procedures with respect to this interim rule are unnecessary, and good cause is found for making this interim rule effective upon publication. Comments are being solicited for 60 days after publication of this document. A final document discussing comments received and any amendments required will be published in the **Federal Register**.

List of Subjects in 9 CFR Part 91

Animal diseases, Animal welfare, Exports, Humane animal handling, Livestock and livestock products, Transportation.

PART 91—INSPECTION AND HANDLING OF LIVESTOCK FOR EXPORTATION

Accordingly, 9 CFR Part 91 is amended as follows:

1. The authority citation for Part 91 continues to read as set forth below:

Authority: 21 U.S.C. 105, 112, 113, 114a, 120, 121, 134b, 134f, 612, 613, 614, 618; 46 U.S.C. 466a, 466b; 49 U.S.C. 1509(d); 7 CFR 2.17, 2.51, and 371.2(d).

2. In § 91.14, paragraphs (a) (10) through (15) are redesignated as paragraphs (a) (11) through (16), respectively, and a new paragraph (a)(10) is added to read as follows:

§ 91.14 Ports of embarkation and export inspection facilities.

(a) * * *

(10) *Ohio*.

(i) Wilmington—airport only.

(A) Airborne Express Animal Export Facility, 145 Hunter Drive, Wilmington, Ohio 96701, (513) 382–5591.

* * * * *

Done at Washington, DC, this 4th day of April 1986.

Gerald J. Fichtner,

Acting Deputy Administrator, Veterinary Services.

[FR Doc. 86–7908 Filed 4–8–86; 8:45 am]

BILLING CODE 3410-34-M

FEDERAL HOME LOAN BANK BOARD

12 CFR Part 564

[No. 86-352]

Recordkeeping Requirements

Date: April 4, 1986.

AGENCY: Federal Home Loan Bank Board.

ACTION: Final rule.

SUMMARY: The Federal Home Loan Bank Board ("Board"), as operating head of the Federal Savings and Loan Insurance Corporation ("FSLIC" or "Corporation"), is amending its regulations concerning the recordkeeping requirements applicable to trust accounts. The amendment, which deletes the requirement that the account records of an institution must disclose the names of the settlor (grantor) and trustee of the trust and include an account signature card executed by the trustee, will decrease the recordkeeping requirements associated with obtaining trust account insurance coverage and expedite settlement of insurance on such accounts.

EFFECTIVE DATE: April 9, 1986.

FOR FURTHER INFORMATION CONTACT: Kathy L. Kresch, Attorney, Regulations and Legislation Division, Office of General Counsel, (202) 377–6417, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, DC 20552.

SUPPLEMENTARY INFORMATION: Pursuant to section 405(b) of the National Housing Act, the Corporation is authorized, in the event of default by an institution the accounts of which are insured by the Corporation ("insured institution"), to make payments of insurance on accounts and to require the filing of proofs of claims prior to paying insurance. 12 U.S.C. 1728(b) (1982).

Section 564.2 of the Insurance Regulations provides that, in the event of default of an insured institution, the Corporation is authorized to make a determination concerning the insured members of an institution and the amounts of their insured accounts. 12 CFR 564.2(a) (1985). Section 564.2(b) further provides that these determinations shall be made with reference to the account records of the insured institution, which are conclusive as to the existence of a relationship, such as a trust, agency, or custodianship, pursuant to which the funds in the account are invested and upon which a claim for insurance is based. 12 CFR 564.2(b)(1) (1985).

Section 564.2(b)(3) imposes additional recordkeeping and disclosure requirements on trust accounts. This section mandates that, in connection with a trust account, the account records of an institution must disclose the name of both the settlor (grantor) and trustee of the trust and contain an account signature card executed by the trustee. 12 CFR 564.2(b)(3) (1985). These additional recordkeeping requirements applicable to trust accounts were promulgated by the Board in 1967, in order to prevent post-default creation of trust relationships which would increase applicable insurance coverage. 50 FR 19188 (May 7, 1985).

On April 17, 1985, the Board proposed comprehensive amendments to the regulations governing settlement of insurance on accounts held at FSLIC-insured institutions ("proposed rule"). 50 FR 19185 (May 7, 1985). The Board questioned the continued usefulness of the additional recordkeeping requirements applicable to trust accounts summarized above and set forth at 12 CFR 564.2(b)(3), and proposed eliminating these requirements altogether. 50 FR 19191 (May 7, 1985). The proposed elimination of these requirements was predicated upon recognition that the pension and retirement industry has changed markedly since 1967, when the requirement was initially promulgated, and that, in view of present Internal Revenue Code and ERISA requirements, the signature card may no longer be necessary to guard against post-default creation of relationships. Comment filed in response to this part of the proposal supported deletion of these recordkeeping requirements.

After fully considering comment filed with regard to this issue and the relative merits of retaining or deleting the requirements of 12 CFR 564.2(b)(3), the Board has concluded that the requirements set forth in this subsection with regard to trust accounts, namely, that the account records of an institution must disclose the names of the settlor (grantor) and trustee of the trust and contain an account signature card executed by the trustee, are no longer necessary to achieve the regulatory purpose for which they were originally promulgated. The Board has, therefore, decided to adopt, in final, only that portion of the proposed rule which deleted the additional recordkeeping requirements applicable to trust accounts set forth at 12 CFR 564.2(b)(3). Finalization of other portions of the proposed rule is postponed pending further consideration.

After the effective date of this amendment, it will no longer be necessary for insurance purposes that the account records of an insured institution with regard to a trust account contain a signature card executed by the trustee or information disclosing the names of both the settlor and trustee of the trust. Even after the effective date of this amendment, however, trust account insurance pursuant to 12 CFR 564.10 will only be applicable to accounts which meet the recordkeeping requirements of 12 CFR 564.2(b)(2), i.e., which disclose the existence of the trust relationship pursuant to which the funds are invested in the account records of the insured institution.

The Board has determined that because this amendment relieves a restriction by deleting § 564.2(b)(3) of the Insurance Regulations, it will become effective immediately upon publication. 12 CFR 508.14(a) (1985). In order to facilitate implementation of this amendment and to decrease confusion on the part of accountholders, the Board has decided that this rule will be applicable to: (1) All trust accounts regarding which initial insurance determinations have not yet been issued as of the date of publication; and (2) all trust accounts regarding which a request for reconsideration is, or has previously been, seasonably filed with the Director of the FSLIC pursuant to § 564.1(d) of the Insurance Regulations, but regarding which a final agency determination has not been issued. 50 FR 49524, 49527 (Dec. 3, 1985), (to be codified at 12 CFR 564.1(d) (1986)).

Pursuant to 12 CFR 508.11 and 508.14, the Board finds that, because of the minor, technical, and liberalizing nature of this amendment, notice and public procedure are unnecessary, as is the 30-day delay of the effective date.

List of Subjects in 12 CFR Part 564

Bank deposit insurance, Reporting and recordkeeping requirements, Savings and loan associations.

Accordingly, the Federal Home Loan Bank Board hereby amends Part 564, Subchapter D, Chapter V, Title 12, *Code of Federal Regulations*, as set forth below.

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 564—SETTLEMENT OF INSURANCE

1. The authority citation for Part 564 is revised to read as follows:

Authority: Sec. 4, 82 Stat. 856, sec. 4, 80 Stat. 824, and sec. 17, 47 Stat. 736, as amended (12 U.S.C. 1425a, 1425b, and 1437); sec. 2, 91 Stat. 1227, sec. 5, 48 Stat. 132, as amended (12 U.S.C. 1464); sec. 308, 94 Stat. 147, sec. 2, 91 Stat. 1227, and secs. 401–405, 407, 48 Stat. 1255–1260, as amended (12 U.S.C. 1724–1728, 1730); Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR 1943–48 Comp., p. 1071.

§ 564.2 [Amended]

2. Amend § 564.2 by removing paragraph (b)(3) and redesignating paragraph (b)(4) as paragraph (b)(3); and by redesignating paragraph (b)(5) as paragraph (b)(4).

§ 564.8 [Amended]

3. Amend § 564.8 by removing the authority citation located at the end of the section.

By the Federal Home Loan Bank Board.
Nadine Y. Penn,
Acting Secretary.
[FR Doc. 86-7956 Filed 4-8-86; 8:45 am]
BILLING CODE 6720-01-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 39

[Docket No. 86-NM-32-AD; Amdt. 39-5286]

Airworthiness Directives; Short Brothers, Ltd., Model SD3-30 and SD3-60 Series Airplanes

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This amendment adds a new airworthiness directive (AD), applicable to certain Short Brothers SD3-30 and SD3-60 series airplanes, which requires initial and repetitive inspections of the fuel pipe shrouds until a corrective modification is accomplished. This action is prompted by two reports of fuel leaks into the passenger cabin.

DATES: Effective April 28, 1986.

ADDRESSES: The service bulletin specified in this AD may be obtained upon request to Short Brothers, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202. It may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

FOR FURTHER INFORMATION CONTACT: Ms. Judy Golder, Standardization Branch, ANM-113; telephone (206) 431-2909. Mailing address: FAA, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168.

SUPPLEMENTARY INFORMATION: The United Kingdom Civil Aviation Authority (CAA) has, in accordance with existing provisons of a bilateral airworthiness agreement, notified the FAA of an unsafe condition which exists on certain Short Brothers Model SD3-30 and SD3-60 airplanes. Operational experience has revealed that certain existing fumeproof shrouds can deteriorate and become porous. As a result, at least two incidents of fuel leaking into the cabin have occurred. In order to prevent this from occurring, Short Brothers Service Bulletin SD330-28-29, dated August 1985 (SD3-30 airplanes), and Service Bulletin SD360-28-12, dated July 1985 (SD3-60 airplanes), which describe inspections and replacement of the shrouds and seals, have been declared mandatory by the CAA.

Since this condition may exist on airplanes of the same type design on the U.S. Register, this AD requires repetitive inspections and replacement, if necessary, of the shrouds and seals in accordance with the service bulletins previously mentioned. This AD also provides that the inspections may be terminated upon replacement of the shrouds and seals.

Further, since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and a good cause exists for making this amendment effective in less than 30 days.

The FAA has determined that this regulation is an emergency regulation that is not major under Executive Order 12291. It is impracticable for the agency to follow the procedures of Order 12291 with respect to this rule since the rule must be issued immediately to correct an unsafe condition in aircraft. It has been further determined that this document involves an emergency regulation under DOT Regulatory Policies and Procedures (44 FR 11034: February 26, 1979) and if this action is subsequently determined to involve a significant/major regulation, a final regulatory evaluation or analysis, as appropriate, will be prepared and placed in the regulatory docket.

List of Subjects in 14 CFR Part 39

Aviation safety, Aircraft.

Adoption of the Amendment

PART 39—[AMENDED]

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the Federal Aviation Regulations as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new airworthiness directive:

SHORT BROTHERS, LTD: Applies to Model SD3-30 and SD3-60 series airplanes; serial numbers SH3002 through SH3099, SH3102, and SH3105 (SD3-30 airplanes); SH3601 through SH3661 and SH3663 through SH3665 (SD3-60 airplanes); certificated in any category. Compliance is required as indicated below, unless previously accomplished:

1. Within seven days after the effective date of this AD, inspect the collector tank housing in accordance with Short Brothers

Service Bulletin SD330-28-29, dated August 1985 (for SD3-30 series airplanes), and SD360-28-12, Revision 1, dated August 1985 (for SD3-60 series airplanes). If leaks are found, prior to further flight, replace the shrouds and seals in accordance with the applicable service bulletin instructions. If no leaks are found, repeat the inspection at intervals not to exceed 120 hours time in service.

2. Replacement of the existing shrouds and seals in accordance with the applicable service bulletin, referred to in paragraph 1. of this AD, constitutes terminating action for the requirement for the repetitive inspections set forth in paragraph 1., above.

3. An alternate means of compliance or adjustment of the compliance time, which provides an acceptable level of safety, may be used when approved by the Manager, Standardization Branch, ANM-113, FAA, Northwest Mountain Region.

4. Special flight permits may be issued in accordance with FAR 21.197 and 21.199 to operate airplanes to a base for the accomplishment of inspections and/or modifications required by this AD.

All persons affected by this directive who have not already received the appropriate service documents from the manufacturer may obtain copies upon request to Short Brothers, 2011 Crystal Drive, Suite 713, Arlington, Virginia 22202. These documents may be examined at the FAA, Northwest Mountain Region, 17900 Pacific Highway South, Seattle, Washington, or the Seattle Aircraft Certification Office, 9010 East Marginal Way South, Seattle, Washington.

This amendment becomes effective April 28, 1986.

Issued in Seattle, Washington, on April 2, 1986.

Wayne J. Barlow,

Acting Director, Northwest Mountain Region.

[FR Doc. 86-7823 Filed 4-8-86; 8:45 am]

BILLING CODE 4910-13-M

SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 240

[Release No. 34-23084; File No. S7-15-85]

Adoption of Revised Transfer Agent Forms and Related Rules

AGENCY: Securities and Exchange Commission.

ACTION: Adoption of forms and related rules.

SUMMARY: The Securities and Exchange Commission is adopting previously proposed amendments to the forms and rules for the registration and monitoring of transfer agents. Revised Form TA-1 will remain essentially the same as the present Form TA-1, except several questions that are viewed as no longer necessary have been deleted, and others have been shifted to Form TA-2. The SEC Supplement to Form TA-1, which is to be completed only by independent, non-issuer transfer agents who register with the Commission, will provide information about persons associated with transfer agents. Rule 17Ac2-2 will require transfer agents, regardless of their appropriate regulatory agency ("ARA"), to file with the Commission an annual report of their business activities on Form TA-2. However, transfer agents who engage a service company to perform all of their transfer agent functions will not be required to complete Form TA-2. In addition, exempt transfer agents would only be required to provide identifying information and responses to two basic questions. Finally, the modification to Rule 17Ac2-1(c) extends the time period for a registrant to file corrections to Form TA-1 or to the SEC Supplement.

EFFECTIVE DATE: The revisions to Form TA-1 (including the SEC Supplement) and to Rule 17Ac2-1(c), as well as Rule 17Ac2-2 and Form TA-2 will become effective May 9, 1986.

FOR FURTHER INFORMATION CONTACT: Randy G. Goldberg, Esq., at (202) 272-2365, Division of Market Regulation, Securities and Exchange Commission, Washington, DC 20549.

Introduction

In April 1985, the Commission proposed modifications to Form TA-1, including a new SEC Supplement and to Rule 17Ac2-1, as well as new Rule 17Ac2-2 and new Form TA-2.[1] Form TA-1 is currently used by transfer agents required to register with their appropriate regulatory agency ("ARA"), which would be either the Commission, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System or the Federal Deposit Insurance Corporation.[2] The SEC Supplement, which would only be completed by independent, non-issuer transfer agents whose ARA is the Commission, requests background information about control persons at these transfer agencies. Rule 17Ac2-2 would require all registered transfer agents, regardless of their ARA, to file Form TA-2 with the Commission on an annual basis. Form TA-2 requests summary data about transfer agent business activities. Rule 17Ac2-1(c) requires transfer agents to correct information reported on Form TA-1 which becomes inaccurate thereafter within twenty-one days. The revision extends that time period to sixty days.

The Commission received twenty letters of comment in response to the proposals. Commentators included banks, industry associations, as well as transfer agents, both issuer and independent. Generally, the commentators supported the entire package of proposals, although specific, technical comments were proferred with respect to the SEC Supplement and to Form TA-2. The revisions to Form TA-1 and to Rule 17Ac2-1(c) were either supported or unaddressed by the commentators. In response to the suggestions offered during the comment period, the Commission has included certain changes to the SEC Supplement, to Form TA-2 and to Rule 17Ac2-2.

Form TA-1

The revised Form TA-1 requires transfer agents to provide basic information, including the name and address of the proposed entity and where transfer agent activities are to be performed. The difference between the revised form and the form utilized to date is that existing questions which have been determined to be unnecessary have been eliminated, and other questions contained in Form TA-1 have been shifted to Form TA-2. The Form TA-1 as modified has been adopted by the federal bank regulatory agencies, and is currently in use by bank transfer agents.

None of the commentators objected to the modifications to Form TA-1. In fact, commentators either expressed support for the amendments or failed to address the proposal. The Commission is adopting Form TA-1 as proposed, except Item 3(b), which would have inquired whether the registrant is a successor to a registered transfer agent, has been eliminated and certain technical modifications to the Instructions for Use of Form TA-1 have been included.[3]

Rule 17Ac2-1(c)

The amendment to Rule 17Ac2-1(c) extends the time period from twenty-one to sixty days for a registrant to file an amendment to Form TA-1 or to the SEC Supplement correcting information which had been previously reported and

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[1] *See* Securities Exchange Act Release No. 21950 (April 17, 1985), 50 FR 15912 (April 23, 1985).

[2] *See* section 3(a)(34)(B) of the Securities Exchange Act of 1934 ("the Act").

[3] The following additions have been made: a definition of "independent, non-issuer transfer agent" in Instructions for Use of Form TA-1, General Instruction (A); the word "independent" in Instructions for Use of Form TA-1, Special Instruction (A); a definition of "control" in Instructions for Use of Form TA-1, Special Instruction (C).

which thereafter becomes inaccurate, misleading or incomplete. No comments were received opposing this extension, and the amendment has been adopted by the Commission as proposed. Adoption of this amendment brings the Commission into conformity with the bank regulators.

SEC Supplement to Form TA-1

The SEC Supplement to Form TA-1 solicits background information for the owners and other control persons at independent, non-issuer transfer agencies, with particular emphasis on whether offenses have been committed by these persons, and therefore, whether the transfer agent's association with a particular individual would have an impact on the transfer agent's ability to perform its functions properly.[4] Five commentators addressed the SEC Supplement, and each supported the new form. Four of these commentators offered suggestions with respect to the Supplement, several of which have been included in the version adopted by the Commission.

The proposed definition of "control affiliate" has been narrowed,[5] and Item 3(G), which proposed to inquire whether a control affiliate of a transfer agent is the subject of "any complaint, investigation or proceeding . . ." has been modified.[6] One commentator had criticized the proposed definition of control affiliate as overly broad, and another commentator found the present proceeding question to be inappropriately broad. Form BD, recently adopted by the Commission,[7] has been modified in these two areas. To the extent that the SEC Supplement is substantially based on questions contained in Form BD, these modifications have been included in the SEC Supplement as well.[8] The words "complaint" and "investigation" have been deleted from Item 3(G), and certain additional types of employees have been deleted from the definition of "control affiliate." In addition, at the request of a commentator, a definition of "independent, non-issuer transfer agent" has been added to the Instructions for Use of Form TA-1. Finally, the word "independent" has been added at Special Instruction (A) to clarify that only independent, non-issuer transfer agents are required to complete the SEC Supplement.[9]

Rule 17Ac2-2

Rule 17Ac2-2 requires transfer agents, regardless of their appropriate regulatory agency, to file Form TA-2 with the Commission on an annual basis. Transfer agents that receive fewer than five hundred items for transfer and fewer than five hundred items for processing in the six months ending June 30 of each year, and do not maintain more than one thousand individual security holder accounts as of June 30 are only required to complete items one through four and the execution on Form TA-2. The Commission believes that the information required to be collected by the Rule will permit it to more effectively target its transfer agent inspection program and generally, to more effectively monitor transfer agent activity.[10] Eight commentators addressed Rule 17Ac2-2.

Two changes suggested by the commentators have been included in the final version of Rule 17Ac2-2.[11] Four commentators urged that transfer agents be given sixty days after June 30, the date as of which most data must be calculated for the form ("as of date"), to file Form TA-2 rather than thirty days as proposed. The Commission views this request as reasonable and projects that such an increase in time would substantially eliminate the need to grant extensions. The second modification, requested by two commentators, exempts named transfer agents from filing Form TA-2 if they retain a service company to perform all of their transfer agent functions. The named transfer agent is already required to amend the Form if the service company is replaced.[12] Since no additional useful information would be provided to the Commission by these agents on Form TA-2, this modification has been included in the final rule.[13]

Finally, one of the commentators has requested that the information reported on Form TA-2 be accorded confidentiality. However, substantially all of the data requested by the Form presently is publicly available. For example, information such as the transfer agent and registrar for all public issuers, as well as the number of shareholders, the dividends and interest paid in an issue and the existence of dividend reinvestment plans is commercially published and readily available. Thus, the availability of this information demonstrates that granting confidentiality to the Form would, as a

[4] Completion of the SEC Supplement would not be required by issuers that act as transfer agent for their own securities or securities of an affiliate, or by transfer agents registered with the federal bank regulators. Transfer agents already registered with the Commission are requested to complete a new Form TA-1 and the SEC Supplement, if applicable by June 1, 1986. This refiling will ensure accuracy in the Commission's transfer agent data base.

[5] *See* SEC Supplement, Item 3.

[6] *See* SEC Supplement, Item 3(G).

[7] *See* Securities Exchange Act Release No. 22468 (September 26, 1985).

[8] A technical modification to Schedules A and B of the Form has been made as well. Schedules A and B now contain a column for "control person," and the directions for use of the Schedules have been revised accordingly.

[9] One of the commentators suggested that a *de minimis* standard for the word "partially," which appears at Item 2(b), be provided, and that the Commission expand upon the basis for its authority to require the information in Item 2(b), as well as the intended uses of the information. The Commission has not included a standard for the word "partially" in Item 6B of Form BD, which is the analogous question to Item 2(b), and does not believe that a *de minimis* standard is appropriate in the SEC Supplement. This item would only be completed by independent, non-issuer transfer agents, and it is unlikely that these entities would find the item burdensome. The Commission believes that disclosure of all entities that provide financing to an independent, non-issuer transfer agent, would enable a more effective registration review. With respect to the Commission's authority, sections 17A(c) (1) and (2) of the Securities Exchange Act of 1934 grant the Commission (and the bank regulatory authorities) broad authority, as noted in the Release proposing the SEC Supplement, to develop an appropriate registration application. The information will enable a more thorough review of independent, non-issuer transfer agents registering with the Commission. Finally, it was suggested by one of the commentators that the Commission establish suitability standards for ownership of registered transfer agencies, and that the item on prior Form TA-1 regarding insurance be included in the SEC Supplement. The Commission does not believe that information regarding insurance held by transfer agents is necessary at this time, and views the issue of suitability standards as a separate regulatory endeavor, entirely independent of this initiative.

[10] The Commission has recently proposed to amend Rule 17Ad-1(a), which defines the term "item" for purposes of the Commission's turnaround rules. This modification, if adopted, might reduce the number of transfer agents exempt from completing the remainder of Form TA-2. Comments regarding this consequence may be submitted as directed by that Release. *See* Securities Exchange Act Release No. 22883 (February 10, 1986.)

[11] In addition to these changes urged by the commentators and supported by the staff, an issue was raised which the Commission does not endorse. Two commentators requested that language be added to the Rule obligating the Commission to publish a report of transfer agent activities by December 31 of each year. The Commission does intend to publish the aggregate data reported on Form TA-2 on an annual basis, and is exploring the appropriate forum for dissemination of this information. Possibilities include publishing the data in the Commission's Annual Report, the Statistical Bulletin, or as a separate release. However, the time of distribution of the report would be dependent to a critical extent on the transfer agent community filing the reports on time, as well as the priority of the Division's projects each year at the time all of the data is received and processed. Thus, while the Commission will endeavor to publish the aggregate information by year-end, the Commission views it inappropriate to publicly commit to distribution of a report by a specified date.

[12] *See* Form TA-1 and Rule 17Ac2-1(c).

[13] The service company must, of course, be a registered transfer agent and file Form TA-2. Transfer agents that engage a service company to perform some, but not, all transfer and processing functions have been directed to enter "zero" for those items which relate to functions performed by the service company. *See* Instructions to Form TA-2, General Instruction (B).

practical matter, serve no useful purpose.

The Commission recognizes that the information requested in Item 6 of Form TA-2, which requires transfer agents to provide the aggregate value of securities record differences existing for more than thirty days, is not publicly available. However, the Commission believes that this information, which could indicate the transfer agent's unsatisfactory performance, should not be uniformly protected from disclosure. Because a transfer agent is afforded the opportunity both to rectify these deficiencies by June 30 of each year, and to exculpate itself from responsibility for those aged record differences which it did not cause,[14] the Commission believes that the public interest would not be served by protecting this information from disclosure.

Form TA-2

Form TA-2 contains basic questions regarding the volume and nature of the transfer agent's business activities. Transfer agents will be required to provide to the Commission on an annual basis the information regarding the volume of certain activities it performs, the number of issues it services, as well as the capacity in which the transfer agent acts. The vast majority of the commentators either supported the Form or simply offered specific suggestions for particular items on the Form. Three commentators opposed the requirement, arguing that on-site examinations by the federal bank regulators obviate the need for the Form.

Essentially, commentators sought explanations of various terms, clarification or modification of "as of dates" used in the Form, and the proper category for various types of securities. In response to specific concerns raised by the commentators, the Commission has made several modifications both to Form TA-2 and to the Instructions for Use of Form TA-2.[15]

Three items of the Form were specifically identified as burdensome: Items 4, 5 and 7cii. Item 4 as proposed listed five types of securities and requested the number of security holder accounts maintained in each; Item 5 provided various capacities, i.e., maintenance of master security holder files and receipt of items for transfer, and requested the number of issues for which the transfer agent acts in each capacity. Two commentators requested that the transfer agents be permitted to consolidate the data into one aggregate total. This is necessary, these commentators asserted, because some banks do not segregate security holder accounts by category, and therefore, responding to the items as proposed would be burdensome and costly. In response to these comments, the Commission has determined to permit transfer agents to approximate the number of security holder accounts maintained in each category, and to provide the exact figure only for the aggregate number of accounts. The Commission believes that this modification will eliminate the objections raised regarding this item, while retaining the regulatory benefits of the item.

The Commission has adopted Item 5 as proposed. The information required in this item should be relatively easy for transfer agents to collect, in view of the fact that transfer agents are already required to maintain this information pursuant to Rule 17Ad-6. The Commission believes that the utility of Item 5 would be diminished by consolidating the categories into one aggregate total. Item 5 as proposed is essential to determining the nature of the business conducted by a particular transfer agent. This determination is important to the staff both in more accurately monitoring the transfer agent industry and in selecting transfer agents for examination. The ability to identify transfer agents whose business activities consist of processing particular types of issues should enable the staff to evaluate the precise burden that would be placed on the industry in any future rulemaking endeavors, and would assist in assuring that rules are properly focused and refined. The information reported in Item 5 also would be useful in assisting an examiner in selecting, preparing for and focusing transfer agent examinations.

Finally, Item 7cii, which requests the total dollar value of dividends disbursed and interest paid by the transfer agent during the preceding twelve months, was viewed as burdensome by three commentators. These commentators urged the Commission to eliminate the item, arguing that this question would necessitate extensive manual calculations. However, one of the commentators noted that transfer agents are already required to calculate this date for the Internal Revenue Service as of December 31, and that providing the information on Form TA-2 as of December 31 rather than June 30 would eliminate the burden posed by the item. The Commission agrees that this alternative would be feasible and less burdensome, and has modified the "as of date" to December 31. To assure that the data is comparable, however, the form requires all transfer agents to use the period ending December 31.

The annual report would be an important asset to the Division's transfer agent examination and regulatory programs. The information reported on Form TA-2 would enable the staff to more effectively monitor the transfer agent industry, while imposing a nominal burden on the respondents. All of the information required by the Form is available in the internal files of the transfer agents, and a significant portion of the data is already required to be calculated or maintained by Commission or Internal Revenue Service regulations. In addition, transfer agents would not need to retain an outside accountant or attorney in order to complete the Form. The staff believes that completion of the Form would require a minimal dedication of resources

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[14] Item 6 requires transfer agents to distinguish between those aged record differences caused by a prior transfer agent and those attributable to the reporting transfer agent.

[15] In response to concerns raised by the commentators, the following technical amendments have been made in the final version of Form TA-2:

a. A second paragraph to General Instruction B was added to indicate that registered transfer agents that engage a service company to perform all of their transfer and processing functions are not required to file Form TA-2. The instruction further notes that transfer agents engaging a service company to perform some, but not all transfer and processing functions should enter "zero" for those questions which relate to functions performed by the service company on behalf of the transfer agent

b. Special Instruction C was added, directing respondents to include American Depositary Receipts ("ADRs") in the corporate debt or equity category in Item 4, as appropriate, and to exclude Dividend Reinvestment Plan ("DRIP") accounts from Item 4.

c. Special Instruction D was added, directing respondents to count each series of debt securities issued under a single indenture separately in Item 5.

d. Special Instruction E was added, instructing transfer agents to exclude open-end investment company securities from Item 7a, and to exclude coupon payments and transfers of record ownership as a result of corporate actions in answering Question 7c.

e. Special Instruction F was added, directing transfer agents to exclude nonvalue transctions (such as address changes) in answering Item 8.

f. Category e, "other securities," was added in Item 4. The item also permits transfer agents to approximate the number of security holder accounts maintained rather than provide the exact number.

g. The term "exempt issues" was replaced with the word "securities" in Item 5.

h. The words "debits and credits" were replaced with the word "value" in Item 6.

i. The "as of" dates for Items 5, 7a and 7b were indicated as June 30.

j. Item 7a(iii), principal amount of debt securities, was added.

k. The words "annual" and "interest" were added in Item 7

l. The "as of date" in Items 7c and 8 was clarified as the preceding calendar year (period ending December 31)

Certain Findings, Effective Date and Statutory Basis

Section 23(a)(2) of the Act [16] requires the Commission, in adopting rules under the Act, to consider the anti-competitive effects of such rules, if any, and to balance any impact against the regulatory benefits gained in terms of furthering the purposes of the Act. The Commission has considered the revisions and amendments in light of the standard cited in section 23(a)(2) and believes that adoption of these changes will not impose any burden on competition not necessary or appropriate in furtherance of the Act.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(b), interested persons were given an opportunity to submit written views on the revisions to Form TA-1 (including the SEC Supplement), Rule 17Ac2-1(c), as well as Rule 17Ac2-2 and Form TA-2. After consideration of the relevant matters presented, the Rules and Forms are adopted substantially as proposed with some technical changes and clarifications.

Pursuant to the Administrative Procedure Act, 5 U.S.C. 553(d), the revisions to Form TA-1 (including the SEC Supplement) and Rule 17Ac2-1(c), as well as Rule 17Ac2-2 and Form TA-2 will become effective May 9, 1986.

Regulatory Flexibility Act Certification and Summary of Final Regulatory Flexibility Analysis

Pursuant to 5 U.S.C. 605(b), the Chairman certified when the revisions to Form TA-1, Rule 17Ac2-1(c), and new Rule 17Ac2-2 and Form TA-2 were proposed, that these revisions and amendments, if adopted, would not have a significant economic impact on a substantial number of small entities. No comments were received on the certification. The Commission has prepared a Final Regulatory Flexibility Analysis in accordance with 5 U.S.C. section 603 regarding the SEC Supplement to Form TA-1. The Analysis notes the objective is to enable a more thorough review of transfer agents who are required to register with the Commission. The Analysis states that no commentators referred to the Initial Regulatory Flexibility Analysis in discussing the SEC Supplement.

A copy of the Final Regulatory Flexibility Analysis may be obtained by contacting Randy G. Goldberg, Esq., Division of Market Regulation, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, (202) 272-2365.

List of Subjects in 17 CFR Parts 240 and 249b

Reporting and Recordkeeping requirements, Securities.

Statutory Basis

Pursuant to the Securities Exchange Act of 1934 and particularly sections 17, 17A and 23(a) thereof, 15 U.S.C. 78q, 78q-1 and 78w(a), the Commission hereby amends § 240.17Ac2-1(c) and Form TA-1 (17 CFR § 249b.100) and adopts § 240.17Ac2-2 and Form TA-2 for inclusion in Chapter II of Title 17 of the Code of Federal Regulations in the manner set forth below.

Text of Amendments and Forms

17 CFR Parts 240 and 249b are amended as follows:

PART 240—GENERAL RULES AND REGULATIONS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for Part 240 is amended by adding the following citation:

Authority: Sec. 23, 48 Stat. 901, as amended; 15 U.S.C. 78w, unless otherwise noted. * * * § 240.17Ac2-1(c) and § 240.17Ac2-2 also issued under Secs. 17, 17A and 23(a); 48 Stat. 897, as amended, 89 Stat. 137, 141 and 48 Stat. 901 (15 U.S.C. 78q, 78q-1, 78w(a)).

2. By revising paragraph (c) to § 240.17Ac2-1 to read as follows:

§ 240.17Ac2-1 Application for registration of transfer agents.

* * * * *

(c) If any of the information reported on Form TA-1 or on the SEC Supplement becomes inaccurate, misleading, or incomplete, the registrant shall correct the information by filing an amendment within sixty days following the date on which the information became inaccurate, misleading, or incomplete.

* * * * *

3. By adding § 240.17Ac2-2 to read as follows:

§ 240.17Ac2-2 Annual reporting requirement for registered transfer agents.

Every registered transfer agent shall file and annual report on Form TA-2 in accordance with the instructions contained therein by August 31 of each calendar year. A registered transfer agent that received fewer than 500 items for transfer and fewer than 500 items for processing in the six months ending June 30 of the calendar year for which the form is being filed, and did not maintain master security holder files for more than 1000 individual security holder accounts as of June 30 of the calendar year for which the form is being filed, is only required to complete Items one through four and the execution section of Form TA-2. A registered transfer agent is not required to file Form TA-2 if it engages a service company to perform all of its transfer and processing functions.

PART 249b—FURTHER FORMS, SECURITIES EXCHANGE ACT OF 1934

4. The authority citation for Part 249 is amended by adding the following citations:

Authority: 15 U.S.C. 78a *et seq.*, unless otherwise noted. * * * § 249b.100 and § 249b.102 also issued under Secs. 17, 17A and 23(a); 48 Stat. 897, as amended, 89 Stat. 137, 141 and 48 Stat. 901 (15 U.S.C. 78q, 78q-1, 78w(a)).

§ 249b.100 [Amended]

5. Section 249b.100 is amended by revising Form TA-1 to read as set forth below, and by removing "500 North Capitol Street" in footnote 1 and replacing it with "450 Fifth Street, NW."

Note.—Form TA-1 published with this document does not appear in the Code of Federal Regulations.

BILLING CODE 8010-01-M

[16] 15 U.S.C. 78w(a)(2)

U.S. Securities and Exchange Commission
Washington, D.C. 20549

Instructions for Use of Form TA-1

Uniform Form For Registration and Amendment to Registration as a Transfer Agent pursuant to section 17A of the Securities Exchange Act of 1934.

ATTENTION: Certain Sections of the Securities Exchange Act of 1934 applicable to transfer agents are referenced or summarized below. Transfer agents are urged to review all applicable provisions of the Securities Exchange Act of 1934, the Securities Act of 1933 and the Investment Company Act of 1940, as well as the applicable rules promulgated by the SEC under those Acts.

I. General Instructions for Filing and Amending Form TA-1.

A. Terms and Abbreviations. The following terms and abbreviations are used throughout these instructions:

1. "Act" refers to the Securities Exchange Act of 1934.
2. "ARA" refers to the appropriate regulatory agency, as defined in Section 3(a)(34)(B) of the Act. See General Instruction D, below.
3. "Federal Bank Regulators" or "FBRs" refers to the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.
4. "Form TA-1" includes the Form and any attachments to that Form, whether filed as a registration or an amendment to registration.
5. "Registrant" refers to the entity on whose behalf Form TA-1 is filed.
6. "SEC" refers to the U.S. Securities and Exchange Commission.
7. "Transfer agent" is defined in Section 3(a)(25) of the Act as any person who engages on behalf of an issuer of securities or on behalf of itself as an issuer in at least one of the functions enumerated therein.
8. "Independent, Non-Issuer Transfer Agent" refers to an entity which acts as a transfer agent for other than its own securities or securities of an affiliate.

B. Who Must File. Pursuant to Section 17A(c)(1) of the Act, it is unlawful for a transfer agent to perform any transfer agent function with respect to any qualifying security unless that transfer agent is registered with its ARA.

A "qualifying security" is any security registered under Section 12 of the Act. Thus, qualifying securities including securities registered on a national securities exchange pursuant to Section 12(b) of the Act as well as equity securities registered pursuant to Section 12(g)(1) of the Act for issuers that have total assets exceeding $3,000,000 and a class of equity securities (other than exempted securities) held of record by 500 or more persons.

In addition, qualifying securities include equity securities of registered investment companies and certain insurance companies that would be required to be registered under Section 12(g) except for the exemptions provided by subsections (g)(2)(B) and (g)(2)(G), respectively, of Section 12, *i.e.*, when the asset and shareholder criteria of Section 12(g)(1)(B) are met.

C. When to File. Before a transfer agent may perform any transfer agent function for a qualifying security, it must apply for registration on Form TA-1 with its ARA and its registration must become effective. Instructions for amending Form TA-1 appear at General Instruction F.

D. How and Where to File; Number of Copies. Each registrant must file Form TA-1 with its ARA. SEC registrants must also file the SEC Supplement. If a registrant's ARA is a FBR, a copy of the registration or any amendment also must be filed with the SEC. However, the FBRs will send the submitted filings to the SEC on behalf of their registrants to satisfy that requirement. A registrant may determine the name and address of its ARA from the following:

1. A national bank or a bank operating under the Code of Law for the District of Columbia, or a subsidiary of any such bank registers with the Comptroller of the Currency, at:

   Office of the Comptroller of the Currency
   Administrator of National Banks
   Trust Examinations Division
   Washington, D.C. 20219

2. A state member bank of the Federal Reserve System, a subsidiary thereof, a bank holding company, or a subsidiary of a bank holding company which is a bank other than a bank specified in clause (1) or (3) of this section registers with the Board of Governors of the Federal Reserve System, at:

   Board of Governors of the Federal Reserve System
   Trust Activities Program
   Washington, D.C. 20551

3. A bank insured by the Federal Deposit Insurance Corporation (other than a bank which is a member of the Federal Reserve System) or a subsidiary thereof registers with the Federal Deposit Insurance Corporation, at:

   Federal Deposit Insurance Corporation
   Trust Section
   Washington, D.C. 20429

4. All other transfer agents register with U.S. Securities and Exchange Commission, at:

   U.S. Securities and Exchange Commission
   Office of Applications and Reports Services
   Stop 2-8
   Washington, D.C. 20549

If the registrant's ARA is a FBR, the registrant must file the original and four copies of any registration of amendment with the appropriate FBR and need not file directly with the SEC. If the registrant's ARA is the SEC, the registrant must file with the SEC the original and three copies of any registration or amendment. The original copy of Form TA-1 must be manually signed and any additional copies may be photocopies of the signed original copy. All copies must be legible, on good quality 8½ × 11 inch white paper. The registrant must keep an exact copy of any filing for its records.

E. Effective Date. Registration of a transfer agent becomes effective thirty days after receipt by the ARA of the application for registration, unless the filing does not comply with applicable requirements or the ARA takes affirmative action to accelerate, deny or postpone registration in accordance with the provisions of Section 17A(c) of the Act.

F. Amending Registration. Each registrant must amend Form TA-1 within sixty calendar days following the date on which information reported therein becomes inaccurate, incomplete or misleading.

II. Special Instructions for Filing and Amending Form TA-1

A. Registration. Respond in full to all Questions. If the appropriate response to a Question is "none," or if any Question is "not applicable," respond with "none" or "N/A," respectively.

1. In answering Questions 3.b. and 7 of Form TA-1, the term "Financial Industry Number Standard" ("FINS" number) means a six digit number assigned by The Depository Trust Company ("DTC") to financial institutions engaged in activities involving securities. Registrants that do not have a FINS number may obtain one free of charge by writing to the DTC ID Task Force at 11 Broadway 13th Floor, New York, N.Y., 10004, stating its name, address, and type of business (such as "bank" or "non-bank transfer agent").
2. State in Question 3.c. the full address of the registrant's principal office where transfer agent activities are, or will be, performed; a post office box number is not acceptable. State in response to Question 3.d. the registrant's mailing address if different from the response to Question 3.c. You may provide a post office box number in response to Question 3.d.
3. If additional space is needed to answer Questions 4, 5, and 7, photocopy the appropriate page(s) of a blank Form TA-1, and continue such answers thereon.
4. In answering Question 7 do not check any of the boxes marked "Delete." These boxes are to be used only when amending Form TA-1.
5. For the purpose of answering Question 5, a transfer agent is an "affiliate" of, or "affiliated" with, a person, if the transfer agent directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, that person.
6. In answering Questions 6 and 7, a "named transfer agent" is a transfer agent engaged by the issuer to perform transfer agent functions for an issue of securities. There may be more than one name transfer agent for a given security issue (e.g., principal transfer agent, co-transfer agent or outside registrar).

B. Amending Registration. When amending Form TA-1, the registrant must identify itself and the filing by answering Questions 1 through 3. Thereafter, only answer Questions that require amendment. When adding new information, enter that information into the appropriate spaces. When deleting information from a prior filing, repeat the information exactly as it appeared in the prior filing and check the corresponding box marked "Delete."

C. Execution of Form TA-1 and Amendments Thereto. A duly authorized official or a principal of the registrant must execute Form TA-1 and any amendments thereto on behalf of that registrant. For a corporate registrant, the term "official" includes chairman or vice-chairman of the board of directors, chairman of the executive committee, or any officer of the corporation who is authorized by the corporation to sign Form TA-1 on its behalf. For a non-corporate registrant, duly authorized principal means a principal of the registrant who is authorized to sign Form TA-1 on its behalf.

The name of the individual signing Form TA-1 shall be stated in full (i.e., first name, middle name and last name). Initials are not acceptable, unless they are part of the individual's legal name.

By executing Form TA-1, the registrant agrees and consents that notice of any proceeding under the Act by the FBRs or the SEC involving the registrant may be given by sending such notice by registered or certified mail or confirmed telegram to the registrant, "Attention Officer in Charge of Transfer Agent Activities," at its principal office for transfer agent activities as given in response to Question 3.c. of Form TA-1.

III. Special Instructions for Filing and Amending the SEC Supplement to Form TA-1.

A. Who must file. Only independent, non-issuer registrants whose appropriate regulatory agency is the Securities and Exchange Commission (See General Instruction D) are required to complete the SEC Supplement to Form TA-1.

B. Amendments to the SEC Supplement to Form TA-1. Transfer agents required to complete the SEC Supplement to Form TA-1 are also required to amend the Supplement, within the time period provided by Rule 17Ac2-1(c) (17 C.F.R. §240.17Ac2-1(c)), when information which the transfer agent knows or reasonably should know comes to the attention of such transfer agent. When amending the Supplement to Form TA-1, the transfer agent must identify itself and the filing by answering Questions 1 through 3 of Form TA-1. Thereafter, transfer agents need only answer Questions contained in the Supplement of Form TA-1 that require amendments (including any explanation that may be appropriate pursuant to Question 4 of the Supplement).

IV. Notice.

Under Sections 17, 17A(c) and 23(a) of the Act and the rules and regulations thereunder, the ARAs are authorized to solicit from applicants for registration as a transfer agent and from registered transfer agents the information required to be supplied by Form TA-1. Disclosure to the ARA of the information requested in Form TA-1 is a prerequisite to the processing of Form TA-1. The information will be used for the principal purpose of determining whether the ARA should permit an application for registration to become effective or should deny, accelerate or postpone registration of an applicant. The information supplied herein may also be used for all routine uses of the Commission or the ARAs. Information supplied on this Form will be included routinely in the public files of the ARAs and will be available for inspection by any interested person.

Regulator File No.
08

OMB APPROVAL	
OMB Number:	3235-0084
Expires:	June 30, 1988

Securities & Exchange Commission
Washington, D.C. 20549

Form TA-1

Uniform Form For Registration as a Transfer Agent and for amendment to registration pursuant to Section 17A of the Securities Exchange Act of 1934

GENERAL: Form TA-1 is to be used to register or amend registration as a transfer agent with the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation or the Securities and Exchange Commission pursuant to Section 17A of the Securities Exchange Act of 1934. Read all instructions before completing the form. Please print or type all responses.

1. Appropriate regulatory agency (check one) (See General Instruction D):
☐ Comptroller of the Currency ☐ Federal Deposit Insurance Corporation
☐ Board of Governors of the Federal Reserve System ☐ Securities and Exchange Commission

2. Filing status of this form (check one):
☐ Registration ☐ Amendment to Registration

3. a. Full name of registrant:

Previous name, if being amended:

b. Financial Industry Number Standard (FINS) number (See Special Instruction A1):

c. Address of principal office where transfer agent activities are, or will be, performed (See Special Instruction A2):
(Number and Street) (City) (State) (Zip Code)

e. Telephone Number: (Include Area Code)

d. Mailing address, if different from response to Question 3c:

4. Does registrant conduct, or will it conduct, transfer agent activities at any location other than that given in question 3c above? If "yes," provide address(es): Yes ☐ No ☐

5. Does registrant act, or will it act, as a transfer agent solely for its own securities and/or securities of an affiliate(s)? (See Special Instruction A5) Yes ☐ No ☐

SEC 1528 (3-86)

FORM TA-1
Page 2

Applicant Name: ____________________

Date: ____________________

OFFICIAL USE

6. Has registrant, as a named transfer agent, engaged, or will it engage, a service company to perform any transfer agent functions: Yes ☐ No ☐

If "yes," provide the name(s) and address(es) of all service companies engaged, or that will be engaged, by the registrant to perform its transfer agent functions:

Name:

Address: (Number and Street) (City) (State) (Zip Code)

Name:

Address: (Number and Street) (city) (State) (Zip Code)

7. Has registrant been engaged, or will it be engaged, as a service company by a named transfer agent to perform transfer agent functions? Yes ☐ No ☐

If "yes," provide the name(s) and FINS number(s) of the named transfer agent(s) for which the registrant has been engaged, or will be engaged, as a service company to perform transfer agent functions:

		Delete
Name:	FINS Number:	☐
Name:	FINS Number:	☐
Name:	FINS Number:	☐
Name:	FINS Number:	☐
Name:	FINS Number:	☐

ATTENTION: INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACT CONSTITUTE FEDERAL CRIMINAL VIOLATIONS. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a)

EXECUTION: The registrant submitting this form, and as required, the SEC Supplement and Schedules A-D, and the executing official hereby represent that all the information contained herein is true, correct and complete.

Manual signature of Official responsible for form:	Title:
Name of Official responsible for form: (First name, Middle name, Last name)	Date executed (Month/Day/Year):

SEC 1528 (3-86)

Regulator/File No.
084-

SEC Supplement to Form TA-1

OMB APPROVAL
OMB Number: 3235-0084
Expires: June 30, 1988

Completion of the SEC Supplement to Form TA-1 is required of all independent, non-issuer registrants whose appropriate regulatory agency is the Securities and Exchange Commission.

Full name of registrant:

1. If registrant is a:
☐ Corporation — Complete Schedule A
☐ Partnership — Complete Schedule B
☐ Sole Proprietorship — Complete Schedule C
☐ Other (specify): _______ — Complete Section C

2. Does any person or entity not named in Schedules A, B or C:

(a) directly or indirectly, through agreement or otherwise exercise or have the power to exercise control over the management or policies of applicant; or .... Yes ☐ No ☐

(If yes, state on Schedule D the exact name of each person or entity and describe the agreement or other basis through which such person or entity exercises or has the power to exercise control.)

(b) wholly or partially finance the business of applicant, directly or indirectly, in any manner other than by a public offering of securities made pursuant to the Securities Act of 1933 or by credit extended in the ordinary course of business by suppliers, banks and others? .... Yes ☐ No ☐

(If yes, state on Schedule D the exact name of each person or entity and describe the agreement or arrangement through which such financing is made available, including the amount thereof.)

3. Definitions:

Control affiliate - An individual or firm that directly or indirectly controls, is under common control with, or is controlled by applicant. Included are any employees identified in Schedules A, B, C or D of this form as exercising control. Excluded are any employees who perform solely clerical, administrative support or similar functions, or who, regardless of title, perform no executive duties or have no senior policy making authority.

Investment or investment related - Pertaining to securities, commodities, banking, insurance, or real estate (including, but not limited to, acting as or being associated with a broker-dealer, investment company, investment adviser, futures sponsor, bank, or savings and loan association).

Involved - Doing an act of aiding, abbeting, counseling, commanding, inducing, conspiring with or failing reasonably to supervise another in doing an act.

A. In the past ten years has the applicant or a control affiliate been convicted of or plead guilty or nolo contendere ("no contest") to:

(1) a felony or misdemeanor involving: investments or an investment-related business, fraud, false statements or omissions, wrongful taking of property, or bribery, forgery, counterfeiting or extortion? . Yes ☐ No ☐

(2) any other felony? .... Yes ☐ No ☐

B. Has any court in the past ten years:

(1) enjoined the applicant or a control affiliate in connection with any investment-related activity? .... Yes ☐ No ☐

(2) found that the applicant or a control affiliate was involved in a violation of investment-related statutes or regulations? .... Yes ☐ No ☐

C. Has the U.S. Securities and Exchange Commission or the Commodity Futures Trading Commission ever:

(1) found the applicant or a control affiliate to have made a false statement or omission? .... Yes ☐ No ☐

(2) found the applicant or a control affiliate to have been involved in a violation of its regulations or statutes? .... Yes ☐ No ☐

(3) found the applicant or a control affiliate to have been a cause of an investment-related business having its authorization to do business denied, suspended, revoked or restricted? .... Yes ☐ No ☐

(4) entered an order denying, suspending or revoking the applicant's or a control affiliate's registration or otherwise disciplined it by restricting its activities? .... Yes ☐ No ☐

SEC 2153 (3-86)

Regulator/File No. 084-	SEC Supplement to Form TA-1 Page 2	OMB APPROVAL OMB Number: 3235-0084 Expires: June 30, 1988

D. Has any other Federal regulatory agency or any state regulatory agency:

	Yes	No
(1) ever found the applicant or a control affiliate to have made a false statement or omission or to have been dishonest, unfair, or unethical?	☐	☐
(2) ever found the applicant or a control affiliate to have been involved in a violation of investment-related regulations or statutes?	☐	☐
(3) ever found the applicant or a control affiliate to have been a cause of an investment-related business having its authorization to do business denied, suspended, revoked, or restricted?	☐	☐
(4) in the past ten years entered an order against the applicant or a control affiliate in connection with investment-related activity?	☐	☐
(5) ever denied, suspended, or revoked the applicant's or a control affiliate's registration or license, or prevented it from associating with an investment-related business, or otherwise disciplined it by restricting its activities?	☐	☐
(6) ever revoked or suspended the applicant's or a control affiliate's license as an attorney or accountant?	☐	☐

E. Has any self-regulatory organization or commodities exchange ever:

	Yes	No
(1) found the applicant or a control affiliate to have made a false statement or omission?	☐	☐
(2) found the applicant or a control affiliate to have been involved in a violation of its rules?	☐	☐
(3) found the applicant or a control affiliate to have been the cause of an investment-related business losing its authorization to do business?	☐	☐
(4) disciplined the applicant or a control affiliate by expelling or suspending it from membership, by barring or suspending its association with other members, or by otherwise restricting its activities?	☐	☐

	Yes	No
F. Has any foreign government, court, regulatory agency, or exchange ever entered an order against the applicant or a control affiliate related to investments or fraud?	☐	☐
G. Is the applicant or a control affiliate now the subject of any proceeding that could result in a yes answer to parts A-F of this item?	☐	☐
H. Has a bonding company denied, paid out on, or revoked a bond for the applicant or a control affiliate?	☐	☐
I. Does the applicant or a control affiliate have any unsatisfied judgments or liens against it?	☐	☐

4. For each yes to Item 3, provide on Schedule D the following details of any court or regulatory action:

- the individuals named in the action
- the title and date of the action
- the court or body taking the action and its location
- a description of the action
- the disposition of the proceeding

File Number: 084- DATE: Mo/Day/Yr	Schedule A of SEC Supplement to Form TA-1 For Corporate Registrants	OMB APPROVAL OMB Number: 3235-0084 Expires: June 30, 1988

This form requests information on corporate registrants.

1. Please complete appropriate columns for:

A. each Chief Executive Officer, Chief Financial Officer, Chief Operations Officer, Chief Legal Officer, Chief Compliance Officer, Director, and persons with similar status or functions, and

B. each other person who is, directly or indirectly the beneficial owner of 5% or more of any class of equity security of registrant.

2. Check "Control Person" column if person has "control." Control is defined as:

Control - The power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any individual or firm that is a director, partner or officer exercising executive responsibility (or having similar status or functions) or that directly or indirectly has the right to vote 25 percent or more of the voting securities or is entitled to 25 percent or more of the profits is presumed to control that company.

3. Ownership codes are:

NA — 0 to 5% B — 10% up to 25% D — 50% up to 75%
A — 5% up to 10% C — 25% up to 50% E — 75% up to 100%

ADD — Section for initial registration and for amendments reporting additional persons.

FULL NAME Last First Middle	Social Security Number	Date of Relationship (Beginning) Month	Year	Title or Status	Ownership Code	Control Person
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					

AMEND — Section for amendments reporting changes in the title, status or ownership code of previously reported persons.

	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					

DELETE — Section for amendments to report deletion of previously reported persons.

		(Ending)	
	- -		
	- -		
	- -		
	- -		
	- -		

File Number: 084-	Schedule B of SEC Supplement to Form TA-1 For Partnership Registrants	OMB APPROVAL OMB Number: 3235-0084 Expires: June 30, 1988
DATE: Mo/Day/Yr	Full Name of Registrant:	

This form requests information on partnership registrants.

1. Please complete for all general partners and list all limited and special partners who have contributed 5% or more of the partnership's capital.
2. For each partner, complete appropriate columns below.
3. Check "Control Person" column if person has "control." Control is defined as:

   Control - The power to direct or cause the direction of the management or policies of a company, whether through ownership of securities, by contract, or otherwise. Any individual or firm that is a director, partner or officer exercising executive responsibility (or having similar status or functions) or that directly or indirectly has the right to vote 25 percent or more of the voting securities or is entitled to 25 percent or more of the profits is presumed to control that company.
4. Ownership codes are:

   NA — 0 to 5% B — 10% up to 25% D — 50% up to 75%
   A — 5% up to 10% C — 25% up to 50% E — 75% up to 100%

ADD — Section for initial registration and for amendments reporting additional persons.

FULL NAME Last First Middle	Social Security Number	Date of Relationship (Beginning) Month	Year	Title or Status	Control Person	Ownership Code
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					

AMEND — Section for amendments reporting changes in the title, status or ownership code of previously reported persons.

	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					
	- -					

DELETE — Section for amendments to report deletion of previously reported persons.

		(Ending)	
	- -		
	- -		
	- -		
	- -		
	- -		

File Number: 084-	Schedule C of SEC Supplement to Form TA-1 For Applicants Other Than Partnerships and Corporations	OMB APPROVAL OMB Number: 3235-0084 Expires: June 30, 1988
DATE: Mo/Day/Yr	Full Name of Registrant:	

This form requests information on applicants other than partnerships and corporations.

1. Please complete for any person, including a trustee, who directs, manages, or participates in directing or managing the affairs of registrant.
2. Give each listed person's title or status and describe the nature of his authority and his beneficial interest in applicant.

ADD — Section for initial registration and for amendments reporting additional persons.

FULL NAME Last First Middle	Social Security Number	Date of Relationship (Beginning) Month	Year	Title or Status	Description of Authority and Beneficial Interest
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				

AMEND — Section for amendments reporting changes in the title, status or nature of authority or beneficial interest.

	- -				
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				
	- -				

DELETE — Section for amendments to report deletion of previously reported persons.

		(Ending)	
	- -		
	- -		
	- -		
	- -		
	- -		

File Number: 084-	Schedule D of SEC Supplement to Form TA-1	OMB APPROVAL OMB Number: 3235-0084 Expires: June 30, 1988
DATE: Mo/Day/Yr	Full Name of Registrant:	

Use this Schedule to report details of affirmative responses to questions contained in the SEC Supplement.

Item on Form (Identify)	Answer

BILLING CODE 8010-01-C

§ 249b.200 [Amended]

6. Section 249b.200 is amended by removing the reference to footnote 2, by adding a reference to footnote 1 in place thereof, and by removing footnote 2.

§ 249b.102 [Added]

7. By adding § 249b.102 as follows:

§ 249b.102 FORM TA-2,[1] form to be used by transfer agents registered pursuant to Section 17A of the Securities Exchange Act of 1934 for the annual report of transfer agent activities.

Note.—Form TA-2 is published with this document and does not appear in the Code of Federal Regulations.

This form shall be used on an annual basis for registered transfer agents for reporting their business activities.

BILLING CODE 8010-01-M

[1] Copies of the form may be obtained from the Publication Section, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549 and from each of the Commission's regional offices.

Securities and Exchange Commission
Washington, D.C. 20549

INSTRUCTIONS

Form TA-2 is to be used by Transfer Agents registered pursuant to section 17A of the Securities Exchange Act of 1934 for filing the annual report of transfer agent activities

ATTENTION: Certain sections of the Securities Exchange Act of 1934 applicable to transfer agents are referenced below. Transfer agents are urged to review all applicable provisions of the Securities Exchange Act of 1934, the Securities Act of 1933 and the Investment Company Act of 1940, as well as the applicable rules promulgated by the SEC under those Acts.

I. General Instructions for Filing and Amending Form TA-2.

A. Terms and Abbreviations. The following terms and abbreviations are used throughout these instructions:

1. "Act" refers to the Securities Exchange Act of 1934.
2. "ARA" refers to the appropriate regulatory agency, as defined in Section 3(a)(34)(B) of the Act.
3. "Form TA-2" includes the Form and any attachments thereto.
4. "Registrant" refers to the entity on whose behalf Form TA-2 is filed.
5. "Rule" or "Rules" are found in Volume 17, Section 240 of the Code of Federal Regulations ("C.F.R.") e.g., Rule 17Ad-1(a) may be found in 17 C.F.R. §240.17Ad-1(a).
6. "SEC" refers to the Securities and Exchange Commission.
7. "Transfer agent" is defined in Section 3(a)(25) of the Act as any person who engages on behalf of an issuer of securities or on behalf of itself as an issuer in at least one of the functions enumerated therein.

B. Who Must file; When to File. Rule 17c2-2 requires that every registered transfer agent file Form TA-2 by August 31 of each year, except that a registered transfer agent is only required to complete Questions 1 through 4 and the execution section if it received fewer than 500 items for transfer and fewer than 500 items for processing in the six months ending June 30 of the year for which the form is being filed and does not maintain master securityholder files for more than 1000 individual security holder accounts as of June 30 of the year for which the form is being filed.

A registered transfer agent that engages a service company to perform all of its transfer and processing functions is not required to file Form TA-2. A transfer agent that engages a service company to perform some, but not all of its transfer and processing functions should enter zero ("0") for those questions which relate to functions performed by the service company on behalf of the transfer agent.

The date on which any filing is actually received by the SEC is its filing date, provided that the filing complies with all applicable requirements. A filing that does not comply with applicable requirements may be rejected by the SEC. Acceptance of a filing, however, shall not constitute a finding that it has been filed as required or that the information therein is true, current or complete.

C. Number of Copies; How and Where to File. The registrant must file the original and two copies of Form TA-2 with the SEC. The original copy of Form TA-2 must be manually signed and any additional copies may be photocopies of the signed original copy. All copies must be legible, on good quality 8½ x 11 inch white paper. The registrant must keep an exact copy of any filing for its records.

Registrants must file Form TA-2 directly with the Securities and Exchange Commission at:

Securities and Exchange Commission
Office of Applications and Reports Services
Washington, DC 20549

SEC 2113 (3-86)

II. Special Instructions for Filing Form TA-2

A. Indicate at the top of the page the calendar year for which Form TA-2 is filed.

B. In answering Question 3, indicate the number of items received for transfer and the number of items received for processing for the period January 1 to June 30 of the year for which Form TA-2 is being filed. (The underlined terms are defined in Rule 17Ad-1.) Omit transactions involving the purchase, sale and redemption of investment company shares. Report those items in response to Question 8.

C. In answering Question 4, include American Depositary Receipts (ADRs) in the corporate debt or equity category, as appropriate. Further, exclude Dividend Reinvestment (DRIP) accounts.

D. In answering Question 5, each series of debt securities issued under a single indenture is to be counted separately. Likewise, each series of an investment company is to be counted separately.

E. In answering Question 7, a "Transfer Agent Custodian Arrangement" (TAC) exists when certain institutional securityholders of record, such as broker-dealers, banks, and securities depositories, leave securities with a transfer agent. These securities are registered in the name of the institution or its nominee and are evidenced by a balance certificate. That balance certificate is retained by the transfer agent and is adjusted daily for the institution's deposit and withdrawal activity. Open-end investment company securities should be excluded from Question 7a. In answering Question 7c, exclude coupon payments and transfers of record ownership as a result of corporate actions.

F. In answering Question 8, exclude non-value transactions, such as address changes.

III. Notice.

Under Sections 17, 17A(c) and 23(a) of the Act and the rules and regulations thereunder, the SEC is authorized to solicit from registered transfer agents the information required to be supplied on Form TA-2. Disclosure to the SEC of the information requested in Form TA-2 is required of all registered transfer agents. The information will be used for the principal purpose of regulating registered transfer agents but may be used for all routine uses of the Commission or of the ARAs. Information supplied on this Form will be included routinely in the public files of the ARAs and will be available for inspection by any interested person.

File Number:
08
Date Mo/Day/Yr

OMB APPROVAL
OMB Number: 3235-0337
Expires: June 30, 1988

Securities and Exchange Commission
Washington, D.C 20549

Form TA-2

Form for Reporting Activities of Transfer Agents
registered pursuant to Section 17A of the Securities Exchange Act of 1934

GENERAL: Form TA-2 is to be used by transfer agents registered pursuant to Section 17A of the Securities Exchange Act of 1934 for filing the annual report of transfer agent activities with the Securities and Exchange Commission. Read all instructions before completing this Form. Please print or type all responses.

A Transfer Agent that received fewer than 500 items for transfer and fewer than 500 items for processing in the six months ending June 30 of the year for which this form is being filed and does not maintain master securityholder files for more than 1000 individual securityholder accounts as of June 30 of the year for which this form is being filed is only required to complete Questions 1 through 4 and the Execution Section.

1. Appropriate regulatory agency (check one box only)
   - ☐ Comptroller of the Currency
   - ☐ Board of Governors of the Federal Reserve System
   - ☐ Federal Deposit Insurance Corporation
   - ☐ Securities and Exchange Commission

2. Full name of Registrant as stated in Question 3a of Form TA-1:

If the response to any question is none or zero, enter "0"

3. Number of items (000s omitted) received during the six months ended June 30 for:
   a. transfer .... ______
   b. processing (outside registrar function) .... ______

4. a. Number of individual securityholder accounts maintained as of June 30: ______
   b. Approximate percentage of individual securityholder accounts maintained in the following categories as of June 30:

Corporate Equity Securities	Corporate Debt Securities	Investment Company Securities	Limited Partnership Securities	Municipal Debt Securities	Other Securities

5. Number of securities issues for which registrant acts in the following capacities, as of June 30:

	Corporate Debt & Equity	Investment Company	Limited Partnership	Municipal Debt	Other Securities
a. receives items for transfer and maintains the master securityholder files					
b. receives items for transfer but does not maintain the master securityholder files					
c. does not receive items for transfer but maintains the master securityholder files					

6. Aggregate value of securities record differences, existing for more than 30 days, as of June 30:

	Transfer Agent Prior	Transfer Agent Current
a. number of issues		
b. market value (in dollars — 000s omitted)		

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FORM TA-2
Page 2

Applicant Name ______
Date: ______

OFFICIAL USE

7. Scope of certain additional types of activities performed:
   a. transfer agent custodian arrangements (TACs), as of June 30:
      i. number of issues .... ______
      ii. number of shares (000s omitted) .... ______
      iii. principal amount of debt securities (in millions — 000,000s omitted) .... ______
      iv. number of institutions for which this activity is performed .... ______
   b. number of issues for which dividend reinvestment plan services are provided, as of June 30 .... ______
   c. annual dividend disbursement and interest paying agent activities conducted during the preceding calendar year (period ending December 31):
      i. number of issues .... ______
      ii. amount (in millions of dollars — 000,000s omitted) .... ______

8. Number of open-end investment company (mutual fund) transactions (excluding dividend and distribution postings) processed during the preceding calendar year (period ending December 31):
   a. total number (000s omitted) .... ______
   b. number processed on a date other than date of receipt of order .... ______
   c. number of transactions processed on other than on date of receipt of order, expressed as a percentage of total transactions processed .... ______ %

ATTENTION: INTENTIONAL MISSTATEMENTS OR OMISSIONS OF FACT CONSTITUTE FEDERAL CRIMINAL VIOLATIONS. See 18 U.S.C. 1001 and 15 U.S.C. 78ff(a)

EXECUTION: The registrant submitting this Form, and the person executing the Form, hereby represent that all the information contained in the Form is true, correct and complete.

Manual signature of Official responsible for form:	Title:
Name of Official responsible for form: (First name, Middle name, Last name)	Date executed (Month/Day/Year):

SEC 2113 (3-86)

BILLING CODE 8010-01-C

Dated: March 27, 1986.

By the Commission.

John Wheeler,

Secretary.

[FR Doc. 86-7755 Filed 4-8-86; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Part 3

[Docket No. RM82-35-000]

Fees Applicable to General Activities

April 4, 1986.

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Final rule.

SUMMARY: The Commission has delegated to the Executive Director authority to update annually the fees charged under the Freedom of Information Act according to procedures set forth in the Commission's regulations. This rule revises the fees for FOIA search time as follows: (a) $8.00 per quarter hour for search services performed by a professional employee and (b) $3.81 per quarter hour for search services performed by a clerical employee. The fee per page for duplication remains the same at 10 cents.

EFFECTIVE DATE: May 9, 1986.

FOR FURTHER INFORMATION CONTACT: Kenneth F. Plumb, Secretary (202) 357-8400.

SUPPLEMENTARY INFORMATION: In consideration of the foregoing, the Commission amends Chapter I, Title 18 of the Code of Federal Regulations, as set forth below.

List of Subjects in 18 CFR Part 3

Information and requests.

William G. McDonald,

Executive Director.

PART 3—[AMENDED]

1. The authority citation for Part 3 continues to read as follows:

Authority: Department of Energy Organization Act, 42 U.S.C. 7101-7352 (1982); E.O. 12009, 3 CFR 142 (1978); Administrative Procedure Act, 5 U.S.C. 552 and 553 (1982), unless otherwise noted.

§ 3.8 [Amended]

2. Section 3.8(k)(2)(i) is amended by removing the number "$5.60" and inserting, in its place, the number "$8.00."

3. Section 3.8(k)(2)(ii) is amended by removing the number "$2.40" and inserting, in its place, the number "$3.61".

[FR Doc. 86-7893 Filed 4-8-86; 8:45 am]

BILLING CODE 6717-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Part 558

New Animal Drugs for Use in Animal Feeds; Lincomycin

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the animal drug regulations to reflect approval of a supplemental new animal drug application (NADA) filed by the Upjohn Co., providing for safe and effective use of lincomycin Type A medicated articles to make Type C medicated feeds for growing-finishing swine for increased rate of weight gain.

EFFECTIVE DATE: April 9, 1986.

FOR FURTHER INFORMATION CONTACT: Lonnie W. Luther, Center for Veterinary Medicine (HFV-128), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4317.

SUPPLEMENTARY INFORMATION: The Upjohn Co., Kalamazoo, MI 49001, filed supplemental NADA 97-505 providing for safe and effective use of 20-or 50-gram-per pound lincomycin Type A medicated articles to make 20-gram-per-ton lincomycin Type C medicated feeds used for increased rate of weight gain in growing-finishing swine. Based on the data and information submitted, the supplemental NADA is approved and the regulations are amended to reflect the approval. In addition, the regulations in 21 CFR 558.325(b) concerning specific lincomycin Type A medicated article and Type B medicated feed approvals are not consistent in describing the approved medicated feed uses. The regulations are amended at this time to establish a consistency in defining the approvals.

In accordance with the freedom of information provisions of Part 20 (21 CFR Part 20) and § 514.11(e)(2)(ii) (21 CFR 514.11(e)(2)(ii)), a summary of safety and effectiveness data and information submitted to support approval of this application may be seen in the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857, from 9 a.m. to 4 p.m., Monday through Friday.

The agency has carefully considered the potential environmental effects of this action and has concluded that the action will not have a significant impact on the human environment and that an environmental impact statement is not required. The agency's finding of no significant impact and the evidence supporting that finding may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday. FDA's regulations implementing the National Environmental Policy Act (21 CFR Part 25) have been replaced by a rule published in the **Federal Register** of April 26, 1985 (50 FR 16636, effective July 25, 1985). Under the new rule, an action of this type would require an environmental assessment under 21 CFR 25.31a(a).

List of Subjects in 21 CFR Part 558

Animal drugs, Animal feeds.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs and redelegated to the Center for Veterinary Medicine, Part 558 is amended as follows:

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEEDS

1. The authority citation for 21 CFR Part 558 continues to read as follows:

Authority: Sec. 512, 82 Stat. 343-351 (21 U.S.C. 360b); 21 CFR 5.10 and 5.83.

2. In § 558.325 by revising paragraph (b) and by adding new paragraph (f)(2)(v) to read as follows:

§ 558.325 Lincomycin.

* * * * *

(b) *Approvals.* Type A articles and Type B feeds approved for sponsors in § 510.600(c) of this chapter for specific uses as in paragraph (f) of this chapter for specific uses as in paragraph (f) of this section as follows:

(1) No. 000009: (i) 4 grams per pound as in (f) (1) and (3).

(ii) 20 grams per pound as in (f) (1) through (3).

(iii) 50 grams per pound as in (f) (1) and (2).

(2) No. 034139 for 4 grams per pound as in (f)(2) (i) through (iv).

(3) [Reserved]

(4) No. 011490 for 8, 10, and 20 grams per pound as in (f)(2) (i) through (iii).