

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

■ 2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9W, Airspace Designations and Reporting Points, dated August 8, 2012, effective September 15, 2012, is amended as follows:

Paragraph 5000 Class D airspace.

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AEA PA D Reading, PA [Amended]

Reading Regional/Carl A. Spaatz Field,
Reading, PA
(Lat. 40°22'42" N., long. 75°57'55" W.)

That airspace extending upward from the surface to and including 2,800 feet MSL within a 4.8-mile radius of Reading Regional/Carl A. Spaatz Field. This Class D airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

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AEA PA E2 Reading, PA [Amended]

Reading Regional/Carl A. Spaatz Field,
Reading, PA
(Lat. 40°22'42" N., long. 75°57'55" W.)

That airspace extending from the surface within a 4.8-mile radius of Reading Regional/Carl A. Spaatz Field, and within 4 miles either side of the 172° bearing from the airport, extending from the 4.8-mile radius, to 10.1-miles south of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6004 Class E airspace designated as an extension to a class D surface area.

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AEA PA E4 Reading, PA [Amended]

Reading Regional/Carl A. Spaatz Field,
Reading, PA
(Lat. 40°22'42" N., long. 75°57'55" W.)

That airspace extending from the surface within 4 miles either side of the 172° bearing from Reading Regional/Carl A. Spaatz Field extending from the 4.8-mile radius to 10.1 miles south of the airport. This Class E airspace area is effective during specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airport/Facility Directory.

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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AEA PA E5 Reading, PA [Amended]

Reading Regional/Carl A. Spaatz Field,
Reading, PA
(Lat. 40°22'42" N., long. 75°57'55" W.)

That airspace extending upward from 700 feet above the surface within a 10.3-mile radius of Reading Regional/Carl A. Spaatz Field.

Issued in College Park, Georgia, on April 1, 2013.

Barry A. Knight,

Manager, Operations Support Group, Eastern Service Center, Air Traffic Organization.

[FR Doc. 2013–08102 Filed 4–8–13; 8:45 am]

BILLING CODE 4910–13–P

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

RIN 3038–AD53

Adaptation of Regulations to Incorporate Swaps—Records of Transactions; Correction

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule; correction.

SUMMARY: This document corrects a compliance date stated in the preamble to a notice of final rulemaking published in the **Federal Register** of December 21, 2012 (77 FR 75523), regarding Adaptation of Regulations to Incorporate Swaps—Records of Transactions.

DATES: This correction to the preamble is effective April 9, 2013.

FOR FURTHER INFORMATION CONTACT:

Katherine Driscoll, Associate Director, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581; 202–418–5544; kdriescoll@cftc.gov.

SUPPLEMENTARY INFORMATION: The Commodity Futures Trading Commission is correcting the preamble of final rules that appeared in the **Federal Register** on December 21, 2012 (77 FR 75523). The final rulemaking made certain conforming amendments to recordkeeping provisions of regulations 1.31 and 1.35(a) to integrate them more fully with the new statutory framework created by the Dodd-Frank Wall Street Reform and Consumer Protection Act. On page 75530, in the first column, in the Supplementary Information section of the preamble, revise the incorrect text of “[November 28, 2013]” to read “December 21, 2013”.

Issued in Washington, DC, on March 29, 2013, by the Commission.

Christopher J. Kirkpatrick,

Deputy Secretary of the Commission.

[FR Doc. 2013–07797 Filed 4–8–13; 8:45 am]

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 23

RIN 3038–AC96

Confirmation, Portfolio Reconciliation, Portfolio Compression, and Swap Trading Relationship Documentation Requirements for Swap Dealers and Major Swap Participants; Correction

AGENCY: Commodity Futures Trading Commission.

ACTION: Correcting amendments.

SUMMARY: The Commodity Futures Trading Commission (CFTC) is correcting a final rule published in the **Federal Register** of September 11, 2012 (77 FR 55904). That rule, 17 CFR 23.505, took effect on November 13, 2012. Subsequently, the CFTC published final rules in the **Federal Register** of December 13, 2012 (77 FR 74284), that re-codified the Commission regulation at 17 CFR 39.6 as a new Commission regulation at 17 CFR 50.50. This correction amends cross-references in 17 CFR 23.505 to conform them with the final rules published on December 13, 2012.

DATES: Effective on April 9, 2013.

FOR FURTHER INFORMATION CONTACT:

Frank Fisanich, Chief Counsel, 202–418–5949, ffisanich@cftc.gov, or Jason A. Shafer, Attorney-Advisor, 202–418–5097, jshafer@cftc.gov, Division of Swap Dealer and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of September 11, 2012 (77 FR 55904), the CFTC published final rules setting forth requirements for swap confirmation, portfolio reconciliation, portfolio compression, and swap trading relationship documentation for Swap Dealers and Major Swap Participants. Those rules, in 17 CFR part 23, include cross-references to the Commission regulation at 17 CFR 39.6. After the effective date of the Part 23 rules (November 13, 2012), the CFTC published final rules in the **Federal Register** of December 13, 2012 (77 FR 74284) that re-codified the Commission regulation at 17 CFR 39.6 as a new Commission regulation at 17 CFR 50.50. Those rules took effect on February 11, 2013. Thus, the Commission is making correcting amendments to the affected section of 17 CFR part 23 to replace the cross-references to 17 CFR 39.6 with cross-references to 17 CFR 50.50.

List of Subjects in 17 CFR part 23

Antitrust, Commodity futures, Conduct standards, Conflict of interests, Major swap participants, Reporting and recordkeeping, Swap dealers, Swaps.

Accordingly, 17 CFR part 23 is corrected by making the following correcting amendments:

PART 23—SWAP DEALERS AND MAJOR SWAP PARTICIPANTS

■ 1. The authority citation for Part 23 continues to read as follows:

Authority: 7 U.S.C. 1a, 2, 6, 6a, 6b, 6b–1, 6c, 6p, 6r, 6s, 6t, 9, 9a, 12, 12a, 13b, 13c, 16a, 18, 19, 21.

■ 2. In § 23.505, revise paragraphs (a) introductory text, (a)(2), and (a)(5) to read as follows:

§ 23.505 End user exception documentation.

(a) *For swaps excepted from a mandatory clearing requirement.* Each swap dealer and major swap participant shall obtain documentation sufficient to provide a reasonable basis on which to believe that its counterparty meets the statutory conditions required for an exception from a mandatory clearing requirement, as defined in section 2h(7) of the Act and § 50.50 of this chapter. Such documentation shall include:

* * * * *

(2) That the counterparty has elected not to clear a particular swap under section 2h(7) of the Act and § 50.50 of this chapter;

* * * * *

(5) That the counterparty generally meets its financial obligations associated with non-cleared swaps. *Provided*, that a swap dealer or major swap participant need not obtain documentation of paragraphs (a)(3), (4), or (5) of this section if it obtains documentation that its counterparty has reported the information listed in § 50.50(b)(1)(iii) in accordance with § 50.50(b)(2) of this chapter.

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Issued in Washington, DC, on April 4, 2013, by the Commission.

Christopher J. Kirkpatrick,

Deputy Secretary of the Commission.

[FR Doc. 2013–08197 Filed 4–8–13; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

17 CFR Parts 240 and 249

[Release No. 34–69284; File No. S7–29–11]

RIN 3235–AL18

Amendment to Rule Filing Requirements for Dually-Registered Clearing Agencies

AGENCY: Securities and Exchange Commission.

ACTION: Final rule.

SUMMARY: The Securities and Exchange Commission (“SEC” or “Commission”) is affirming recent amendments to Rule 19b–4 under the Securities Exchange Act of 1934 (“Exchange Act”) in connection with filings of proposed rule changes by certain registered clearing agencies and is expanding on those amendments in response to comments received (collectively, “Final Rule”). The Commission also is making corresponding technical modifications to the General Instructions for Form 19b–4 under the Exchange Act. The amendments to Rule 19b–4 and the instructions to Form 19b–4 are intended to streamline the rule filing process in areas involving certain activities concerning non-security products that may be subject to duplicative or inconsistent regulation as a result of, in part, certain provisions under Section 763(b) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (“Dodd-Frank Act”).

DATES: Effective June 10, 2013.

FOR FURTHER INFORMATION CONTACT:

Joseph P. Kamnik, Assistant Director; Gena Lai, Senior Special Counsel; and Neil Lombardo, Attorney, Office of Clearance and Settlement, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549–7010 at (202) 551–5710.

SUPPLEMENTARY INFORMATION: The Commission is adopting a Final Rule that affirms and expands upon recent amendments to Rule 19b–4 under the Exchange Act concerning categories of proposed rule changes that qualify for effectiveness upon filing under Section 19(b)(3)(A) of the Exchange Act. The Commission also is making a corresponding technical modification to the General Instructions for Form 19b–4 under the Exchange Act.

I. Introduction

A. Background on the Commission’s Process for Proposed Rule Changes

Section 19(b)(1) of the Exchange Act¹ requires each self-regulatory organization (“SRO”), including any Registered Clearing Agency,² to file with the Commission copies of any proposed rule or any proposed change in, addition to, or deletion from the rules of such SRO (collectively, “proposed rule change”),³ which must be submitted on Form 19b–4⁴ in accordance with the General Instructions thereto. Once a proposed rule change has been filed, the Commission is required to publish it in the **Federal Register** to provide an opportunity for public comment.⁵ A proposed rule change generally may not take effect unless the Commission approves it,⁶ or it otherwise becomes effective under Section 19(b).⁷

Section 19(b)(2) of the Exchange Act sets forth the standards and time periods for Commission action either to approve, disapprove, or institute proceedings to determine whether the proposed rule change should be disapproved.⁸ The Commission must approve a proposed rule change if it

¹ 15 U.S.C. 78s(b)(1).

² See Section 3(a)(26) of the Exchange Act, 15 U.S.C. 78c(a)(26) (defining the term “self-regulatory organization” to mean any national securities exchange, registered securities association, registered clearing agency, and, for purposes of Section 19(b) and other limited purposes, the Municipal Securities Rulemaking Board) (emphasis added).

³ 15 U.S.C. 78s(b)(1). Section 3(a)(27) of the Exchange Act defines “rules” to include “the constitution, articles of incorporation, bylaws, and rules, or instruments corresponding to the foregoing * * * and such of the stated policies, practices, and interpretations of such exchange, association, or clearing agency as the Commission, by rule, may determine to be necessary or appropriate in the public interest or for the protection of investors to be deemed to be rules of such exchange, association, or clearing agency.” 15 U.S.C. 78c(a)(27). Rule 19b–4(b) under the Exchange Act defines “stated policy, practice, or interpretation” to mean, in part, “[a]ny material aspect of the operation of the facilities of the self-regulatory organization” or “[a]ny statement made generally available” that “establishes or changes any standard, limit, or guideline” with respect to the “rights, obligations, or privileges” of persons or the “meaning, administration, or enforcement of an existing rule.” 17 CFR 240.19b–4(b).

⁴ See 17 CFR 249.819.

⁵ See 15 U.S.C. 78s(b)(1). The SRO is required to prepare the notice of its proposed rule change on Exhibit 1 of Form 19b–4 that the Commission then publishes in the **Federal Register**.

⁶ See 15 U.S.C. 78s(b)(2). However, as provided in Section 19(b)(2)(D) of the Exchange Act, 15 U.S.C. 78s(b)(2)(D), a proposed rule change shall be “deemed to have been approved by the Commission” if the Commission does not take action on a proposal that is subject to Commission approval within the statutory time frames specified in Section 19(b)(2).

⁷ See, e.g., 15 U.S.C. 78s(b)(3)(A).

⁸ See 15 U.S.C. 78s(b)(2).