
CALBE, CA FIX	MEANT, CA FIX	
	SW BND	10700
	NE BND	11500
MEANT, CA FIX	*APLES, CA FIX	11500
*9100 - MCA APLES FIX, SW BND		
APLES, CA FIX	DAGGETT, CA VORTAC	7500
DAGGETT, CA VORTAC	LAS VEGAS, NV VORTAC	*9500
*7000 - MOCA		
LAS VEGAS, NV VORTAC	MORMON MESA, NV VORTAC	*7500
*6500 - MOCA		

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§95.6409 VOR FEDERAL AIRWAY 409

IS AMENDED BY ADDING

FROM	TO	MEA
CHARLOTTE, NC VOR/DME	LOCAS, NC FIX	3000
LOCAS, NC FIX	RALEIGH-DURHAM, NC VORTAC	*6000
*2200 - MOCA		

IS AMENDED TO DELETE

FROM	TO	MEA
ATHENS, GA VORTAC	VESTO, GA FIX	2500
VESTO, GA FIX	GREENWOOD, SC VORTAC	2500
GREENWOOD, SC VORTAC	SANDHILLS, NC VORTAC	*4000
*2100 - MOCA		
SANDHILLS, NC VORTAC	RALEIGH-DURHAM, NC VORTAC	2000

§95.6415 VOR FEDERAL AIRWAY 415

IS AMENDED BY ADDING

FROM	TO	MEA
SPARTANBURG, SC VORTAC	LOCKS, SC FIX	2300

§95.6421 VOR FEDERAL AIRWAY 421

IS AMENDED TO READ IN PART

FROM	TO	MEA
GUNNISON, CO VORTAC	WENDT, CO FIX	
	N BND	*16300
	S BND	*13000
*13000 - MOCA		
WENDT, CO FIX	CAZUU, CO FIX	*16300
*14500 - MOCA		
CAZUU, CO FIX	SKIER, CO FIX	16300
SKIER, CO FIX	RED TABLE, CO VOR/DME	*16300
*14000 - MOCA		
RED TABLE, CO VOR/DME	KREMMLING, CO VORTAC	14000

§95.6454 VOR FEDERAL AIRWAY 454

IS AMENDED TO READ IN PART

FROM	TO	MEA
GREENWOOD, SC VORTAC	LOCKS, SC FIX	2300
BAYIM, NC FIX	LIBERTY, NC VORTAC	3000

IS AMENDED TO DELETE

FROM	TO	MEA
FORT MILL, SC VORTAC	LIBERTY, NC VORTAC	*2600
*2500 - MOCA		

§95.6494 VOR FEDERAL AIRWAY 494

IS AMENDED BY ADDING

FROM	TO	MEA
CRESCENT CITY, CA VORTAC	FORTUNA, CA VORTAC	*6000
*3500 - MOCA		
FORTUNA, CA VORTAC	MENDOCINO, CA VORTAC	*13000
*6100 - MOCA		

§95.6567 VOR FEDERAL AIRWAY 567

IS AMENDED TO READ IN PART

FROM	TO	MEA
SALT RIVER, AZ VORTAC	*KNOBB, AZ FIX	
	N BND	8000
	S BND	6000
*8000 - MRA		

§95.6585 VOR FEDERAL AIRWAY 585

IS ADDED TO READ

FROM	TO	MEA
FRESNO, CA VORTAC	*MENDO, CA FIX	2000
*3000 - MCA MENDO FIX, SW BND		
MENDO, CA FIX	PANOCHE, CA VORTAC	4500
PANOCHE, CA VORTAC	VOLTA, CA FIX	5000
VOLTA, CA FIX	STOCKTON, CA VORTAC	3000
STOCKTON, CA VORTAC	LODDI, CA FIX	2000
LODDI, CA FIX	SACRAMENTO, CA VORTAC	3000

§95.6402 HAWAII VOR FEDERAL AIRWAY 2

IS AMENDED TO READ IN PART

FROM	TO	MEA
PARIS, HI FIX	*ARBOR, HI FIX	4000
*8000 - MRA		
ARBOR, HI FIX	HILO, HI VORTAC	3000

§95.6405 HAWAII VOR FEDERAL AIRWAY 5

IS AMENDED TO READ IN PART

FROM	TO	MEA
ALTIS, HI FIX	MAKEN, HI FIX	
	NW BND	8000
	SE BND	7000
MOANA, HI FIX	*ROWIN, HI FIX	
VIA W ALTER.	VIA W ALTER.	4000
*7500 - MCA ROWIN FIX, N BND		
JESSI, HI FIX	*LAVAS, HI FIX	
VIA W ALTER.	VIA W ALTER.	7000
*7000 - MRA		
LAVAS, HI FIX	MAKEN, HI FIX	
VIA W ALTER.	VIA W ALTER.	7000

§95.6407 HAWAII VOR FEDERAL AIRWAY 7

IS AMENDED TO READ IN PART

FROM	TO	MEA
MOANA, HI FIX	LANAI, HI VORTAC	4000
LANAI, HI VORTAC	MOLOKAI, HI VORTAC	4000

§95.6411 HAWAII VOR FEDERAL AIRWAY 11

IS AMENDED TO READ IN PART

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§95.6411 HAWAII VOR FEDERAL AIRWAY 11—Continued

FROM	TO	MEA
PULPS, HI FIX	MAUI, HI VORTAC	5000

§95.6412 HAWAII VOR FEDERAL AIRWAY 12

IS AMENDED TO READ IN PART

FROM	TO	MEA
GRITL, HI FIX	BAMBO, HI FIX	4500
BAMBO, HI FIX	MAGGI, HI FIX	5000
MAGGI, HI FIX	*SHARK, HI FIX	
	NE BND	13000
	SW BND	5000
*13000 - MRA		

§95.6413 HAWAII VOR FEDERAL AIRWAY 13

IS AMENDED TO READ IN PART

FROM	TO	MEA
KOKO HEAD, HI VORTAC	BAMBO, HI FIX	4500
BAMBO, HI FIX	TOADS, HI FIX	5000

§95.6415 HAWAII VOR FEDERAL AIRWAY 15

IS AMENDED TO READ IN PART

FROM	TO	MEA
LIHUE, HI VORTAC	BOOKE, HI FIX	4000
BARBY, HI FIX	*RABAT, HI FIX	10000
*10000 - MRA		
RABAT, HI FIX	*PUMIC, HI FIX	6000
*10000 - MRA		
PUMIC, HI FIX	*ARBOR, HI FIX	4000
*8000 - MRA		
ARBOR, HI FIX	HILO, HI VORTAC	3000
HODAY, HI FIX	EELIC, HI FIX	10000
EELIC, HI FIX	KUMME, HI FIX	
	W BND	10000
	E BND	31000

§95.6416 HAWAII VOR FEDERAL AIRWAY 16

IS AMENDED TO READ IN PART

FROM	TO	MEA
PUPPI, HI FIX	SOUTH KAUAI, HI VORTAC	
	E BND	5000
	W BND	11000
SOUTH KAUAI, HI VORTAC	MORKE, HI FIX	
	NW BND	4300
	SE BND	3000

§95.6421 HAWAII VOR FEDERAL AIRWAY 21

IS AMENDED TO READ IN PART

FROM	TO	MEA
BISEN, HI FIX	CUTLE, HI FIX	21000

§95.6421 HAWAII VOR FEDERAL AIRWAY 21—Continued

FROM	TO	MEA
CUTLE, HI FIX	OSTAH, HI FIX	24000

§95.6422 HAWAII VOR FEDERAL AIRWAY 22

IS AMENDED TO READ IN PART

FROM	TO	MEA
BARBY, HI FIX	SARDS, HI FIX	12000
SARDS, HI FIX	BONUS, HI FIX	8000
BONUS, HI FIX	OKALA, HI FIX	6000

§95.6422 HAWAII VOR FEDERAL AIRWAY 22—Continued

FROM	TO	MEA
BATES, HI FIX	OSTAH, HI FIX	10000
OSTAH, HI FIX	SCOON, HI FIX	22000

§95.6424 HAWAII VOR FEDERAL AIRWAY 24

IS AMENDED TO READ IN PART

FROM	TO	MEA
*LANAI, HI VORTAC	**MAUI, HI VORTAC	9000

*5100 - MCA LANAI VORTAC, NE BND
**6700 - MCA MAUI VORTAC, SW BND

§95.6425 HAWAII VOR FEDERAL AIRWAY 25

IS AMENDED TO READ IN PART

FROM	TO	MEA
HILO, HI VORTAC	COOKE, HI FIX	3000
COOKE, HI FIX	BASSY, HI FIX	6000
BASSY, HI FIX	CODDY, HI FIX	9000

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§95.7028 JET ROUTE NO. 28

IS AMENDED BY ADDING

FROM	TO	MEA	MAA
MILFORD, UT VORTAC	HANKSVILLE, UT VORTAC	18000	45000
HANKSVILLE, UT VORTAC	GUNNISON, CO VORTAC	18000	45000
GUNNISON, CO VORTAC	PUEBLO, CO VORTAC	18000	45000

§95.7060 JET ROUTE NO. 60

IS AMENDED TO READ IN PART

FROM	TO	MEA	MAA
HANKSVILLE, UT VORTAC	RED TABLE, CO VOR/DME	18000	45000
RED TABLE, CO VOR/DME	DENVER, CO VORTAC	18000	45000

§95.7080 JET ROUTE NO. 80

IS AMENDED TO READ IN PART

FROM	TO	MEA	MAA
GRAND JUNCTION, CO VORTAC	RED TABLE, CO VOR/DME	18000	45000
RED TABLE, CO VOR/DME	DENVER, CO VORTAC	18000	45000

§95.7206 JET ROUTE NO. 206

IS ADDED TO READ

FROM	TO	MEA	MAA
ALAMOSA, CO VORTAC	GUNNISON, CO VORTAC	18000	45000
GUNNISON, CO VORTAC	RED TABLE, CO VOR/DME	18000	45000
RED TABLE, CO VOR/DME	ROCK SPRINGS, WY VORTAC	18000	45000

§95.7599 JET ROUTE NO. 599

IS ADDED TO READ

FROM	TO	MEA	MAA
MULLAN PASS, ID VOR/DME	U.S. CANADIAN BORDER	18000	45000

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§95.8003 VOR FEDERAL AIRWAYS CHANGEOVER POINTS

Airway segment		Changeover points	
From	To	Distance	From
V-8			
Is amended to delete			
POMONA, CA VORTAC VIA N ALTER.	DAGGETT, CA VORTAC VIA N ALTER.	16	POMONA
V-8			
Is amended to delete			
DAGGETT, CA VORTAC VIA N ALTER.	LAS VEGAS, NV VORTAC VIA N ALTER.	59	DAGGETT
V-134			
Is amended to delete			
FAIRFIELD, UT VORTAC	CARBON, UT VOR/DME	42	FAIRFIELD
GRAND JUNCTION, CO VORTAC	DENVER, CO VORTAC	110	GRAND JUNCTION
V-394			
Is amended by adding			
POMONA, CA VORTAC	DAGGETT, CA VORTAC	16	POMONA
DAGGETT, CA VORTAC	LAS VEGAS, NV VORTAC	59	DAGGETT
V-37			
Is amended to delete			
FORT MILL, SC VORTAC	PULASKI, VA VORTAC	86	FORT MILL
V-259			
Is amended to delete			
FORT MILL, SC VORTAC	HOLSTON MOUNTAIN, TN VORTAC	53	FORT MILL
J-60			
Is amended to delete			
GRAND JUNCTION, CO VORTAC	DENVER, CO VORTAC	120	GRAND JUNCTION

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[FR Doc. 86–2711 Filed 2–6–86; 8:45 am]

BILLING CODE 4910–13–C

COMMODITY FUTURES TRADING COMMISSION

17 CFR Parts 15, 16, 17, 18 and 21

Reports Filed by Contract Markets, Futures Commission Merchants, Clearing Members, Foreign Brokers and Large Traders

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rules.

SUMMARY: The Commodity Futures Trading Commission ("Commission") is adopting amendments to Parts 15, 16, 17, 18 and 21 of its regulations. The amendments to Part 16, which relates to reporting requirements for contract markets, provide that contract markets submit those reports required under Rules 16.00, 16.01 and 16.02 by 3:00 p.m. on the business day following that to which the information pertains. The amendments also require that contract markets submit corrections to errors and omissions on reports submitted pursuant to Part 16 on Commission compatible data processing media.

The amendments to Part 17, which relates to reporting requirements for futures commission merchants ("FCMs"), clearing members and foreign brokers, require that all such persons provide the information required under Rule 17.00 on compatible data processing media unless otherwise approved to report on printed forms or Commission supplied computer printouts. The amendments, as adopted, include an exemptive provision for those firms that do not have the requisite means to comply with the amendments. The amendments to Part 17 also require that foreign brokers file series '01 reports on a daily as opposed to a weekly basis. Additional technical amendments have been made to Parts 15, 17 and 21 which the Commission believes are necessary in order for firms to report on machine-readable media.

Part 18 of the regulations, which pertains to reports furnished by traders, has been amended to require that large traders provide on CFTC form 40 information concerning financial interest in and control of other traders as well as all futures and/or option trading accounts. Traders are required to update their form 40s if these amendments alter the information which has previously been provided to the Commission. The Commission has also adopted changes to Rule 18.04 that clarify the type of information that should be provided by traders on the form 40 concerning their hedging use of option or futures markets.

The adoption of new rules 16.07 and 17.03 delegates authority to decide certain procedural reporting matters to the Director of the Division of Economic Analysis and to the Executive Director.

DATE: These rules shall be effective August 1, 1986.

ADDRESS: Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581.

FOR FURTHER INFORMATION CONTACT: Lamont L. Reese, Associate Director, Market Surveillance, Division of Economic Analysis at the above address. Telephone (202) 254-3310.

SUPPLEMENTARY INFORMATION: On July 26, 1985, the Commission published in the **Federal Register** proposed amendments to Parts 16, 17 and 18 of its regulations. These regulations concern reports containing option and futures data which are filed by contract markets, futures commission merchants (FCMs), clearing members, foreign brokers and large traders (50 FR 30450, July 26, 1985).[1] As noted in the release announcing the proposed rule changes, these data are necessary for daily market surveillance purposes and for market analysis and may also be used in research projects. The Commission received 33 comment letters on its proposed rulemaking. These letters included responses from five exchanges, clearinghouses associated with two of the exchanges, the Futures Industry Association, and a vendor of accounting systems whose clients include 23 FCMs. The remaining 24 comment letters were from FCMs, non-FCM clearing members and foreign brokers.

I. Amendments to Part 16—Reports by Contract Markets

A. Time of Filing Reports

As explained in the July 26, 1985, **Federal Register** release, Part 16 of the Regulations requires contract markets to provide certain futures and option information to the Commission in both machine-readable and hard copy form. This information includes the futures and option positions and transactions of members of the clearing organization for a contract market, 17 CFR 16.00; futures and option trading volume, open contracts and prices, 17 CFR 16.01; option large trader reports 17 CFR 16.02; and option month-end reports, 17 CFR 16.04. Contract markets must submit the data required under rules 16.00, 16.01 and 16.02 on the business day following the day to which the information pertains; however, no particular time of day is mentioned in the rules. See 17 CFR 16.00(b), 16.01(d) and 16.02(b).

Because of the large volume of data involved, the Commission updates its data base only once a day with the exchange-submitted data. Timely receipt of these data are essential so that the Commission can process and make them available for analysis on the following business day. In view of the importance of these data to its market suveillance program, the Commission proposed that the exchanges submit the data required under rules 16.00(a), 16.01(a) and 16.02(a) by 12:00 noon of the business day following the day to which the information pertains.

The Commission received comments from ten persons concerning this proposal, six of whom were representatives of exchanges or clearinghouses associated with exchanges. Nine of the ten commenters expressed concern that adoption of the proposed amendments would impose a severe burden on clearing member firms that must submit the data to the clearinghouses for initial processing. Four of the exchanges commenting on this aspect of the proposal cited a number of operational constraints which preclude them from shortening their current processing time for market surveillance data. Significant among these was the time necessary for the exchanges to collect, edit and process large trader option reports and gross futures and option position computations and/or adjustments. These latter data form the basis for open interest data required under Commission rules 16.00 and 16.01.

The exchanges concluded that if the rules were adopted as proposed, clearing members would have to submit their reports to the exchanges two to three hours earlier than is currently required. After polling its member firms, one exchange found that for a large number of such firms this would necessitate the hiring of additional staff and/or starting work approximately three hours earlier. The commenters questioned whether the gains in the Commission's surveillance capability which might accrue from adoption of the proposed rules were justified by the substantial burden which would be

[1] In a September 4, 1985, **Federal Register** release, the Commission proposed certain technical amendments to rules 21.02 and 21.02a concerning special calls for information from industry members (50 FR 35247, September 4, 1985). This included clarifying language that exempts futures commission merchants who carry positions on a fully disclosed basis with another futures commission merchant from reporting such positions to the Commission. Additionally, there were four technical corrections to the ADP format for providing data on machine-readable media. The Commission received no comments on these admendments and is adopting them as proposed as part of the instant rulemaking.

placed on clearing member firms. Other commenters indicated that a 12:00 noon filing time for Part 16 data would seriously impair the accuracy of the data and would necessitate an additional submission each day to correct errors.

The Commission appreciates the concerns of the commenters with respect to the additional reporting burdens which may be placed on clearing members. It is the Commission's policy to minimize costs to the industry for providing data to the extent that it does not impair effective market surveillance. In the present instance, the Commission continues to believe that it is necessary to prescribe a time by which data must be submitted by the exchanges, even though 12:00 noon may not be feasible at the current time.

Comment letters from the exchanges and a Commission staff review of current exchanges practices indicate that a majority of the exchange, either now or with little additional burden, will be able to submit the machine-readable data required under Part 16 by 3:00 p.m. on the day following that to which the information pertains. The Commission believes that by requiring a 3:00 p.m. deadline for submission of Part 16 data it can accomplish a primary purpose of its original proposal. The Commission is aware, however, that at least two exchanges are currently able to submit both hard copy and machine-readable data by 12:00 noon and that a number of others are able to provide hard copy information an hour or more in advance of the time that machine-readable data are available. The Commission does not desire to degrade the current timeliness of certain reports, in particular those hard copy reports which can be used immediately for assessing the liquidation of a maturing future. Accordingly, the Commission is amending its proposal to require that the exchanges submit data in hard copy and machine-readable forms at such times as each of the two forms of the data are first available but not later than 3:00 p.m. of the day following that to which the information pertains.

It should be noted that under current rules, the Commission or its designee may instruct exchanges to submit hard copy and/or machine-readable data at different times if an exchange is unable to comply with the time of filing specified in the regulations. See, for example, 17 CFR 16.02(b). The Commission is retaining this flexibility in its amended rules. If an exchange can demonstrate that it cannot meet the proposed timing requirements without an undue burden, the Commission or its designee may instruct such an exchange to submit machine-readable data at a time later than that explicitly set forth in the regulations.

B. Delegation of Authority

The Commission also is adding a new § 16.07 to the regulations delegating to the Director of the Division of Economic Analysis the authority to prescribe the form in which reports must be filed (*i.e.*, machine-readable and/or hard copy) and for exchanges that request exemptions from the requirements of Part 16 to determine the place and time of filing reports. This authority is to be exercised by such Director or by such other employee or employees of the Commission under the supervision of such Director as may be designated from time to time by the Director.

Commission rules 16.00(b), 16.01(b), 16.02(d), and 16.04(b) also require that exchanges use a format and coding structure approved in writing by the Commission or its designee. The Commission's Office of the Executive Director has been responsible for supplying exchanges with a model format for reporting in machine-readable form and for determining whether exchanges comply with this format. Accordingly, new Commission rule 16.07 also contains a delegation of authority to the Executive Director to approve the format and coding structure for exchange data supplied in machine-readable form under Part 16 of the regulations.

C. Types of Machine Media

The Commission also proposed to amend rules 16.01(b), 16.01(d), 16.02(b) and 16.04(b) to reflect accurately the types of magnetic media that are compatible with the Commission's data processing system. (50 FR 30451 July 26, 1985). No persons commented on this aspect of the Commission's proposed rule changes.

At the time the proposal was set forth, compatible data processing media included only magnetic tapes and diskettes. As discussed more fully below, the Commission intends to add certain varieties of telecommunication equipment to its ADP center in Chicago in response to requests for direct transfer of Part 17 data from FCMs and clearing members to the Commission. Accordingly, the Commission is adopting in final form a definition of compatible magnetic media which includes dial-up transmission and which will be applicable as well to reports of contract markets pursuant to Part 16 of the Commission's regulations. The Commission believes that dial-up data transmission may assist the exchange in meeting the new time requirements set forth in Part 16 since delivery to the Commission of a physical tape would no longer be required.[2]

D. Errors or Omissions

The Commission expects that contract markets will maintain a program designed to detect errors or omissions in data supplied by them under Part 16 of the regulations. Amendments to rule 16.06, which concerns the reporting of errors or omissions to the Commission, were proposed in order to clarify the manner in which exchanges must notify the Commission of such errors and omissions. The proposed amendments would require that corrections to data filed in machine-readable form under Part 16 also be provided to the Commission on compatible data processing media. Two exchanges commented on this proposal. Both exchanges noted that if the proposed amendment were adopted, they would need an extended period of time to make programming changes.

The Commission intends to adopt the rule change as proposed, with an effective date of all amendments to Part 16 of August 1, 1986. The Commission believes that this should allow exchanges sufficient time to make necessary adjustments in the internal procedures and/or necessary programming changes to meet the new requirements set forth in Part 16 regarding timing and error corrections.

II. Amendments to Part 17—Reports by Futures Commission Merchants, Members of Contract Markets and Foreign Brokers

Part 17 of the Commission's regulations specifies the information that must be reported, the form and manner of reporting and the time and place for filing reports by FCMs, clearing members and foreign brokers. Firms file information required under rule 17.00 ("01 information") on printed forms, Commission-supplied computer printouts or magnetic tapes.[3] At present,

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[2] Since Parts 16, 17 and 21 of its regulations require that data be provided in machine-readable form, the Commission is adding a definition of "compatible data processing media" to Rule 15.00. The new definition makes clear the type of magnetic media that the Commission can accept without prior notification or approval and which types of media each Commission regional offices can accept. The Commission, in new Rule 16.07, has delegated its authority to approve reporting on other types of magnetic media to the Executive Director. Conforming amendments are also being made to Part 21 of the regulations.

[3] The information required under rule 17.00 includes reportable positions, exchanges of futures for cash and delivery notices issued or received for

Continued

five firms use tapes to provide '01 information.

In the July 26, 1985, **Federal Register** release, the Commission noted that its experience with '01 information reported on tape indicates that it provides more accurate and timely data and reduces processing and/or reporting burdens for the Commission and industry members (50 FR 30451). The Commission also noted that its experience was independently confirmed through a report concerning Commission reporting which was conducted by the General Accounting Office.[4]

Since a large number of firms have their own computer systems or use a service bureau that can provide machine-readable data on their behalf, the Commission proposed amendments to Part 17 that would require all FCMs, clearing members and foreign brokers to file information in machine-readable form unless authorized to report otherwise by the Commission or its designee. The Commission also proposed to require foreign brokers to submit '01 information on a daily rather than a weekly basis. The Commission received 25 comment letters dealing at least in part with its proposed revisions to Part 17.

A. Machine-Readable Data

The Commission's proposed amendments to rule 17.00 specifically provide that, unless otherwise approved by the Commission or its designee, an FCM, clearing member or foreign broker must submit '01 information in machine-readable form on magnetic media that are compatible with the Commission's data processing system and in a form and manner specified in proposed Rule 17.00(g). Proposed rule 17.00(g) allows for reporting only on magnetic tape unless otherwise authorized by the Commission or its designee. The proposed amendments also require that machine-readable data be submitted by 9:00 am at a Commission office in accordance with instructions from the Commission or its designee.

The Commission proposed to delegate its authority to authorize firms to report by means other than machine-readable media to the Director of the Division of Economic Analysis. Proposed Rule 17.03 allows reporting on Commission-supplied computer printouts or printed forms if firms could demonstrate to the Director of the Division of Economic Analysis that technologically they are unable to meet the requirements of proposed rule 17.00. The Commission also proposed deleting current rule 17.03 which allows voluntary submissions of '01 information on machine-readable media. The requirement in current rule 17.03 that a printout of data accompany any submissions made on machine-readable media was proposed as new rule 17.00(a)(3).

Fifteen of the twenty-five comment letters responsive to this proposal requested that any regulation that required the submission of '01 information in machine-readable form have its effective date delayed 6 to 8 months after the adoption of such rules by the Commission. The commenters noted that an extended period of time would be needed by FCMs or service organizations that do the accounting for FCMs and clearing members to reprogram their systems. The Commission is well aware of the need for lead time to reprogram computer systems and has determined to set the effective date of the amendments to Part 17 as of August 1, 1986 which coincides with the effective date of the amendments to Part 16.

The Commission received five comment letters requesting that it allow reporting via data transmission on diskette in addition to magnetic tape. Two persons specifically noted that the Commission should allow reporting on diskettes produced by the IBM system 34 since this system was in common use by the industry.

Another commenter recommended that the Commission support data transmission using 3780 bisynchronous, RJE or SRJE protocols via Bell 208 compatible modems as well as diskettes in IBM single density 3741 format. The commenters noted that tape input would not allow the Commission to realize all potential benefits from machine-readable input since the tapes must be handled by both the reporting firms and the Commission and submission of the data may be delayed by the time required to deliver a tape.

The Commission's original proposal did not preclude the use of magnetic media other than tape but would have required approval for the use of diskettes or data transmission. In light of the comments it received, the Commission is amending its proposal specifically to include, as magnetic media approved for reporting, diskettes in a single density IBM 3741 format and dial-up data transmission at speeds up to 1200 baud asynchronous transmission and 4800 baud synchronous transmission. The use of other forms of magnetic media or transmission will require prior approval from the Commission or its designee.

Since the term "compatible data processing media" is used in Parts 16, 17 and 21 of its regulations, the Commission has determined to add a definition of this term as a new paragraph to Rule 15.00 which defines terms used in Parts 15 through 21 of Chapter 17 of the Code of Federal Regulations. New paragraph 15.00(1) also specifies the Commission offices that can accept the various media.

The comments concerning data transmission have also caused the Commission to reconsider the need for proposed rule 17.00(a)(3), which would require that data submitted in machine-readable form be accompanied by a complete and accurate printout of the data. This requirement would provide a source by which the Commission could determine if certain errors such as record omissions occurred in creating or reading magnetic media. This requirement, however, may conflict with certain objectives associated with requiring machine-readable input, in particular if the data are transmitted. The Commission believes that with the addition of a sequence number to the record format for '01 information, it will have sufficient ability to check for errors or omissions. In view of the above, the Commission is amending its proposal by deleting rule 17.00(a)(3) and by requiring under rule 17.00(g) that a sequence number be included on each data record supplied to the Commission.[5]

Two commenters, the FIA and a service organization, expressed concerns about error corrections. The FIA conducted an informal survey of its members and found that if errors or omissions had to be provided in machine-readable form, it would complicate programming efforts and would require more than a 6 to 8 month lead time in order for its members to achieve compliance with the proposed rules. As noted by the FIA, the Commission made no reference in its July 26, 1985, **Federal Register** release to procedures for correcting errors.

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each special account. A special account is any account in which there are reportable positions, that is, positions which exceed certain levels established by the Commission. See 17 CFR 15.00(a)(2), (c) and 15.03, 1985.

[4] Report to the Committee on Government Operations, House of Representatives of the United States. GAO/GGD-83-89. April 11, 1983.

[5] The Commission is amending its proposed rule 17.00(g) to require that the sequence number appear in colums 46–53 of each record. The Commission notes that this amendment should not significantly affect those FCMs which are currently supplying tapes to the Commission since at the present time columns 46–53 are used as filler. Moreover, the cost of making this change should be more than offset by not having to produce and deliver an output of the data to the Commission. FCMs currently supplying tapes will have until August 1, 1986, to add a sequence number to their current formats.

Currently, the Commission only accepts corrections in hard copy form and will continue this practice.[6] To make this clear, the Commission is amending its proposal by adding a new rule 17.00(h), which requires that corrections to previous days' data be supplied on printed '01 forms or on a computer printout using a format and coding structure approved by the Commission or its designee. The Commission also notes that at present it produces a printout of the '01 information for correction purposes that is given to the five FCMs currently supplying tapes. The Commission intends to discontinue this practice when its amendments to Part 17 become effective.

Both commenters also noted that if the Commission maintains a 9:00 am filing time as proposed, the accuracy of the reports the Commission receives on machine-readable media may be questionable. Final adjustments may be required to the data as a result of the clearing process or positions may have to be combined for reporting to the Commission. The service organization requested a filing time of 12:00 noon to coincide with the submission of the data required under Part 16.

Industry members have an obligation at all times to provide the Commission with accurate reports. As with Part 16 data, the Commission recognizes that there may be significant costs to firms to provide accurate reports within relatively restrictive time frames and that there may be some later time at which reports can be filed that will serve the Commission's purposes. The Commission begins processing '01 information concerning markets in the eastern time zone at about 11:00 am eastern time. Series '01 information concerning all other markets are processed on a similar schedule based on central time. In view of the above and the Commission's need to maintain its current processing schedule, the Commission is amending its proposal concerning the time at which reports must be filed. As amended, proposed rule 17.02 requires that '01 information be received in the appropriate regional office on the business day following the day for which reports are filed when such reports are first available but not later than:

(1) 9:00 am, if the '01 information is submitted in hard copy form;

(2) 10:30 a.m., if the '01 information is submitted on computer tape or diskette; or

(3) 11:00 a.m., if the '01 information is transmitted via telecommunications.

The times referred to in (1) through (3) above are eastern time if the information concerns markets located in that time zone and central time for information concerning all other markets. The Commission is requiring firms to submit the information when it is first available in an attempt to prevent congestion problems which might otherwise occur if all firms, particularly those using dial-up transmission, file at a single time. The earliest time is required for hardcopy submissions since such data require manual preparation and key entry. Hardcopy submission would be permitted only for firms obtaining an exemption from this rule.[7]

The Commission received nine comment letters expressing concern that the proposed amendments to Part 17 would create a hardship for smaller firms. Seven of the comment letters were from firms that believed they would need to acquire expensive equipment to achieve compliance with proposed rule 17.00.[8] A number of these commenters indicated that they have few reportable accounts and currently spend little time in preparing reports for the Commission. An exchange commented that a few large firms find automated reporting to be cost effective, but the exchange did not believe this was true of the vast majority of firms. The exchange stated that . . ." requiring all firms to conform to this standard would impose a disproportionate burden on small specialized firms carrying a few accounts. To that end, the proposed changes would have an anticompetitive effect in the FCM and clearing member community." The exchange also noted that adoption of the proposed rule change by the Commission would pressure the exchange to accept machine-readable data from its members as well and would necessitate a conversion from the current hard-copy based market surveillance system at considerable expense.

The Commission recognizes that there are certain costs associated with providing data in machine-readable form. These costs may vary from firm to firm, generally depending on whether all position and/or transaction information in accounts carried by a firm are maintained on a computer system. A staff review of the data currently collected by the Commission indicates that at least 50 percent of those firms which currently file '01 information either maintain position and transaction data on their own computer systems or on those of service organizations.[9] These firms account for approximately 90 percent of the '01 information collected and processed by the Commission. A substantial proportion of the firms that use service organizations have few reports to file and on this basis may be characterized as small. Although the Commission received a number of comment letters from such firms requesting that it delay adoption of the proposed amendments, none of the firms indicated that it would be more costly or less efficient for them to provide data on machine-readable media than on hardcopy.

The Commission's proposal is intended primarily to obtain data on machine-readable media from those firms that maintain trader position and transaction data on computer systems for purposes other than Commission reporting. For this reason, the Commission proposed a limited exemption to rule 17.00 which could be granted to firms demonstrating that they are unable technologically to comply with the proposed requirements. The Commission did not envision that firms would be required to purchase expensive computer equipment or employ service organizations solely for the purpose of compliance with Rule 17.00.

With regard to exchanges' surveillance systems, the Commission finds little merit in the suggestion that, as a result of this rulemaking, an exchange will be required to covert to a computer-based system at great expense. Members of an exchange who provide information to the Commission on machine-readable media can provide printouts of the data to the exchange at little additional expense.

B. Delegation of Authority

The Commission received comments from one person on its proposal to allow exemptions from the requirements of

[6] The Commission is making changes to its current software and may in the future be able to process corrections which are supplied in machine-readable form. At such time as it gains this capability, the Commission may further amend its regulations to allow respondents to file corrections on machine-readable media.

[7] The Commission is also amending rule 17.02 to include instructions on the time and place for filing CFTC form 102. This information is currently contained in rule 17.01(c).

[8] Four of the comment letters were from affiliated firms, three of which report as foreign brokers.

[9] These estimates are based on the staffs' direct knowledge of firms which have their own computer systems or use a service organization. Since the staff did not survey the fifty percent of the firms (which account for approximately 10 percent of the '01 data) for which it did not have information concerning computer capabilities, the staff's estimate of the number of firms that can provide data in machine-readable form may be significantly understated.

Rule 17.00. This commenter believed that proposed Rule 17.03 should be "tightly framed" setting specific guidelines for exemptions rather than putting "wide discretion in the hands of CFTC staff."

The Commission is not convinced that it should attempt to set specific standards for exemptions to Rule 17.00. There may be a number of reasons why a firm cannot technologically meet the requirements of Rule 17.00 other than the fact that the firm does not maintain trader position and transaction data on a computer system. Since such reasons may be varied and apply only in individual cases, there does not appear to be a requirement for general guidelines. Moreover, granting exemptions may involve relatively technical issues concerning which Commission staff have the necessary expertise to make determinations guided in the exercise of their discretion by the Commission's intent in adopting the proposed rules.

In this regard, other rules contained in Part 17 of the regulations concern purely technical or procedural matters that require a great deal of flexibility on the part of Commission staff in dealing with allowable exemptions. Specifically, proposed Rule 17.00 (a) and (g) and 17.02 allow discretion by the Commission or its designee in determining compliance with certain matters concerning reporting. Rules 17.00 (a) and (g), respectively, allow the Commission or its designee to exempt firms from reporting on machine-readable media and allow firms to report on types of magnetic media other than those specified in the regulations. Rule 17.02 allows the Commission or its designee certain latitude in specifying the place where reports are to be filed.

In view of the procedural nature of the issues involved, the Commission wishes to delegate its authority in these areas to Commission staff. It is therefore amending its proposed Rule 17.03 to include a delegation of authority to the Director of the Division of Economic Analysis to determine the appropriate Commission office at which a firm must file reports. Similarly the Commission is delegating to the Executive Director the authority to determine acceptable types of magnetic media. In addition, the Commission is adopting as proposed its delegation of authority to the Director of the Division of Economic Analysis to determine exemptions from the requirements contained in Rule 17.00 to submit data in machine-readable form.

C. Account Identifiers

The Commission also requested comment on the desirability of amending Rule 17.01(a) to allow the use of two account identifiers when reporting option and futures data for the same trader. As explained in the July 26, 1984, **Federal Register** release, Rule 17.01(a) requires that a numeric account identifier be used to report futures information to the Commission for compatability with current Commission software. The rule also provides that the same number must be used in reporting option information to the exchange. However, if a trader becomes reportable in options first, some firms currently report alpha-numeric account identifiers to the exchange. If such trader then becomes reportable in futures, the account identifier must be changed to a number to comply with current Rule 17.01(a).

The Commission proposed amending Rule 17.01(a) because modifying the identifier results in additional work for the firms, the exchanges and the Commission. No comments concerning the desirability of this amendment were received by the Commission. Since the proposed amendment may reduce a reporting burden on the industry as well as reduce Commission processing costs, the Commission is amending Rule 17.01(a) to allow the use of an alpha-numeric identifier for accounts that a trader may have in options while requiring a numeric indicator for accounts that a trader may have in futures.

D. Foreign Broker Reporting

The Commission proposed to delete Rule 17.02(b) which allows foreign brokers to file reports on a weekly basis. The Commission's proposed amendments to Rule 17.02(a) would require that all persons, foreign and domestic, send manual series '01 reports and form 102's on a daily basis. As explained in the July 26, 1985, **Federal Register** release, the Commission has found that in certain market situations, weekly reporting by foreign brokers is not sufficient. Moreover, the Commission believes that adoption of these proposed amendments furthers its policy concerning parity of treatment between domestic and foreign market participants. No comments were received on this aspect of the Commission's proposed rule changes, and the Commission is adopting Rule 17.02 concerning foreign broker reporting as proposed.

III. Amendments to Part 18—Reports by Traders

A. Financial Interest and Control

The Commission proposed amendments to paragraphs (5), (8) and (9) of Rule 18.04(a). Rule 18.04 requires each reportable trader to file with the Commission a "Statement of Reporting Trader" on CFTC form 40, 17 CFR 18.04 (1984). The form 40 provides certain biographical information about the trader as well as information concerning the trader's financial interest in organizations that trade futures and/or options and the trader's control over futures and/or option trading accounts. Paragraphs (5), (8) and (9) of Rule 18.04(a) set forth that the trader shall report certain information concerning the following:

(a) Persons whose accounts are controlled by the reporting trader, 17 CFR 18.03(a)(5);

(b) Persons who guarantee or who have a financial interest of 10 percent or more in the account of the trader, 17 CFR 18.04(a)(8); and

(c) Accounts which the reporting trader guarantees or in which the trader has a financial interest of 10 percent or more. 17 CFR 18.04(a)(9).

In at least one instance, a trader has interpreted the use of the term "account" in Rule 18.04 to mean a direct interest in a specific futures trading account. The Commission, however, has generally interpreted and applied these rules more broadly. To conduct effective market surveillance and enforce speculative limits, the Commission must know the relationship in terms of financial interest or control between traders as well as that between a trader and trading accounts. The Commission therefore proposed to modify the language in paragraphs 18.04(a) (5), (8) and (9) to reflect more accurately its intentions.

One person commented on the proposed amendments to Rule 18.04, stating that the proposed amendments greatly expand rather than clarify the type of information that is required on the form 40. The commenter requested that the Commission explain in detail the reasons for this change.

Section 4i of the Commodity Exchange Act ("Act"), 7 U.S.C. 6i, authorizes the Commission to collect information from traders who directly or indirectly make futures contracts or directly or indirectly have or obtain long or short futures positions. In this section of the Act, Congress clearly recognized that the Commission must be aware of traders who indirectly own or control futures positions in order effectively to enforce other provisions of the Act. A narrow interpretation of the current language in Rule 18.04 would not provide the Commission with information concerning indirect ownership or control of futures or option contracts. The

Commission believes that its proposed amendments clarify the type of information that must be provided on the form 40. Accordingly, the Commission is adopting the amendments to Rule 18.04 as proposed.

B. Hedging Use of Futures Markets

The Commission proposed amendments to paragraphs 18.04(b)(3) and 18.04(c)(6) of its regulations to clarify the information that is required on the form 40 concerning a trader's use of futures and/or option markets for hedging. Since no comments were received on these proposed amendments, the Commission is adopting them as proposed.

IV. Other Related Issues

A. The Regulatory Flexibility Act

The Regulatory Flexibility Act ("RFA") 5 U.S.C. 601 et. seq., requires that agencies, in adopting rules, consider their impact on small businesses. Analysis of the final rule amendments to Parts 15, 16, 17, 18 and 21 are not required, however, since the Commission has previously determined that reporting entities such as contract markets, FCMs and similar entities are not "small" for purposes of the RFA. 47 FR 18618–18621 (April 30, 1982). Nonetheless, the Commission invited comment from any firm that believed the rules would have a significant impact upon its operations.

As noted above, the Commission received a number of comments from contract markets and reporting firms that believed the amendments to Parts 16 and 17 would have an economic impact on their operations or that of their members.[10] The Commission has addressed these concerns by amending its proposal concerning Part 16 and clarifying its policy with respect to exemptions from the new requirements in Rule 17.00. This exemption provides relief to any reporting entity which fails to possess the requisite technical capability to achieve compliance.

In view of the above, pursuant to section 3(a) of the RFA, 5 U.S.C. 605(b), the Chairman, on behalf of the Commission, certifies that the proposed rules, as amended, will not have a significant economic impact on a substantial number of small entities.

B. Paperwork Reduction Act

The Commission believes that adoption of its proposals as amended will reduce a reporting burden associated with certain existing information collection requirements. These requirements have already been assigned an Office of Management and Budget ("OMB") control number. OMB has been notified by the Commission of the adoption of these proposed amendments, and a copy of this **Federal Register** release has been provided to that agency with an explanation and details of the effects these amendments may have on the subject information collection. No comments were received relating to Paperwork Reduction Act implications.

List of Subjects

17 CFR Part 15

Commodity futures, Reports—general provisions.

17 CFR Part 16

Commodity futures, Reports by contract markets.

17 CFR Part 17

Commodity futures, Reports by Futures Commission merchants, Members of contract markets and foreign brokers.

17 CFR Part 18

Commodity futures, Reports by traders.

17 CFR Part 21

Commodity futures, Special calls.

In consideration of the foregoing the Commission is amending Parts 15, 16, 17, 18 and 21 of Chapter I of Title 17 of the Code of Federal Regulations as follows:

PART 15—REPORTS—GENERAL PROVISIONS

1. The authority citation for Part 15 is revised to read as set forth below and the authority citations following all the sections in Part 15 are removed:

Authority: 7 U.S.C. 2, 4, 5, 6a, 6c(a)–(d), 6f, 6g, 6i, 6k, 6m, 6n, 7, 9, 12a, 19 and 21; 5 U.S.C. 552 and 552(b) unless otherwise noted.

2. Section 15.00 is amended by adding new paragraphs (l) as follows:

§ 15.00 Definitions.

As used in Parts 15 to 21 of this chapter:

* * * * *

(l) Compatible Data Processing Media means:

(1) Unblocked, nine track, 1600 BPI magnetic tape using EBCIDIC encoding and a standard IBM label if magnetic media are filed at the Commission's Chicago or New York Regional Offices;

(2) Magnetic diskettes using a single density IBM 3741 format if magnetic media are filed at the Commission's Chicago, New York or Kansas City Regional Office; and

(3) Asynchronous dial-up data transmission at speeds up to 1200 baud or synchronous dial-up data transmission at speeds up to 4800 baud to the Commission's computer center at its Regional Office in Chicago.

PART 16—REPORTS BY CONTRACT MARKETS

3. The Authority citation for Part 16 is revised to read as set forth below and the authority citations following all the sections in Part 16 are removed:

Authority: 7 U.S.C. 2, 4, 6c (a)–(d), 6f, 6g, 6k, 6m, 6n, 7, 12a, 19, and 21; 5 U.S.C. 552 and 552(b) unless otherwise noted.

4. Section 16.00 is amended by revising paragraph (b) as follows:

§ 16.00 Clearing member Reports.

* * * * *

(b) *Form and manner of reporting; time and place of filing reports.* Unless otherwise approved by the Commission or its designee, contract markets shall submit the information required by paragraph (a) of this section as follows:

(1) Using a format and coding structure approved in writing by the Commission or its designee in both hard copy form and on compatible data processing media;

(2) When each such form of the data is first available but not later than 3:00 p.m. on the business day following the day to which the information pertains; and

(3) Except for dial-up data transmissions, at the Regional Office of the Commission having local jurisdiction with respect to such contract market.

5. Section 16.01 is amended by revising paragraph (d) as follows:

§ 16.01 Trading volume, open contracts and prices.

* * * * *

(d) *Reports to the Commission.* Unless otherwise approved by the Commission or its designee, contract markets shall submit the information specified in

[10] One commenter argued that the Commission's definition of small for purposes of the RFA is . . . "an overbroad and simplistic view of the economic makeup of the futures industry and its highly competitive nature." This commenter believed that the burdens imposed by adoption of the proposed rules would fall more heavily on the smaller FCMs. In view of this, the commentator requested that the Commission reconsider its certification as it relates to the proposed rules and take into account their effect on small firms. As noted previously, the Commission is sensitive to the costs that firms incur for reporting, whether or not the firms are certified as small for the purposes of the RFA. As amended, the Commission does not believe that adoption of its proposed rules will have a significant economic impact on any firm regardless of its size.

paragraphs (a) and (b) of this section as follows:

(1) Using a format and coding structure approved in writing by the Commission or its designee in both hard copy form and on compatible data processing media;

(2) When each such form of the data is first available but not later than 3:00 p.m. on the business day following the day to which the information pertains; and

(3) Except for dial-up data transmission, at the Regional Office of the Commission having local jurisdiction with respect to such contract market.

6. Section 16.02 is amended by revising paragraph (b) as follows:

§ 16.02 Large option trader reports.

* * * * *

(b) *Form and manner of reporting.* Unless otherwise approved by the Commission or its designee, contract markets shall submit the information required by paragraph (a) of this section as follows:

(1) Using a format and coding structure approved is writing by the Commission or its designee in both hard copy form and on compatible data processing media.

(2) When each such form of the data is first available but not later than 3:00 p.m. on the business day following the day to which the information pertains. For options on futures and for options on physicals that are settled in cash, such information shall be compiled weekly as of the close of business on Tuesday, or Monday if Tuesday is a holiday, or more frequently than weekly as the Commission may direct; and

(3) Except for dial-up data transmission, at the Regional Office of the Commission having local jurisdiction with respect to each contract market.

7. Section 16.04 is amended by revising paragraph (b) as follows:

§ 16.04 Month-end reports.

* * * * *

(b) Form and manner of reporting; time and place of filing reports. Unless otherwise approved by the Commission or its designee, contract markets shall submit the information required by paragraph (a) of this section as follows:

(1) Using a format and coding structure approved in writing by the Commission or its designee in both hard copy form and on compatible data processing media.

(2) Not later than the fifth business day following the day to which the information pertains; and

(3) Except for dial-up data transmission at the Regional Office of the Commission having local jurisdiction with respect to such contract market.

8. Section 16.06 is revised to read as follows:

§ 16.06 Errors or omissions.

Contract Markets shall file with the Commission on compatible data processing media using a format and coding structure approved by the Commission or its designee, corrections to errors or omissions in data previously filed with the Commission pursuant to §§ 16.00, 16.01, 16.02 or 16.04.

9. Rule 16.07 is added to read as follows:

§ 16.07 Delegation of authority to the Director of the Division of Economic Analysis and the Executive Director.

The Commission hereby delegates, until the Commission orders otherwise, the authority set forth in paragraph (a) of this section to the Director of the Division of Economic Analysis and the authority set forth in paragraph (b) of this section to the Executive Director to be exercised by such Director or by such other employee or employees of such Director as may be designated from time to time by the Director.

(a) Pursuant to §§16.00(b), 16.01(d), 16.02(b), and 16.04(b), the authority to determine whether contract markets must submit data in machine-readable form or hardcopy or both, and the time and Commission office at which such data may be submitted where the Director determines that a contract market is unable to meet the requirements set forth in the Regulations.

(b) Pursuant to §§ 16.00(b)(1), 16.01(d)(1), 16.02(d)(1), 16.04(b)(1) and 16.06, the authority to approve the use of data processing media other than compatible data processing media as that term is defined in § 15.00(1) and to approve the format and coding structure used by contract markets.

PART 17—REPORTS BY FUTURES COMMISSION MERCHANTS, MEMBERS OF CONTRACT MARKETS AND FOREIGN BROKERS

10. The authority citation for Part 17 is revised to read as set forth below and the authority citations following all the sections in Part 17 are removed:

Authority: 7 U.S.C. 6a, 6c, 6d, 6f, 6g, 6i, 7, and 12a, unless otherwise noted.

11. Section 17.00 is amended by revising the language in paragraph (a)(1) and adding new paragraphs (g) and (h) as follows:

§ 17.00 Information to be furnished by futures commission merchants, clearing members and foreign brokers.

(a) *Special Accounts—Reportable futures positions, delivery notices and exchanges of futures for cash.* (1) Each futures commission merchant, clearing member and foreign broker shall submit a report to the Commission for each business day with respect to all Special Accounts carried by the futures commission merchant, clearing member or foreign broker, except for accounts carried on the books of another futures commission merchant on a fully disclosed basis. Except as otherwise authorized by the Commission or its designee, such report shall be made on compatible data processing media in accordance with the format and coding provisions set forth in paragraph (g) of this section. The report shall show each reportable futures position, separately for each contract market and for each future in each special account as of the close of the market on the day covered by the report and, in addition, the quantity of exchanges of futures for physicals and the number of delivery notices issued for each such account by the clearing organization of a contract market and the number stopped by the account.

* * * * *

(g) *Media and file characteristics.* (1) Except as otherwise approved by the Commission or its designee, all required records shall be submitted together in a single file. Each record will be 80 characters long. Specific record formats are given below as a set of Cobol Language descriptions. There are two different record descriptions. The file must begin with a Type I record identifying the sequence of Type II records that follow as series '01 data.

(2) The required records are as follows:

```
01 O-T-Type I RECORD:
   05 Filler—PIC X(10) VALUE "X 01 REC".
   05 O-T-REPORT-DATE—PIC X(6).
   05 Filler—PIC X(29) VALUE "Spaces".
   05 O-T SEQUENCE-NUMBER—PIC (8).
   05 Filler—PIC X(27) VALUE "Spaces".
01 O-T-Type II RECORD:
   05 O-T-REPORTING-FIRM-NUMBER—
      PIC 9(5).
   05 O-T-REPORT-DATE—PIC 9(6).
   05 O-T-ACCOUNT-NUMBER—PIC 9(12).
   05 O-T-COMMODITY-CODE—PIC 9(6).
   05 O-T-DELIVERY-MONTH—PIC 9(4).
   05 O-T-LONG-POSITION—PIC 9(6).
   05 O-T-SHORT-POSITION—PIC 9(6).
   05 O-T-SEQUENCE-NUMBER—PIC 9(8).
   05 Filler—PIC X(8). VALUE "Spaces".
   05 O-T-NOTICES-ISSUED—PIC 9(5).
   05 O-T-NOTICES-STOPPED—PIC 9(5).
   05 O-T-BUY-XFC—PIC 9(4).
   05 O-T-SELL-XFC—PIC 9(4).
```

05 Filler—PIC X(1). VALUE "Spaces".

(3) Field definitions for each record are as follows:

(i) *Reporting Firm Number.* A five digit number assigned by the Commission to each FCM, clearing member and foreign broker which reports series '01 data.

(ii) *Report Date.* The date on which the reported positions were held by traders. Dates are encoded in a YYMMDD format where YY is the last 2 digits of the year, MM is the month and DD is the date with a leading 0 for months and days 1–9.

(iii) *Account Number.* A unique identifier assigned by the reporting firm to each special account. The field is 0 filled with account number right justified. Assignment of the account number is subject to the provisions of §§ 17.00 (b) and (c) and 17.01(a).

(iv) *Commodity Code.* A six character identifier assigned by the CFTC to identify uniquely a contract traded on a specific exchange. The code is in CCMMS format where CCC identifies the commodity, MM identifies the exchange and S distinguishes between two or more contracts specifying delivery of the same commodity on the same exchange.

(v) *Delivery Month.* The year and month of delivery specified in the contract in YYMM format. YY is the last two digits of the year and MM specifies the month with a leading 0 for months 1–9.

(vi) *Sequence Number.* The number of the record in the file. This number should be right justified and the field 0 filled.

(vii) *Long (Short) Position.* Reportable long (short) position (if any) in the special account held on the contract market as of the close of business on the report date specified in the same record. Long (short) positions are reported in contracts except for the grains and soybeans. In the grains and soybeans, long (short) positions are reported in thousand bushels (000 omitted). The long (short) position is right justified with the field zero filled. Positions are reported on a net or gross basis in accordance with the provisions of paragraphs (d) and (e) of this section.

(viii) *Notices Issued (Stopped).* Delivery notices issued by the clearing organization of a contract market on behalf of a special account (stopped by the account) on the report date. Notices issued (stopped) are reported in contracts except for the grains and soybeans. In the grains and soybeans, notices issued (stopped) are reported in thousand bushels (000 omitted). Notices issued (stopped) are right justified, and the field zero filled.

(ix) *Purchases (Sales) of Futures in Connection with Cash Commodity Transactions.* The quantity of long contracts opened and/or short contracts liquidated (short contracts opened and/or long contracts liquidated) as a result of an exchange of futures for physicals. Purchases (Sales) are reported in contracts except for the grains and soybeans. In the grains and soybeans, purchases (sales) are reported in thousand bushels (000 omitted).

(h) *Correction of errors and omissions.* Corrections to errors and omissions in data provided pursuant to § 17.00(a) shall be filed on series '01 forms or on computer printouts using a format and coding structure approved by the Commission or its designee.

12. Section 17.01 is amended by revising paragraphs (a) and (c) as follows:

§ 17.01 Special account designation and identification.

(a) *Designation of special account.* For the purpose of reporting futures information to the Commission and option information to a contract market, each futures commission merchant, member of a contract market and foreign broker shall assign a unique designator to each special account and shall report such account only by such designator. Provided, that the designator used to report futures information shall be numeric and further that the designator for options and the designator for futures shall not be changed or assigned to another account without prior approval of the Commission.

* * * * *

(c) *Transmittal of Form 102.* For futures, the report on Form 102 shall be submitted to the Commission in accordance with the requirements set forth in § 17.02. For options, the report must be submitted to the appropriate contract market in accordance with instructions from such contract market.

* * * * *

13. Section 17.02 is amended by deleting the current paragraph (b), revising the introductory paragraph and paragraph (a) and adding new paragraph (b). As revised § 17.02 reads as follows:

§ 17.02 Place and Time of Filing Reports.

Unless otherwise instructed by the Commission or its designee, the reports required to be filed by futures commission merchants, clearing members and foreign brokers under §§ 17.00 and 17.01 shall be filed at the nearest appropriate Commission office as specified in paragraphs (a) and (b) below, wherein the times stated are eastern times for information concerning markets located in that time zone and central time for information concerning all other markets.

(a) For data submitted on compatible data processing media:

(1) At the Commission's New York or Chicago Regional Office if the information is supplied on magnetic tape or, at the Commission's New York, Chicago or Kansas City Regional Office if the information is supplied on magnetic diskette, at such time as the information is first available provided that it is received in the appropriate office no later than 10:30 a.m. on the business day following that to which the information pertains;

(2) At the Commission's Chicago Regional office if the information is submitted via dial-up data transmission at such time as the information is first available provided that it is received in such office not later than 11:00 a.m. on the business day following that to which the information pertains.

(b) For data submitted in hardcopy form pursuant to §§ 17.00(a), (h) or 17.01(a), at a Commission office in accordance with instructions by the Commission or its designee and, at such time as is specified below, provided that if a foreign broker or futures commission merchant, other than a clearing member, does not have an office in the city in which the appropriate Commission office is located, reports may be transmitted to the appropriate Commission office by mail no later than the day covered by the report.

(1) For reports submitted pursuant to § 17.00(a), not later than 9:00 a.m. on the day following that to which the information pertains; and

(2) For reports submitted pursuant to § 17.01, on the same day on which the account in question is first reported to the Commission.

14. Section 17.03 is amended by deleting the current § 17.03 and adding a new § 17.03. As revised § 17.03 reads as follows:

§ 17.03 Delegation of authority to the Director of the Division of Economic Analysis and to the Executive Director.

The Commission hereby delegates, until the Commission orders otherwise, the authority set forth in paragraphs (a) and (b) of this section to the Director of the Division of Economic Analysis and the authority set forth in paragraph (c) of this section to the Executive Director to be exercised by such Director or by such other employee or employees of such Director as designated from time to time by the Director.

(a) Pursuant to § 17.00(a) the authority to determine whether futures commission merchants, clearing members and foreign brokers can report the information required under Rule 17.00(a) on series '01 forms or updated Commission supplied computer printouts upon a determination by the Director that such person technologically is unable to provide such information on compatible data processing media.

(b) Pursuant to §§ 17.00(h) and 17.02, the authority to approve the format and coding structure for error reports on computer printouts and to instruct and/or approve the time and Commission office at which the information required under Rules 17.00 and 17.01 must be submitted by futures commission merchants, clearing members and foreign brokers provided that such persons are unable to meet the requirements set forth in § 17.02; and

(c) Pursuant to § 17.00(a), the authority to approve the use of data processing media other than compatible data processing media as that term is defined in § 15.00(1) and the authority to approve a format and coding structure other than that set forth in § 17.00(g).

PART 18—REPORTS BY TRADERS

15. The authority citation for Part 18 is revised to read as set forth below and the authority citations following all the sections in Part 18 are removed:

Authority: 7 U.S.C. 2, 4, 6a, 6c, 6f, 6g, 6i, 6k, 6m, 6n, 12a and 19; 5 U.S.C. 552 and 552(b) unless otherwise noted.

16. Section 18.04 is amended by revising paragraphs (a)(5), (a)(8), (a)(9), (b)(3) and (c)(6) as follows. The introductory text of paragraphs (a)–(c) are reprinted for the convenience of the reader.

§ 18.04 Statement of reporting trader.

(a) Information to be furnished by all traders in Part A of the Form 40 shall include:

* * * * *

(5) The name and address of each person whose option or futures trading is controlled by the reporting trader.

* * * * *

(8) The names and locations (city and state) of persons who guarantee the futures or option trading accounts of the reporting trader or who have a financial interest of 10 percent or more in the reporting trader or the accounts of the reporting trader.

(9) The following information concerning other option or futures trading accounts which the reporting trader guarantees or other futures or option traders or accounts in which the reporting trader has a financial interest of 10 percent or more:

(i) The names of traders for whom the reporting trader guarantees accounts or in which the reporting trader has a financial interest;

(ii) The names of the accounts that the reporting trader guarantees or in which the reporting trader has a financial interest; and

(iii) The names and locations of the brokerage firms at which the accounts are carried

* * * * *

(b) Information to be furnished in Part B of the Form 40 shall include:

* * * * *

(3) The following information if a trader makes transactions or holds positions in a futures or option contract where such transactions or positions normally represent a substitute for transactions to be made or positions to be taken at a later time in a physical marketing channel, and the transactions or positions are economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise:

(i) Commercial activity associated with use of the option or futures market (*e.g.*, production, merchandising or processing of a cash commodity, asset/liability risk management by depository institutions, security portfolio risk management, etc.)

(ii) Physical commodities underlying use of the futures or option markets.

(iii) Futures or option markets used.

* * * * *

(c) Information to be furnished in Part C of the Form 40 shall include:

* * * * *

(6) The following information if a trader makes transactions or holds positions in a futures or option contract where such transactions or positions normally represent a substitute for transactions to be made or positions to be taken at a later time in a physical marketing channel and the transactions or positions are economically appropriate to the reduction of risks in the conduct and management of a commercial enterprise:

(i) Commercial activity associated with use of the option or futures market (e.g., production, merchandising or processing of a cash commodity, asset/liability risk management by depository institutions, security portfolio risk management, etc.)

(ii) Physical commodities underlying use of the futures or option markets.

(iii) Futures or option markets used.

* * * * *

PART 21—SPECIAL CALLS

17. The authority citation for Part 21 is added to read as set forth below and the authority citations following all the sections in Part 21 are removed:

Authority: 7 U.S.C., 2, 2a, 4, 6a, 6c, 6f, 6g, 6i, 6k, 6m, 6n, 7, 7a, 12a, 19 and 21; 5 U.S.C. 552 and 552(b) unless otherwise noted.

18. Section 21.02 is amended by revising the heading and the introductory paragraph as follows:

§ 21.02 Special calls for information on open contracts in accounts carried or introduced by futures commission merchants, members of contract markets, introducing brokers, and foreign brokers.

Upon special call by the Commission for information relating to futures and/or option positions held or introduced on the dates specified in the call, each futures commission merchant, member of a contract market, introducing broker, or foreign broker, and, in addition, for option information each contract market, shall furnish to the Commission the following information concerning accounts of traders owning or controlling such futures and/or option positions, except for accounts carried on a fully disclosed basis by another futures commission merchant, as may be specified in the call:

* * * * *

19. Section 21.02a is amended by revising the section heading and revising paragraph (a), (b)(1), (b)(3), (b)(4)(iv) and (b)(4)(x) as follows. The introductory text of paragraphs (b) and (b)(4) are reprinted for the convenience of the reader.

§ 21.02a Special calls for machine-readable information.

(a) Upon special call by the Commission for information relating to futures and/or option positions held on the dates specified in the call, each futures commission merchant, member of a contract market and foreign broker shall furnish to the Commission in accordance with paragraph (b) below the following information concerning accounts of traders owning or controlling such futures and/or option position, except for accounts carried by another futures commission merchant on a fully disclosed basis, as may be specified in the call:

(b) Except as provided in paragraph (c), the information shall be furnished in the following form and manner:

(1) Reporting Medium. Except as otherwise specifically approved by the Commission, information shall be provided on compatible data processing media.

* * * * *

(3) The required record description is as follows:

01 O-T-400A:
05 O-T-RECORD-TYPE—PIC X(4) VALUE 400A.
05 O-T-REPORT-DATE—PIC X(6).
05 O-T-REPORTING-FIRM-NAME—PIC X(55).
05 FILLER—PIC X(7).
05 O-T-SEQUENCE—PIC 9(8).
01 O-T-410B:
05 O-T-RECORD-TYPE—PIC X(4) VALUE 410B.
05 O-T-ACCCOUNT-NUMBER—PIC X(48).
05 FILLER—PIC X(20).
05 O-T-SEQUENCE—PIC 9(8).
01 O-T-520E:
05 O-T-RECORD-TYPE—PIC X(4) VALUE 520E.
05 O-T-COMMODITY-ID—PIC X(6).
05 O-T-DELIVERY-OR-EXPIRATION-MONTH—PIC X(4).
05 O-T-PUT-OR-CALL-OPTION—PIC X.
05 O-T-STRIKE-PRICE—PIC 9(8).
05 O-T-OPEN-LONG-POSITION—PIC 9(8).
05 O-T-OPEN-SHORT-POSITION—PIC X(8).
05 FILLER—PIC X(33).
05 O-T-SEQUENCE—PIC 9(8).

(4) *Field Definitions.* Field definitions for each record are as follows:

* * * * *

(iv) *Account Number.* A unique identifier for each account reported to the Commission under the § 21.02a call. This can be any sequence of alphanumeric characters not to exceed 48 characters which are left justified in the field.

* * * * *

(x) *Open Long (Short) Positions.* Total number of long (short) contracts in the commodity specified in the call that are open on the firm's books for a particular account as of the end of the trading day specified in the call. The field should be zero filled with right justified integers from 0 to 99999999.

Issued in Washington, DC on January 31, 1986, by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 86-2588 Filed 2-6-86; 8:45 am]

BILLING CODE 6351-01-M

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 178

[T.D. 86-18]

Customs Regulations Amendment to Listing of OMB Control Numbers

AGENCY: Customs Service, Treasury.

ACTION: Final rule.

SUMMARY: This document amends the Customs Regulations to include the clearance number issued by the Office of Management and Budget (OMB), necessary for certain information collection requirements included in a recent interim amendment to the Customs air commerce regulations. The interim amendment stated that an application for clearance was submitted to OMB. That office has since approved the regulation and issued the clearance number which appears later in this document.

EFFECTIVE DATE: March 5, 1986.

FOR FURTHER INFORMATION CONTACT: Larry L. Burton, Regulations Control and Disclosure Law Division, U.S. Customs Service, 1301 Constitution Avenue, NW., Washington, DC 20229 (202-566-8237).

SUPPLEMENTARY INFORMATION:

Background

Part 6, Customs Regulations (19 CFR Part 6) was amended on an interim basis by T.D. 86-12, published in the **Federal Register** on February 3, 1986 (51 FR 4161). The amendment created a new § 6.12a, Customs Regulations (19 CFR 6.12a), to enhance security in certain designated areas of international airports in the U.S. The major thrust of the regulations is to define a "Customs security area" which may only be entered by airport personnel wearing a Customs approved and issued identification strip or seal on an existing airport identification card. A strip or seal is issued only after an airport employer attests, in writing, that a background check has been conducted on an employee seeking access including, at a minimum, references and employment history necessary to verify employee representations regarding employment in the preceeding five years. Thus, the regulations place upon the employer the burden of conducting an investigation and making a written submission to Customs concerning that investigation.

The Paperwork Reduction Act of 1980 (Pub. L. 96-511, 94 Stat. 2812, 44 U.S.C 3501 *et seq.*) established policies and procedures for controlling paperwork burdens imposed on the public by federal agencies. Pursuant to this Act, by a document published in the **Federal Register** on March 31, 1983 (48 FR 13666), the Office of Management and Budget (OMB) promulgated rules implementing the Act. The OMB rules are codified at 5 CFR Part 1320 *et seq.*

One aspect of OMB's oversight function is the review and approval of information collections. Generally, information collections include any requirement or request for persons to obtain, maintain, retain, report, or publicly disclose information. OMB analyzes such requests for three basic requirements. First, the collection of information must be necessary for proper performance of the agency functions. Second, the request for information or records must not duplicate information otherwise accessible to the agency. Third, the information must have practical utility.

When an information collection is approved by OMB, it is issued a control number. The control number provides a simple and effective way to inform the public that a particular information collection has been approved by OMB pursuant to the Paperwork Reduction Act.

In the February 3, 1986, interim regulation, Customs stated that the amendment was subject to the Paperwork Reduction Act, and that an application for approval was submitted to OMB. OMB was able to quickly review the information collection requirements included in T.D. 86-12, and has issued a control number. This document amends the Customs Regulations by including that control number in the list of previously issued numbers for Part 6, Customs Regulations (19 CFR Part 6), which appears in Part 178, Customs Regulations (19 CFR Part 178).

E.O. 12291, Regulatory Flexibility Act, Inapplicability of Public Notice Requirement

This document merely amends a listing of the status of other already published regulations. Therefore, the requirements of E.O. 12291, the Regulatory Flexibility Act, and the notice and public comment requirements of the Administrative Procedure Act (5 U.S.C. 552) are not applicable.

List of Subjects in 19 CFR Part 178

Reporting and recordkeeping requirements, Paperwork requirements, Collections of information.