



Federal Register

**Monday,
December 3, 2001**

Part XLVII

Commodity Futures Trading Commission

Semiannual Regulatory Agenda

COMMODITY FUTURES TRADING COMMISSION (CFTC)

COMMODITY FUTURES TRADING COMMISSION

17 CFR Ch. I

Regulatory Flexibility Agenda

AGENCY: Commodity Futures Trading Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Commodity Futures Trading Commission, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of significant rules which the Commission expects to propose or promulgate over the next year. This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in part II of this issue of the **Federal Register**. The Commission's Statement of Regulatory Priorities is included in part II. The Commission welcomes comments from small entities and others on the agenda.

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SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* (RFA), sets forth a number of requirements for agency rulemaking. Among other things, the RFA requires that:

(a) During the months of April and October of each year, each agency shall publish in the **Federal Register** a regulatory flexibility agenda that shall contain:

(1) A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;

(2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and

(3) The name and telephone number of an agency official knowledgeable about the items listed in paragraph (1). 5 U.S.C. 602(a).

The Commission has prepared an agenda of significant rules which it presently expects may be considered during the course of the next year, irrespective of their potential impact on small entities.¹ In this regard, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda or requires an agency to consider or act on any matter listed in such agenda." Pursuant to the request of Andrew H. Card, Jr., Assistant to the President and Chief of Staff, in his January 20, 2001 memorandum, the Commission has decided that it will issue no final or proposed rules not mandated by Congress until an agency head appointed by the President after noon on January 20, 2001 reviews and approves the regulatory action, or until further guidance is received from the Administration.

The Commission's October 2001 regulatory flexibility agenda is set forth below.

Issued in Washington, DC, on August 30, 2001 by the Commission.

Jean A. Webb,
Secretary of the Commission.

Commodity Futures Trading Commission—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
4206	Denomination of Customer Funds and Location of Depositories	3038-AB31
4207	Minimum Financial Requirements for Futures Commission Merchants and Introducing Brokers	3038-AB64
4208	Regulation of Hybrid Instruments	3038-AB69
4209	Use of Broker-Dealers, Depository Institutions, and Farm Crediting System Institutions as Intermediaries on Derivatives Transaction Execution Facilities	3038-AB70
4210	Margin Requirements for Security Futures Products	3038-AB71
4211	Authority To Modify Security Futures Product Listing Standards	3038-AB73
4212	Compliance Date for Security Futures Products To Be Cleared by a Clearing Agency That Has Linked and Coordinated Clearing With Other Clearing Agencies	3038-AB74
4213	Offering and Selling Security Futures Products Traded on Foreign Boards of Trade to United States Persons	3038-AB75
4214	Avoidance of Duplicative or Conflicting Regulations Applicable to Dual Registrants	3038-AB76
4215	Requirements for Foreign Stock Index Contracts To Qualify as Non-Narrow-Based Indices	3038-AB78
4216	Special Procedures To Encourage and Facilitate Bona Fide Hedging by Agricultural Producers	3038-AB79
4217	Regulation Concerning Conduct of Members and Employees and Former Members and Employees of the Commission, 17 CFR Part 140	3038-AB85

¹ The Commission published its definition of small entity to be used in connection with rulemaking proceedings on April 30, 1982 (47 FR 18618). Pursuant to that definition, the Commission is not required to list many of the agenda items contained in this regulatory flexibility agenda. See 5 U.S.C. 602(a)(1). Moreover, the Commission has previously certified, pursuant to section 605 of the RFA, 5 U.S.C. 605, that certain items contained in this agenda will not have a significant economic

impact on a substantial number of small entities. Accordingly, the listing of a rule in this regulatory flexibility agenda should not, in any event, be taken as a determination that a rule, when proposed or promulgated, will in fact require a regulatory flexibility analysis. However, the Commission hopes that the publication of an agenda which includes significant rules, regardless of their potential impact on small entities, may serve the public generally by providing an early and

meaningful opportunity to participate in and comment on the formulation of new or revised regulations. In addition to publishing the regulatory flexibility agenda, the Commission also makes available to the public, on a monthly basis, a calendar and, on a weekly basis posts an advisory on its website (<http://www.cftc.gov>) which lists rules that the Commission is considering or will consider in the near future.

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Commodity Futures Trading Commission—Proposed Rule Stage (Continued)

Sequence Number	Title	Regulation Identification Number
4218	Cash Settlement and Regulatory Halts Required for Security Futures Products	3038-AB86

Commodity Futures Trading Commission—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
4219	Performance Disclosures for Commodity Trading Advisors and Commodity Pool Operators	3038-AB39
4220	Registration Exemptions Pertaining to the Offer and Sale of Foreign Futures and Foreign Options Contracts to Customers Located in the United States	3038-AB45
4221	Prohibition Against Dual Trading	3038-AB83
4222	Listing Standards and Conditions for Trading Security Futures Products	3038-AB87

Commodity Futures Trading Commission—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4223	Public Reporting by Operators of Certain Large Commodity Pools—Regulations 4.7, 4.12, and 4.27	3038-AB40
4224	Trade Options on Enumerated Agricultural Commodities	3038-AB61
4225	Exemption From Compliance With the Listing Standards for Security Futures Products	3038-AB72

Commodity Futures Trading Commission—Completed Actions

Sequence Number	Title	Regulation Identification Number
4226	Segregated Account; Daily Computation and Record	3038-AB52
4227	New Regulatory Framework for Trading Facilities	3038-AB63
4228	Rules Relating to Intermediaries of Commodity Interest Transactions	3038-AB65
4229	A New Regulatory Framework for Clearing Organizations	3038-AB66
4230	Opting Out of Segregation by Eligible Contract Participants in Connection with Derivatives Transaction Execution Facility Transactions	3038-AB67
4231	CFTC Conformance with Title V Privacy Provisions of the Gramm-Leach-Bliley Act for Federal Functional Regulators	3038-AB68
4232	Method for Determining Market Capitalization and Dollar Value of Average Daily Trading Volume; Application of the Definition of Narrow-Based Security Index	3038-AB77
4233	Procedures for Exempting Brokers or Dealers From the Commodity Exchange Act	3038-AB81
4234	Procedures for Notice-Designation as a Contract Market in Security Futures Products and Exemptions from the Commodity Exchange Act	3038-AB82
4235	Notice Registration as a Futures Commission Merchant or Introducing Broker for Certain Securities Brokers or Dealers	3038-AB84

Commodity Futures Trading Commission (CFTC)

Proposed Rule Stage

4206. DENOMINATION OF CUSTOMER FUNDS AND LOCATION OF DEPOSITORIES**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1a; 7 USC 2; 7 USC 5; 7 USC 6a to 6d; 7 USC 6f to 6g; 7 USC 12a; 7 USC 19**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The Commission is proposing rules requesting public comment on how to address the risks relating to holding segregated funds offshore or in foreign currencies.**Timetable:**

Action	Date	FR Cite
Concept Release	12/30/97	62 FR 67841
NPRM	01/00/02	
NPRM Comment	03/00/02	
Period End		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Helene D. Schroeder, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581
Phone: 202 418-5424
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Email: hschroeder@cftc.gov**RIN:** 3038-AB31**4207. MINIMUM FINANCIAL REQUIREMENTS FOR FUTURES COMMISSION MERCHANTS AND INTRODUCING BROKERS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 6f**CFR Citation:** 17 CFR 1.17**Legal Deadline:** None**Abstract:** The Commission is requesting public comment on proposed amendments to Rule 1.17 that would adopt a risk-based capital requirement for futures commission merchants.**Timetable:**

Action	Date	FR Cite
NPRM	12/00/01	
NPRM Comment	02/00/02	
Period End		

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Thomas J. Smith, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1121 21st Street NW., Washington, DC 20581
Phone: 202 418-5495
Email: tsmith@cftc.gov**RIN:** 3038-AB64**4208. REGULATION OF HYBRID INSTRUMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The Commission is required, after consulting with and obtaining the concurrence of the Board of Governors of the Federal Reserve System, to prescribe regulations to govern hybrid instruments if it determines that it is in the public interest and consistent with the Commodity Exchange Act, and the product is not predominantly a banking product under the test enumerated in title IV of the Commodity Futures Modernization Act of 2000.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Elizabeth L.R. Fox, Acting Deputy General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581
Phone: 202 418-5120
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Email: efox@cftc.gov**RIN:** 3038-AB69**4209. USE OF BROKER-DEALERS, DEPOSITORY INSTITUTIONS, AND FARM CREDITING SYSTEM INSTITUTIONS AS INTERMEDIARIES ON DERIVATIVES TRANSACTION EXECUTION FACILITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763**CFR Citation:** Not Yet Determined**Legal Deadline:** None**Abstract:** The Commission is required to coordinate with the Securities and Exchange Commission, the Secretary of the Treasury and Federal banking regulators (including the Farm Credit Administration) in adopting rules and taking any other appropriate action to implement the provisions of the Commodity Futures Modernization Act of 2000 relating to the use of broker-dealers, depository institutions, and farm credit system institutions as intermediaries on derivatives transaction execution facilities.**Timetable:**

Action	Date	FR Cite
NPRM	01/00/02	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None**Agency Contact:** Elizabeth L.R. Fox, Acting Deputy General Counsel, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581
Phone: 202 418-5120
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Email: efox@cftc.gov**RIN:** 3038-AB70**4210. MARGIN REQUIREMENTS FOR SECURITY FUTURES PRODUCTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763**CFR Citation:** 17 CFR 41.43 to 41.48**Legal Deadline:** None**Abstract:** The Board of Governors of the Federal Reserve System on March 6, 2001 delegated its authority to have the Commission and the Securities and Exchange Commission, within a reasonable period of time after delegation, jointly prescribe regulations to establish margin requirements,

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including the establishment of levels of margin, for security futures products.

Timetable:

Action	Date	FR Cite
NPRM	10/04/01	66 FR 50719
NPRM Comment Period Extended to 12/05/2001	11/02/01	66 FR 55608
Correction	11/13/01	66 FR 56902
Final Action	02/00/02	
Final Action Effective	03/00/02	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3038-AB71

4211. AUTHORITY TO MODIFY SECURITY FUTURES PRODUCT LISTING STANDARDS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2(a)(1)(D)(v)(I)

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission and the Securities and Exchange Commission may adopt rules to jointly modify security futures product listing standards requiring that any security underlying the security future, including each component security of a narrow-based security index, be registered pursuant to section 12 of the Securities Exchange Act of 1934, and that the security futures be based upon common stock and such other equity securities as both agencies jointly determine appropriate.

Timetable:

Action	Date	FR Cite
NPRM	08/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB73

4212. COMPLIANCE DATE FOR SECURITY FUTURES PRODUCTS TO BE CLEARED BY A CLEARING AGENCY THAT HAS LINKED AND COORDINATED CLEARING WITH OTHER CLEARING AGENCIES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission and the Securities and Exchange Commission are required to jointly publish in the Federal Register a notice of the compliance date for requiring security futures products to be cleared by a clearing agency that has in place provisions for linked and coordinated clearing with other clearing agencies that clear security futures products to be purchased on one market and offset on another market that trades such product within 165 days of the compliance date.

Timetable:

Action	Date	FR Cite
NPRM	01/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB74

4213. OFFERING AND SELLING SECURITY FUTURES PRODUCTS TRADED ON FOREIGN BOARDS OF TRADE TO UNITED STATES PERSONS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission and the Securities and Exchange Commission are required to jointly issue rules, regulations, or orders as are necessary and appropriate to permit the offer and sale of security futures products traded on or subject to the rules of a foreign board of trade to United States persons.

Timetable:

Action	Date	FR Cite
NPRM	01/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB75

4214. AVOIDANCE OF DUPLICATIVE OR CONFLICTING REGULATIONS APPLICABLE TO DUAL REGISTRANTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission, in consultation with the Securities and Exchange Commission, is required to issue rules, regulations, or orders as are necessary to avoid duplicative or conflicting regulations applicable to dual registrants involving security futures products.

Timetable:

Action	Date	FR Cite
NPRM	10/04/01	66 FR 50785
NPRM Comment Period Extended to 12/05/2001	11/02/01	66 FR 55608
Final Action	02/00/02	
Final Action Effective	03/00/02	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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CFTC

Proposed Rule Stage

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RIN: 3038-AB76

4215. REQUIREMENTS FOR FOREIGN STOCK INDEX CONTRACTS TO QUALIFY AS NON-NARROW-BASED INDICES

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: Not Yet Determined

Legal Deadline: Other, Statutory, December 21, 2001, Prior to 12/21/2001.

Within one year after the date of enactment of the Commodity Futures Modernization Act of 2000.

Abstract: Prior to December 21, 2001, the Commission and the Securities and Exchange Commission are required to jointly adopt rules and regulations that set forth the requirements for foreign stock index contracts to qualify as non-narrow-based indices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB78

4216. SPECIAL PROCEDURES TO ENCOURAGE AND FACILITATE BONA FIDE HEDGING BY AGRICULTURAL PRODUCERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: Not Yet Determined

Legal Deadline: None

Abstract: The Commission is required to consider issuing rules or orders which prescribe procedures for contract markets to provide orderly delivery and increased ease for domestic agricultural producers to hedge price risk.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB79

4217. • REGULATION CONCERNING CONDUCT OF MEMBERS AND EMPLOYEES AND FORMER MEMBERS AND EMPLOYEES OF THE COMMISSION, 17 CFR PART 140

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 4a(f); 7 USC 4a(j); 7 USC 12a(5); 7 USC 13

CFR Citation: 17 CFR 140.735

Legal Deadline: None

Abstract: The proposed rule would amend the Commission's standards of conduct relating to business transactions and interests.

Timetable:

Action	Date	FR Cite
NPRM	12/00/01	

Regulatory Flexibility Analysis

Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3038-AB85

4218. • CASH SETTLEMENT AND REGULATORY HALTS REQUIRED FOR SECURITY FUTURES PRODUCTS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 2(a)(1)(D)(i)

CFR Citation: 17 CFR 41.25

Legal Deadline: None

Abstract: The Commission and the Securities and Exchange Commission are required to jointly publish in the Federal Register requirements for listing standards for security futures products relating to the cash settlement of contracts and regulatory trading halts.

Timetable:

Action	Date	FR Cite
NPRM	08/30/01	66 FR 45903
NPRM Comment Period End	10/01/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3038-AB86

Commodity Futures Trading Commission (CFTC)

Final Rule Stage

4219. PERFORMANCE DISCLOSURES FOR COMMODITY TRADING ADVISORS AND COMMODITY POOL OPERATORS**Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 6n; 7 USC 6o; 7 USC 12a**CFR Citation:** 17 CFR 4.25; 17 CFR 4.35**Legal Deadline:** None

Abstract: The Commodity Futures Trading Commission is proposing amendments to the requirements concerning the presentation of rate of return data by commodity trading advisors and commodity pool operators. The Commission's proposed rules address computational and disclosure matters relating to participating in commodity trading advisor programs on a partially-funded basis.

Timetable:

Action	Date	FR Cite
ANPRM	06/18/98	63 FR 33297
ANPRM Comment Period End	09/16/98	
NPRM	08/02/99	64 FR 41843
NPRM Comment Period End	10/01/99	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 3038-AB39**4220. REGISTRATION EXEMPTIONS PERTAINING TO THE OFFER AND SALE OF FOREIGN FUTURES AND FOREIGN OPTIONS CONTRACTS TO CUSTOMERS LOCATED IN THE UNITED STATES****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2(a)(1)(A); 7 USC 6(b); 7 USC 6c**CFR Citation:** 17 CFR 30.1; 17 CFR 30.4; 17 CFR 30.10**Legal Deadline:** None

Abstract: The Commission proposes to codify some of the interpretations and positions that its staff has taken regarding registration requirements under Part 30 of the Commission's rules, which governs, generally, the solicitation and sale of foreign futures and foreign options contracts to customers located in the United States. The Commission proposes to modify Rule 30.4(a) by clarifying that foreign futures and options brokers, including those with U.S. bank branches, are not required to register as futures commission merchants (FCMs) pursuant to Rule 30.4, or seek Rule 30.10 relief, if they fall generally into the following categories: (1) those that carry customer omnibus accounts for U.S. FCMs; (2) those that carry U.S. affiliate accounts that are proprietary to the foreign futures and options broker; and (3) those that carry U.S. accounts that are proprietary to a U.S. FCM. In addition, proposed Rule 30.10(a) will specify representations that must be made by a foreign futures and options broker that has U.S. bank branches in order to obtain a Rule 30.10 comparability exemption or to come within the registration exception of Rule 30.4.

Timetable:

Action	Date	FR Cite
NPRM	08/26/99	64 FR 46613
NPRM Comment Period End	10/25/99	
Final Action	03/00/02	
Final Action Effective	05/00/02	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3038-AB45**4221. PROHIBITION AGAINST DUAL TRADING****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763**CFR Citation:** Not Yet Determined**Legal Deadline:** None

Abstract: The Commission is required to issue regulations to prohibit dual trading in security futures products on contract markets and derivatives transaction execution facilities.

Timetable:

Action	Date	FR Cite
NPRM	07/11/01	66 FR 36218
NPRM Comment End	08/10/01	
Final Action	12/00/01	
Final Action Effective	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** None

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RIN: 3038-AB83**4222. • LISTING STANDARDS AND CONDITIONS FOR TRADING SECURITY FUTURES PRODUCTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 7 USC 2(a)(1)(D)(i)**CFR Citation:** 17 CFR 41.21 to 41.25**Legal Deadline:** None

Abstract: The Commission is required to publish in the Federal Register requirements and certifications for listing standards for security futures products.

Timetable:

Action	Date	FR Cite
NPRM	07/20/01	66 FR 37932
NPRM Comment Period End	08/20/01	
Final Action	12/00/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

Additional Information: The July 20, 2001 NPRM (66 FR 37932) was published with an erroneous RIN, 3038-AB73.

Agency Contact: Richard A. Shilts, Acting Director, Division of Economic Analysis, Commodity Futures Trading Commission, Three Lafayette Centre,

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Final Rule Stage

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RIN: 3038-AB87

Commodity Futures Trading Commission (CFTC)

Long-Term Actions

4223. PUBLIC REPORTING BY OPERATORS OF CERTAIN LARGE COMMODITY POOLS—REGULATIONS 4.7, 4.12, AND 4.27

Priority: Substantive, Nonsignificant
CFR Citation: 17 CFR 4.7; 17 CFR 4.12; 17 CFR 4.27 (Proposed)

Timetable:

Action	Date	FR Cite
NPRM	04/17/00	65 FR 20395
NPRM Comment Period End	06/16/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

Agency Contact: Tobey Kaczynsky
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RIN: 3038-AB40

4224. TRADE OPTIONS ON ENUMERATED AGRICULTURAL COMMODITIES

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 32.13

Timetable:

Action	Date	FR Cite
NPRM	12/13/00	65 FR 77838
NPRM Comment Period End	12/28/00	

Next Action Undetermined

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB61

4225. EXEMPTION FROM COMPLIANCE WITH THE LISTING STANDARDS FOR SECURITY FUTURES PRODUCTS

Priority: Substantive, Nonsignificant

CFR Citation: Not Yet Determined

Timetable:

Action	Date	FR Cite
NPRM	12/00/03	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB72

Commodity Futures Trading Commission (CFTC)

Completed Actions

4226. SEGREGATED ACCOUNT; DAILY COMPUTATION AND RECORD

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 1.32

Completed:

Reason	Date	FR Cite
Final Action	08/07/01	66 FR 41131
Final Action Effective	08/07/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB52

4227. NEW REGULATORY FRAMEWORK FOR TRADING FACILITIES

Priority: Other Significant

CFR Citation: 17 CFR 1; 17 CFR 5; 17 CFR 15; 17 CFR 20; 17 CFR 36; 17 CFR 37; 17 CFR 38; 17 CFR 40; 17 CFR 41; 17 CFR 100; 17 CFR 170; 17 CFR 180;

...

Completed:

Reason	Date	FR Cite
Final Action	08/10/01	66 FR 42256
Final Action Effective	10/09/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB63

4228. RULES RELATING TO INTERMEDIARIES OF COMMODITY INTEREST TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 1.3; 17 CFR 1.10; 17 CFR 1.17; 17 CFR 1.33; 17 CFR 1.46; 17 CFR 1.52; 17 CFR 1.55; 17 CFR 3.1; 17 CFR 3.10; 17 CFR 3.21; 17 CFR 3.31; 17 CFR 3.32; 17 CFR 3.34; 17 CFR 3, app A; 17 CFR 3, app B; 17 CFR 4.10;

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Completed Actions

17 CFR 4.24; 17 CFR 4.32; 17 CFR 4.34; 17 CFR 140.91; 17 CFR 155.2; 17 CFR 155.3; 17 CFR 155.4; 17 CFR 155.5; 17 CFR 155.6; 17 CFR 166.5

Completed:

Reason	Date	FR Cite
NPRM	08/28/01	66 FR 45221
Final Action	10/23/01	66 FR 53510
Final Action Effective	10/23/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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4229. A NEW REGULATORY FRAMEWORK FOR CLEARING ORGANIZATIONS

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 39

Completed:

Reason	Date	FR Cite
NPRM	05/14/01	66 FR 24308
Final Action	08/29/01	66 FR 45604
Final Action Effective	10/29/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB66

4230. OPTING OUT OF SEGREGATION BY ELIGIBLE CONTRACT PARTICIPANTS IN CONNECTION WITH DERIVATIVES TRANSACTION EXECUTION FACILITY TRANSACTIONS

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 1.3(gg); 17 CFR 1.3(uu); 17 CFR 1.12; 17 CFR 1.17; 17 CFR 1.37; 17 CFR 1.68; 17 CFR 190.01(bb)

Completed:

Reason	Date	FR Cite
Final Action	04/25/01	66 FR 20740
Final Action Effective	06/19/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB67

4231. CFTC CONFORMANCE WITH TITLE V PRIVACY PROVISIONS OF THE GRAMM-LEACH-BLILEY ACT FOR FEDERAL FUNCTIONAL REGULATORS

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 160

Completed:

Reason	Date	FR Cite
Final Action	04/27/01	66 FR 21236
Final Action Effective	06/21/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB68

4232. METHOD FOR DETERMINING MARKET CAPITALIZATION AND DOLLAR VALUE OF AVERAGE DAILY TRADING VOLUME; APPLICATION OF THE DEFINITION OF NARROW-BASED SECURITY INDEX

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 41.1; 17 CFR 41.2; 17 CFR 41.10 to 41.14

Completed:

Reason	Date	FR Cite
NPRM	05/17/01	66 FR 27559
Final Action Effective	08/21/01	
Final Action	08/23/01	66 FR 44489

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB77

4233. PROCEDURES FOR EXEMPTING BROKERS OR DEALERS FROM THE COMMODITY EXCHANGE ACT

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 41; 17 CFR 140

Completed:

Reason	Date	FR Cite
NPRM	04/19/01	66 FR 20118
Final Action	08/17/01	66 FR 43083
Final Action Effective	10/09/01	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB81

4234. PROCEDURES FOR NOTICE-DESIGNATION AS A CONTRACT MARKET IN SECURITY FUTURES PRODUCTS AND EXEMPTIONS FROM THE COMMODITY EXCHANGE ACT

Priority: Substantive, Nonsignificant

CFR Citation: 17 CFR 41; 17 CFR 140

Completed:

Reason	Date	FR Cite
NPRM	05/31/01	66 FR 29517
Final Action Effective	08/21/01	
Final Action	08/27/01	66 FR 44960

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

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RIN: 3038-AB82

4235. • NOTICE REGISTRATION AS A FUTURES COMMISSION MERCHANT OR INTRODUCING BROKER FOR CERTAIN SECURITIES BROKERS OR DEALERS

Priority: Substantive, Nonsignificant

Legal Authority: 7 USC 1 et seq, as amended by PL 106-554, 114 Stat. 2763

CFR Citation: 17 CFR 3.10; 17 CFR 170.15

Legal Deadline: None

Abstract: Registered securities broker/dealers that, among other things, limit their involvement with commodity futures contracts to security futures products, may notice register as a futures commission merchant or introducing broker. Such notice-registered futures commission

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Completed Actions

merchants are not required to become members of the National Futures Association.

Timetable:

Action	Date	FR Cite
NPRM	05/17/01	66 FR 27476
NPRM Comment Extended	06/22/01	66 FR 33494
NPRM Comment End	07/11/01	
Final Action	08/17/01	66 FR 43080

Action	Date	FR Cite
Correction	09/10/01	66 FR 47059
Final Action Effective	09/17/01	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Barbara S. Gold, Assistant Chief Counsel, Division of

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RIN: 3038-AB84

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