

§ 97.27 NDB, NOB/DME; § 97.29 ILS, ILS/DME, ISMLS MLS, MLS/DME, MILS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

\* \* \* *Effective 16 July 1998*

Indiana, PA, Indiana County/Jimmy Stewart Field, NDB OR GPS-A, Amdt 5, CANCELLED  
Greer, SC, Greenville-Spartanburg, GPS RWY 21, Amdt 1  
Columbia, SC, Columbia Owens Downtown, LOC RWY 31, Amdt 1

\* \* \* *Effective 13 August 1998*

St Paul Island, AK, St Paul Island, GPS RWY 18, Orig.  
St Paul Island, AK, St Paul Island, GPS RWY 36, Orig.  
Tuscaloosa, AL, Tuscaloosa Muni, GPS RWY 4, Orig  
Tuscaloosa, AL, Tuscaloosa Muni, GPS RWY 22, Orig  
Hanford, CA, Hanford Muni, VOR OR GPS-A, Amdt 8  
Merced, CA, Merced Municipal/Macready Field, VOR RWY 12, Amdt 7  
Merced, CA, Merced Municipal/Macready Field, GPS RWY 30, Orig  
Merced, CA, Merced Municipal/Macready Field, GPS RWY 12, Orig  
Washington, DC, Washington National, NDB RWY 36, Amdt 10  
Washington, DC, Washington National, COPTER ILS 007, Orig  
Washington, DC, Washington National, ILS RWY 36, Amdt 39  
Ormond Beach, FL, Ormond Beach Muni, GPS RWY 8, Orig  
Sebring, FL, Sebring Regional, GPS RWY 36, Orig  
Sebring, FL, Sebring Regional, NDB OR GPS RWY 36, Amdt 4, CANCELLED  
Canton, GA, Cherokee County, NDB RWY 4, Amdt 2  
McPherson, KS, McPherson, VOR/DME RWY 36, Amdt 6  
McPherson, KS, McPherson, NDB RWY 18, Amdt 1  
McPherson, KS, McPherson, GPS RWY 18, Orig  
McPherson, KS, McPherson, GPS RWY 36, Amdt 1  
Biddeford, ME, Biddeford Muni, VOR OR GPS-A, Amdt 5, CANCELLED  
Biddeford, ME, Biddeford Muni, VOR RWY 6, Orig  
Biddeford, ME, Biddeford Muni, GPS RWY 6, Orig  
Appleton, MN, Appleton Muni, NDB RWY 13, Amdt 1  
Appleton, MN, Appleton Muni, GPS RWY 13, Orig  
Olive Branch, MS, Olive Branch, LOC RWY 18, Amdt 1  
Olive Branch, MS, Olive Branch, NDB OR GPS RWY 18, Amdt 4  
Olive Branch, MS, Olive Branch, NDB OR GPS RWY 36, Amdt 5  
Cameron, MO, Cameron Memorial, NDB OR GPS RWY 35, Amdt 1  
Bowman, ND, Bowman Muni, NDB RWY 29, Amdt 3  
Bowman, ND, Bowman Muni, GPS RWY 29, Orig

Hettinger, ND, Hettinger Municipal, GPS RWY 30, Amdt 1  
Atkinson, NE, Stuart-Atkinson Muni, VOR/DME RWY 29, Orig  
Atkinson, NE, Stuart-Atkinson Muni, GPS RWY 29, Orig  
Painesville, OH, Casement, NDB OR GPS-B, Amdt 8, CANCELLED  
Easton, PA, Easton, VOR-C, Amdt 2, CANCELLED  
Easton, PA, Easton, GPS RWY 36, Orig  
Philadelphia, PA, Philadelphia Intl, ILS RWY 9R, Amdt 8  
Philadelphia, PA, Philadelphia Intl, ILS RWY 27R, Amdt 8  
Philadelphia, PA, Philadelphia Intl, ILS RWY 27L, Amdt 8  
Philadelphia, PA, Philadelphia Intl, GPS RWY 17, Orig  
Rock Hill, SC, Rock Hill/York County/Bryant Field, VOR/DME OR GPS-B, Amdt 5A, CANCELLED  
Spartanburg, SC, Spartanburg Downtown Memorial, VOR/DME RNAV OR GPS RWY 5, Amdt 6B, CANCELLED  
Arlington, TN, Arlington Muni, LOC RWY 15, Amdt 2  
Arlington, TN, Arlington Muni, NDB OR GPS RWY 15, Amdt 8  
Arlington, TN, Arlington Muni, NDB OR GPS RWY 33, Amdt 8  
Memphis, TN, General Dewitt Spain, VOR RWY 16, Orig  
Memphis, TN, General Dewitt Spain, VOR RWY 16, Orig, CANCELLED  
Memphis, TN, Memphis Intl, VOR OR GPS RWY 27, Amdt 1B, CANCELLED  
Memphis, TN, Memphis Intl, VOR/DME RWY 18R, Orig  
Memphis, TN, Memphis Intl, NDB OR GPS RWY 9, Amdt 26  
Memphis, TN, Memphis Intl, ILS RWY 9, Amdt 25  
Memphis, TN, Memphis Intl, ILS RWY 18L, Amdt 1  
Memphis, TN, Memphis Intl, ILS RWY 18R, Amdt 12  
Memphis, TN, Memphis Intl, ILS RWY 27, Amdt 2  
Memphis, TN, Memphis Intl, ILS RWY 36L, Amdt 13  
Memphis, TN, Memphis Intl, ILS RWY 36R, Amdt 1  
Millington, TN, Charles W. Baker, VOR/DME RWY 18, Amdt 1, CANCELLED  
Millington, TN, Charles W. Baker, VOR/DME RWY 18, Orig  
Millington, TN, Charles W. Baker, GPS RWY 18, Orig  
Millington, TN, Millington Muni, VOR/DME RWY 22, Amdt 1, CANCELLED  
Millington, TN, Millington Muni, VOR/DME RWY 22, Orig  
Millington, TN, Millington Muni, ILS RWY 22, Amdt 1  
Shelbyville, TN, Bomar Field-Shelbyville Muni, GPS RWY 18, Orig  
Shelbyville, TN, Bomar Field-Shelbyville Muni, GPS RWY 36, Orig  
Abilene, TX, Abilene Regional, GPS RWY 17L, Orig  
Abilene, TX, Abilene Regional, GPS RWY 35R, Orig  
Danville, VA, Danville Regional, ILS RWY 2, Amdt 3  
Richmond, VA, Chesterfield County, LOC RWY 33, Amdt 1A, CANCELLED

Richmond, VA, Chesterfield County, ILS RWY 33, Orig  
Rhineland, WI, Rhineland-Oneida County, VOR/DME OR GPS RWY 5, Orig-A, CANCELLED  
Rhineland, WI, Rhineland-Oneida County, VOR/DME OR GPS RWY23, Admt 10A, CANCELLED

[FR Doc. 98-16545 Filed 6-19-98; 8:45 am]

BILLING CODE 4910-13-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 97

[Docket No. 29249; Amdt. No. 1874]

RIN 2120-AA65

#### Standard Instrument Approach Procedures; Miscellaneous Amendments

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This amendment establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs) for operations at certain airports. These regulatory actions are needed because of changes occurring in the National Airspace System, such as the commissioning of new navigational facilities, addition of new obstacles, or changes in air traffic requirements. These changes are designed to provide safe and efficient use of the navigable airspace and to promote safe flight operations under instrument flight rules at the affected airports.

**DATES:** An effective date for each SIAP is specified in the amendatory provisions.

Incorporation by reference approved by the Director of the Federal Register on December 31, 1980, and reapproved as of January 1, 1982.

**ADDRESSES:** Availability of matter incorporated by reference in the amendment is as follows:

*For Examination—*

1. FAA Rules Docket, FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591;

2. The FAA Regional Office of the region in which affected airport is located; or

3. The Flight Inspection Area Office which originated the SIAP.

*For Purchase—*Individual SIAP copies may be obtained from:

1. FAA Public Inquiry Center (APA-200), FAA Headquarters Building, 800 Independence Avenue, SW., Washington, DC 20591; or

2. The FAA Regional Office of the region in which the affected airport is located.

*By Subscription*—Copies of all SIAPs, mailed once every 2 weeks, are for sale by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

**FOR FURTHER INFORMATION CONTACT:** Donald P. Pate, Flight Procedure Standards Branch (AMCAFS-420), Flight Technologies and Programs Division, Flight Standards Service, Federal Aviation Administration, Mike Monroney Aeronautical Center, 6500 South MacArthur Blvd. Oklahoma City, OK. 73169 (Mail Address: P.O. Box 25082 Oklahoma City, OK. 73125) telephone: (405) 954-4164.

**SUPPLEMENTARY INFORMATION:** This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes Standard Instrument Approach Procedures (SIAPs). The complete regulatory description on each SIAP is contained in the appropriate FAA Form 8260 and the National Flight Data Center (FDC)/Permanent (P) Notices to Airmen (NOTAM) which are incorporated by reference in the amendment under 5 U.S.C. 552(a), 1 CFR part 51, and § 97.20 of the Federal Aviation's Regulations (FAR). Materials incorporated by reference are available for examination or purchase as stated above.

The large number of SIAPs, their complex nature, and the need for a special format make their verbatim publication in the **Federal Register** expensive and impractical. Further, airmen do not use the regulatory text of the SIAPs, but refer to their graphic depiction of charts printed by publishers of aeronautical materials. Thus, the advantages of incorporation by reference are realized and publication of the complete description of each SIAP contained in FAA form documents is unnecessary. The provisions of this amendment state the affected CFR (and FAR) sections, with the types of effective dates of the SIAPs. This amendment also identifies the airport, its location, the procedure

identification and the amendment number.

**The Rule**

This amendment to part 97 of the Federal Aviation Regulations (14 CFR part 97) establishes, amends, suspends, or revokes SIAPs. For safety and timeliness of change considerations, this amendment incorporates only specific changes contained in the content of the following FDC/P NOTAM for each SIAP. The SIAP information in some previously designated FDC/Temporary (FDC/T) NOTAMs is of such duration as to be permanent. With conversion to FDC/P NOTAMs, the respective FDC/T NOTAMs have been canceled.

The FDC/P NOTAMs for the SIAPs contained in this amendment are based on the criteria contained in the U.S. Standard for Terminal Instrument Approach Procedures (TERPS). In developing these chart changes to SIAPs by FDC/P NOTAMs, the TERPS criteria were applied to only these specific conditions existing at the affected airports. All SIAP amendments in this rule have been previously issued by the FAA in a National Flight Data Center (FDC) Notice to Airmen (NOTAM) as an emergency action of immediate flight safety relating directly to published aeronautical charts. The circumstances which created the need for all these SIAP amendments requires making them effective in less than 30 days.

Further, the SIAPs contained in this amendment are based on the criteria contained in the TERPS. Because of the close and immediate relationship between these SIAPs and safety in air commerce, I find that notice and public procedure before adopting these SIAPs are impracticable and contrary to the public interest and, where applicable, that good cause exists for making these SIAPs effective in less than 30 days.

**Conclusion**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore—(1) is not a

“significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. For the same reason, the FAA certifies that this amendment will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**List of Subjects in 14 CFR Part 97**

Air traffic control, Airports Navigation (air).

Issued in Washington, DC on June 12, 1998.

**Tom E. Stuckey,**

*Acting Director, Flight Standards Service.*

**Adoption of the Amendment**

Accordingly, pursuant to the authority delegated to me, part 97 of the Federal Aviation Regulations (14 CFR part 97) is amended by establishing, amending, suspending, or revoking Standard Instrument Approach Procedures, effective at 0901 UTC on the dates specified, as follows:

**PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES**

1. The authority citation for part 97 is revised to read as follows:

**Authority:** 49 U.S.C. 40103, 40113, 40120, 44701; 49 U.S.C. 106(g); and 14 CFR 11.49(b)(2).

2. Part 97 is amended to read as follows:

**§§ 97.23, 97.25, 97.27, 97.29, 97.31, 97.33, and 97.35 [Amended]**

By amending: § 97.23 VOR, VOR/DME, VOR or TACAN, and VOR/DME or TACAN; § 97.25 LOC, LOC/DME, LDA, LDA/DME, SDF, SDF/DME; § 97.27 NDB, NDB/DME; § 97.29 ILS, ILS/DME, ISMLS, MLS, MLS/DME, MLS/RNAV; § 97.31 RADAR SIAPs; § 97.33 RNAV SIAPs; and § 97.35 COPTER SIAPs, identified as follows:

\* \* \* Effective upon publication:

FDC date	State	City	Airport	FDC No.	SIAP
05/15/98	MO	Jefferson City	Jefferson City Memorial	8/2964	LOC BC Rwy 12, Amdt 6A... This Replaces FDC 8/2964 Published in TL98-13
05/27/98	MI	Bellaire	Bellaire/Antrim County	8/3276	GPS Rwy 2, Orig...
05/27/98	MN	Warroad	Warroad Intl-Swede Carlson Field	8/3275	NDB or GPS Rwy 31, Amdt 1...
05/28/98	ID	Hailey	Friedman Memorial	8/3301	GPS Rwy 31, Orig...
05/28/98	NC	Wadesboro	Anson County	8/3296	NDB or GPS Rwy 16, Amdt 1B...
05/28/98	NY	Utica	Oneida County	8/3292	NDB or GPS Rwy 15 Amdt 9A...
05/28/98	NY	Utica	Oneida County	8/3293	ILS Rwy 33 Amdt 1A...
05/28/98	NY	Utica	Oneida County	8/3294	ILS Rwy 15 Amdt 3A...
05/28/98	OH	Painesville	Concord Airpark	8/3309	VOR or GPS-A, Orig...

FDC date	State	City	Airport	FDC No.	SIAP
06/29/98	KS	Atwood	Atwood-Rawlins County City-County	8/3324	NDB or GPS Rwy 16, Amdt 1...
05/29/98	KS	Norton	Norton Muni	8/3327	NDB or GPS Rwy 17, Amdt 2...
05/29/98	KS	Norton	Norton Muni	8/3329	NDB or GPS Rwy 35, Amdt 2...
05/29/98	KS	Oberlin	Oberlin Muni	8/3330	NDB or GPS Rwy 35, Orig...
05/29/98	KS	Phillipsburg	Phillipsburg Muni	8/3325	NDB or GPS Rwy 31, Amdt 6...
05/29/98	MO	St. Louis	Lambert-St. Louis Intl	8/3336	ILS Rwy 12R, Amdt 21...
05/29/98	NY	Albany	Albany County	8/3344	VOR or GPS Rwy 19 Amdt 19...
06/01/98	AL	Dothan	Dothan	8/3400	VOR-A or TACAN or GPS Amdt 11A...
06/01/98	AL	Dothan	Dothan	8/3401	LOC BC Rwy 14 Amdt 6B...
06/01/98	AL	Dothan	Dothan	8/3402	ILS Rwy 32 Amdt 7B...
06/01/98	AL	Muscle Shoals	Northwest Alabama Regional	8/3397	VOR or GPS Rwy 29, Amdt 26A...
06/01/98	AL	Muscle Shoals	Northwest Alabama Regional	8/3398	ILS Rwy 29, Admt 3A...
06/01/98	AL	Muscle Shoals	Northwest Alabama Regional	8/3399	VOR/DME or GPS Rwy 11, Admt 5A...
06/01/98	MS	Laurel	Hseler-Noble Field	8/3419	NDB Rwy 13, Amdt 6...
06/01/98	MS	Laurel	Hseler-Noble Field	8/3424	VOR/DME-A, Amdt 2...
06/01/98	MS	Prentiss	Prentiss-Jefferson Davis County	8/3422	NDB or GPS Rwy 30, Orig...
06/01/98	PR	Ponce	Mercedita	8/3420	VOR Rwy 30, Amdt 10...
06/01/98	PR	San Juan	Luis Munoz Marin Intl	8/3413	NDB Rwy 8, Amdt 7A...
06/01/98	PR	San Juan	Luis Munoz Marin Intl	8/3442	ILS Rwy 8, Amdt 15A...
06/02/98	DE	Dover/Chesworld	Delaware Airpark	8/3485	GPS Rwy 27 Orig...
06/02/98	DE	Dover/Chesworld	Delaware Airpark	8/3486	GPS Rwy 9 Orig...
06/02/98	DE	Dover/Chesworld	Delaware Airpark	8/3487	VOR Rwy 27 Amdt 6...
06/02/98	FL	Miami	Miami Intl	8/3475	ILS Rwy 9L, Amdt 28A...
06/02/98	FL	Miami	Miami Intl	8/3478	ILS Rwy 9R, Amdt 8B...
06/02/98	FL	Miami	Miami Intl	8/3480	GPS Rwy 27R, Orig...
06/02/98	FL	Miami	Miami Intl	8/3482	GPS Rwy 9R, Orig...
06/02/98	FL	Miami	Miami Intl	8/3483	ILS Rwy 27R, Amdt 13...
06/02/98	FL	Orlando	Kissimmee Muni	8/3467	VOR/DME or GPS-A, Amdt 7A...
06/02/98	MS	Columbia	Columbia-Marion County	8/3463	VOR/DME or GPS Rwy 23, Amdt 4...
06/02/98	NC	Roanoke Rapids	Halifax County	8/3454	NDB or GPS Rwy 5 Amdt 3...
06/02/98	PR	San Juan	Luis Munoz Marin Intl	8/3488	NDB Rwy 10, Amdt 5A...
06/03/98	FL	Crestview	Bob Sikes	8/3502	NDB or GPS Rwy 17 Amdt 2A...
06/03/98	WA	Payallup	Pierce County-Thun Field	8/3508	GPS Rwy 34 Orig...
06/04/98	AL	Dothan	Dothan	8/3551	VOR or GPS Rwy 18 Amdt 3A...
06/04/98	AL	Dothan	Dothan	8/3552	VOR or GPS Rwy 14 Amdt 3B...
06/04/98	IL	Chicago	Chicago O'Hare Intl	8/3565	ILS Rwy 14L (Cat I, Cat II and Cat III), Amdt 28B...
06/04/98	MO	Kansas City	Kansas City Intl	8/3537	ILS Rwy 19R, Amdt 9...
06/04/98	MO	Springfield	Springfield-Branson Regional	8/3538	ILS Rwy 2, Amdt 16B...
06/04/98	OH	Willoughby	Willoughby Lost Nation Muni	8/3568	VOR Rwy 27, Orig...
06/04/98	OH	Willoughby	Willoughby Lost Nation Muni	8/3570	NDB or GPS Rwy 27, Amdt 12...
06/04/98	OH	Willoughby	Willoughby Lost Nation Muni	8/3571	VOR-B, Orig...
06/04/98	OH	Willoughby	Willoughby Lost Nation Muni	8/3572	NDB or GPS Rwy 9, Amdt 9...
06/04/98	OH	Willoughby	Willoughby Lost Nation Muni	8/3573	VOR-A, Orig...
06/04/98	OH	Wooster	Wayne County	8/3540	VOR or GPS Rwy 10, Orig-A...
06/04/98	OH	Wooster	Wayne County	8/3542	VOR Rwy 28, Orig-A...
06/04/98	OH	Wooster	Wayne County	8/3543	NDB Rwy 28, Amdt 7A...
06/05/98	FL	Tampa	Peter O'Knight	8/3612	Radar-1, Amdt 4...
06/05/98	FL	Tampa	Peter O'Knight	8/3613	NDB or GPS-A, Orig...
06/05/98	FL	Tampa	Peter O'Knight	8/3614	NDB or GPS Rwy 3, Amdt 10A...
06/05/98	GA	Brunswick	Malcolm McKinon	8/3610	NDB Rwy 4, Orig...
06/05/98	MI	West Branch	West Branch Community	8/3590	VOR Rwy 27, Orig-C...
06/05/98	MI	West Branch	West Branch Community	8/3591	NDB or GPS Rwy 27, Amdt 6B...
06/05/98	MS	Columbus/West Point-Starkville.	Golden Triangle Regional	8/3599	ILS Rwy 18, Amdt 6...
06/05/98	OH	Marion	Marion Muni	8/3596	VOR or GPS-A, Orig-A...
06/08/98	MS	Walls	Twinkletown	8/3652	Radar-1 Amdt 2...
06/08/98	OH	Marion	Marion Muni	8/3650	NDB or GPS Rwy 12, Amdt 4A...
06/08/98	TX	Abilene	Abilene Regional	8/3670	VOR or GPS-A, Amdt 8...
06/08/98	TX	Abilene	Abilene Regional	8/3671	VOR or GPS Rwy 22, Amdt 3...
06/08/98	TX	Abilene	Abilene Regional	8/3672	LOC BC Rwy 17L, Amdt 3...
06/08/98	TX	Abilene	Abilene Regional	8/3676	ILS Rwy 35R, Amdt 6...
06/08/98	TX	Abilene	Abilene Regional	8/3680	NDB or GPS Rwy 35R, Amdt 5...
06/09/98	TX	McAllen	McAllen Miller Intl	8/3700	LOC BC Rwy 31, Amdt 9...

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## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 1

#### Trading Hours

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") is making amendments to its Regulation 1.41(k) to allow additional changes in trading hours to be deemed approved by the Commission one business day after receipt of written notice of a change in accordance with the regulation.

**EFFECTIVE DATE:** July 22, 1998.

**FOR FURTHER INFORMATION CONTACT:** Lois J. Gregory, Attorney-Advisor, Contract Markets, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, D.C. 20581. Telephone: (202) 418-5483.

**SUPPLEMENTARY INFORMATION:** Regulation 1.41(k) allows a change in trading hours which does not permit trading to open before 7:00 a.m. or close after 6:00 p.m. local time in the city where the contract market is located to be deemed approved by the Commission at the close of business one business day after properly labeled written notice of the change is received by the Commission if the change is not inconsistent with the Commodity Exchange Act or the Commission's other regulations. Trading hour changes which do permit trading to open before 7:00 a.m. or close after 6:00 p.m. local time must be submitted to the Commission for approval pursuant to Regulation 1.41(b).

On May 1, 1998 (63 FR 24142), the Commission published for comment proposed amendments to Regulation 1.41(k) to allow additional changes in trading hours, as set forth below, to be deemed approved by the Commission one business day after receipt of written notice of a change in accordance with the regulation. The comment period for the proposal was 15 days and closed on May 18, 1998. The Commission received two comments in response to the notice and both were supportive of the proposal.

The Commission has determined to amend Regulation 1.41(k) in the manner previously notice. As revised, Regulation 1.41(k) will allow additional changes in trading hours to be deemed

approved by the Commission one business day after receipt of written notice of a change in accordance with the subsection. Specifically, if a contract market has previously received Commission approval for trading between 6:00 p.m. and 7:00 a.m. in at least one of its designated contracts, it may submit all subsequent changes in trading hours pursuant to Regulation 1.41(k). Thus, under revised 1.41(k), the first time a contract market proposes changing trading hours for any of its designated contracts to fall between the hours of 6:00 p.m. to 7:00 a.m., the proposal must be submitted to the Commission for approval pursuant to Regulation 1.41(b). The Commission will review such initial proposal to ensure that adequate systems and procedures are in place to accommodate the expanded trading hours. Matters to be addressed will include, among other matters, clearing, margin, market data, and surveillance programs. Any subsequent change to trading hours can be approved under the expedited procedures of Regulation 1.41(k).

The Commission notes that listing a contract for trading on an automated trading system will constitute more than a change in trading hours. It will also be a change in the method of trading. Accordingly, neither the initial establishment of an electronic trading system nor the subsequent listing of additional contracts will be eligible for treatment under Regulation 1.41(k). However, changes in the trading hours of a contract that is already listed on an electronic system will be eligible for treatment under revised Regulation 1.41(k).

#### Related Matters

##### A. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (Pub. L. 104-13 (May 13, 1995)) imposes certain requirements on federal agencies (including the Commission) in connection with their conducting or sponsoring any collection of information as defined by the Paperwork Reduction Act. While this proposed regulation has no burden, the group of regulations (3038-0022), of which this is a part has the following burden:

Average burden hours per response,  
3,546.26

Number of Respondents, 10,971  
Frequency of response, on occasion

Copies of the OMB approved information collection package associated with this regulation may be obtained from the Desk Officer, CFTC, Office of Management and Budget,

Room 10202, NEOB Washington DC 20503, (202) 395-7340.

#### B. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA) 5 U.S.C. 601 *et seq.*, requires that agencies, in adopting regulations, consider the impact of those regulations on small businesses. The only entity this rulemaking will affect would be contract markets. The Commission has previously determined that contract markets are not "small entities" for purposes of the Regulatory Flexibility Act, (47 FR 18618 (April 30, 1982)). Therefore, the Chairperson, on behalf of the Commission, hereby certifies, pursuant to 5 U.S.C. 605(b), that the action taken herein will not have a significant economic impact on a substantial number of small entities.

#### List of Subjects in 17 CFR Part 1

Brokers, Commodity futures, Consumers protection, Reporting and recordkeeping requirements, Segregation requirements.

In consideration of the foregoing and pursuant to the authority contained in the Commodity Exchange Act and, in particular Section 8a thereof, 7 U.S.C. 12a, the Commission hereby amends Part 1 of Chapter I of Title 17 of the Code of Federal Regulations as follows:

#### PART 1—GENERAL REGULATIONS UNDER THE COMMODITY EXCHANGE ACT

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

**Authority:** 7 U.S.C. 1a, 2, 2a, 4, 4a, 6, 6a, 6b, 6c, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 6p, 7, 7a, 7b, 8, 9, 12, 12a, 12c, 13a, 13a-1, 16, 16a, 19, 21, 23, and 24.

2. Section 1.41 is amended by revising paragraph (k)(1) to read as follows: 1.41 Contract market rules; submission of rules to the Commission, exemption of certain rules.

\* \* \* \* \*

(k) *Trading Hours.* (1) Notwithstanding the provisions of paragraph (b) of this section and except in connection with an initial listing of a contract on an automated trading system, all changes in trading hours shall be deemed approved by the Commission at the close of business one business day after written notice of such a change is received by the Commission if:

(i) The change is not inconsistent with any provision of the Act or the Commission's regulations;

(ii) For a change that permits trading anytime between 6:00 p.m. and 7:00 a.m. local time in the city where the contract market is located, the contract