

**§ 71.1 [Amended]**

■ 2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9J, Airspace Designations and Reporting Points, dated August 31, 2001, and effective September 16, 2001, is amended as follows:

*Paragraph 6010(a)—Domestic VOR Federal Airways*

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**J-10 [Revised]**

From Los Angeles, CA; via INT Los Angeles 083° and Twentynine Palms, CA, 269° radials; Twentynine Palms; INT of Twentynine Palms 075° and Drake, AZ, 262° radials; Drake; Rattlesnake, NM, Blue Mesa, CO; Falcon, CO; North Platte, NE; Wolbach, NE; Des Moines, IA; to Iowa City, IA.

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**J-15 [Revised]**

From Humble, TX, via INT Humble 269° and Junction, TX, 112° radials; Junction; Wink, TX; Chisum, NM; Corona, NM; Albuquerque, NM; Rattlesnake, NM; Grand Junction, CO; Wasatch, UT; Twin Falls, ID; Boise, ID; Kimberly, OR; INT Kimberly 288° and Battle Ground, WA, 136° radials; to Battle Ground.

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**J-44 [Revised]**

From Phoenix, AZ; via Winslow, AZ, Rattlesnake, NM; Alamosa, CO; INT Alamosa 015° and Falcon, CO, 209° radials; Falcon; McCook, NE; to Lincoln, NE.

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**J-58 [Revised]**

From Oakland, CA, via Manteca, CA; Coaldale, NV; Wilson Creek, NV; Milford, UT; Rattlesnake, NM; Las Vegas, NM; Panhandle, TX; Wichita Falls, TX; Ranger, TX; Alexandria, LA; Harvey, LA.

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**J-64 [Revised]**

From Los Angeles, CA, via INT Los Angeles 083° and Hector, CA, 226° radials; Hector; Peach Springs, AZ; Tuba City, AZ; Rattlesnake, NM; Pueblo, CO; Hill City, KS; Pawnee City, NE; Lamoni, IA; Bradford, IL; via the INT of the Bradford 089° and the Fort Wayne, IN, 280° radials; Fort Wayne; Ellwood City, PA; Ravine, PA; to Robbinsville, NJ.

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**J-110 [Revised]**

From Oakland, CA, via Salinas, CA; Clovis, CA; Boulder City, NV; Rattlesnake, NM; Alamosa, CO; Garden City, KS; Butler, MO; St. Louis, MO; Brickyard, IN; Bellaire, OH; to Coyle, NJ.

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**J-161 [Revised]**

From Zuni, NM, to Rattlesnake, NM.

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**V-68 [Revised]**

From Montrose, CO; Cones, CO; Dove Creek, CO; Cortez, CO; Rattlesnake, NM; INT Rattlesnake 128° and Albuquerque, NM, 345° radials; Albuquerque, via INT Albuquerque 120° and Corona, NM, 311° radials; Corona; 41 miles 85 MSL, Chisum, NM; Hobbs, NM; Midland, TX; San Angelo, TX; Junction, TX; Center Point, TX; San Antonio, TX; INT San Antonio 064° and Industry, TX, 267° radials; Industry; INT Industry 101° and Hobby, TX, 290° radials to Hobby.

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**V-95 [Revised]**

From Gila Bend, AZ, via INT Gila Bend 096° and Phoenix, AZ, 197° radials; Phoenix; 49 miles, 40 miles 95 MSL; Winslow, AZ; 66 miles, 39 miles 125 MSL; Rattlesnake, NM; Durango, CO; Blue Mesa, CO; INT Blue Mesa 081° and Falcon, CO, 208° radials; to Falcon.

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**V-187 [Revised]**

From Socorro, NM, via INT Socorro 015° and Albuquerque, NM, 160° radials; Albuquerque; Rattlesnake, NM; 50 miles, 62 miles, 115 MSL, Grand Junction, CO; 75 miles, 50 miles, 112 MSL, Rock Springs, WY; 20 miles, 37 miles, 95 MSL, INT Rock Springs 026° and Riverton, WY, 180° radials; Riverton; Boysen Reservoir, WY; 9 miles, 78 miles, 105 MSL, Billings, MT; INT Billings 317° and Great Falls, MT, 122° radials; Great Falls; Missoula, MT; Nez Perce, ID; Pasco, WA; INT Pasco 321° and Ellensburg, WA, 107° radials; Ellensburg; INT Ellensburg 274° and McChord, WA, 096° radials; McChord; INT McChord 275° and Olympia, WA, 031° radials; Olympia; to Astoria, OR.

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**V-210 [Revised]**

From Los Angeles, CA, INT Los Angeles 083° and Pomona, CA, 240° radials; Pomona; INT Daggett, CA, 229° and Hector, CA, 263° radials; Hector; Goffs, CA; 13 miles, 23 miles 71 MSL, 85 MSL, Peach Springs, AZ; Grand Canyon, AZ; Tuba City, AZ; 10 miles 90 MSL, 91 miles 105 MSL, Rattlesnake, NM; Alamosa, CO; INT Alamosa 074° and Lamar, CO, 250° radials; 40 miles, 51 miles, 65 MSL, Lamar; 13 miles, 79 miles, 55 MSL, Liberal, KS; INT Liberal 137° and Will Rogers, OK, 284° radials; Will Rogers; INT Will Rogers 113° and Okmulgee, OK, 238° radials; Okmulgee. From Brickyard, IN, Muncie, IN; Rosewood, OH; Tiverton, OH; Briggs, OH; INT Briggs 044° and Akron, OH, 088° radials; INT Akron 088° and Youngstown, OH, 116° radials; INT Youngstown 116° and Clarion, PA, 222° radials; Revloc, PA; INT Revloc 096° and Harrisburg, PA, 285° radials; Harrisburg; Lancaster, PA; INT Lancaster 095° and Yardley, PA, 255° radials; to Yardley.

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**V-361 [Revised]**

From Rattlesnake, NM, via Montrose, CO; INT Montrose 025° and Red Table, CO, 224° radials; Red Table; Kremmling, CO; via INT Kremmling 059° and Cheyenne, WY, 216° radials; to Cheyenne.

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**V-368 [Revised]**

From Alamosa, CO; INT Rattlesnake, NM, 086° and Alamosa 232° radials; to Rattlesnake, NM.

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**V-391 [Revised]**

From Rattlesnake, NM; via Cortez, CO; via Dove Creek, CO; via Grand Junction, CO; via Vernal, UT; to Rock Springs, WY.

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**V-421 [Revised]**

From Zuni, NM, via Gallup, NM; Rattlesnake, NM; Durango, CO; Blue Mesa, CO; Red Table, CO; Kremmling, CO; Robert, CO; INT Robert 340° and Hayden, CO, 055° radials.

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Issued in Washington, DC, July 10, 2003.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Division*  
[FR Doc. 03-18382 Filed 7-18-03; 8:45 am]

**BILLING CODE 4910-13-P**

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Part 73**

[Docket No. FAA-2003-15478; Airspace  
Docket No. 03-AWP-6]

**RIN 2120-AA66****Amendment to Restricted Area 4809, Tonopah, NV**

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

**ACTION:** Final rule.

**SUMMARY:** This action adds "FAA, Los Angeles Air Route Traffic Control Center (ARTCC)" as the controlling agency for Restricted Area 4809 (R-4809), Tonopah, NV. Additionally, this action changes the using agency of R-4809 from the "Department of Energy (DOE), Albuquerque Operations Office, NM," to the "U.S. Air Force (USAF), Headquarters Air Warfare Center, Nellis Air Force Base (AFB), NV." These changes will facilitate the FAA's "Joint-Use Concept" of managing airspace areas in a more dynamic manner. This action does not change any boundaries, times of designation, or activities conducted in the restricted airspace area.

**EFFECTIVE DATE:** 0901 UTC, October 30, 2003.

**FOR FURTHER INFORMATION CONTACT:** Ken McElroy, Airspace and Rules Division, ATA-400, Office of Air Traffic Airspace Management, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8783.

**SUPPLEMENTARY INFORMATION:****History**

In April 2002, the DOE signed an agreement transferring responsibility for the daily use of R-4809 to the USAF. On May 14, 2003, the USAF submitted a request to add the Los Angeles ARTCC as the controlling agency of R-4809, and to change the area's using agency from the DOE to the USAF.

**The Rule**

This action responds to the above agreement and requested changes. Specifically, this action adds "FAA, Los Angeles ARTCC," as the controlling agency for R-4809, and changes the using agency from the "DOE, Albuquerque Operations Office, NM," to the "USAF, Headquarters Air Warfare Center, Nellis AFB, NV." These changes will designate R-4809 as a joint-use area, and make the airspace accessible to nonparticipating aircraft. This action does not change any boundaries, times of designation, or activities conducted in the restricted airspace area.

Section 73.48 of part 73 of the Federal Aviation Regulations was republished in FAA Order 7400.8K, dated September 26, 2002.

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. Therefore, this regulation: (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. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

**Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1D, Policies and Procedures for Considering Environmental Impacts. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

**List of Subjects in 14 CFR Part 73**

Airspace, Navigation (air).

**Adoption of the Amendment**

■ In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 73, as follows:

**PART 73—SPECIAL USE AIRSPACE**

■ 1. The authority citation for part 73 continues to read as follows:

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

**§ 73.48 [Amended]**

■ 2. § 73.48 is amended as follows:

\* \* \* \* \*

**R-4809, NV [Amended]**

By removing "Using agency. DOE, Albuquerque Operations Office, NM," and substituting "Using agency. USAF, Headquarters Air Warfare Center, Nellis AFB, NV."

By adding "Controlling agency. FAA, Los Angeles ARTCC."

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Issued in Washington, DC, on July 10, 2003.

**Paul Gallant,**

*Acting Manager, Airspace and Rules Division.*  
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**COMMODITY FUTURES TRADING COMMISSION****17 CFR Part 4**

**RIN 3038-AB39**

**Performance Data and Disclosure for Commodity Trading Advisors**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rule.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission" or "CFTC") is adopting regulations establishing a core principle for commodity trading advisors ("CTAs") with regard to performance disclosures concerning partially-funded accounts. The core principle specifies that such disclosure must be offered in a manner that is balanced and is not in violation of the antifraud provisions of the Commodity Exchange Act (the "Act") or the Commission's regulations thereunder.

**EFFECTIVE DATE:** August 20, 2003.

**FOR FURTHER INFORMATION CONTACT:** Kevin P. Walek, Assistant Director,

telephone: (202) 418-5463 or Eileen Chotiner, Futures Trading Specialist, telephone: (202) 418-5467, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. E-mail: [kwalek@cftc.gov](mailto:kwalek@cftc.gov) or [echotiner@cftc.gov](mailto:echotiner@cftc.gov).

**SUPPLEMENTARY INFORMATION:****I. Background**

On March 13, 2003, the Commission published in the **Federal Register**<sup>1</sup> proposed rule amendments regarding the computation and presentation of rate of return information and other disclosures concerning past performance of accounts over which the CTA has had trading authority. In that release, the Commission also sought comment on whether a core principle should replace detailed performance requirements.

The Commission received thirteen comments on the proposal. The commenters included one industry association,<sup>2</sup> one CTA,<sup>3</sup> one bar association,<sup>4</sup> one consumer organization,<sup>5</sup> one accounting firm,<sup>6</sup> the National Futures Association ("NFA"), and seven members of the public.<sup>7</sup> The industry and bar associations, NFA, and the CTA supported the amendments, particularly the use of nominal account size as the basis for computing rates of return. The seven members of the public and the consumer organization submitted comments expressing concern over the use of nominal account size rather than actual funds as the basis for presentation of a CTA's past performance. Commenters who addressed the core principle approach indicated that specific standards for performance presentation should exist in an area in which continuity and comparability are important, although several indicated that additional flexibility in the application of those standards would be welcome. These comments are discussed more fully below.

<sup>1</sup> 68 FR 12001 (Mar. 13, 2003).

<sup>2</sup> Managed Funds Association ("MFA").

<sup>3</sup> John Henry & Company, Inc.

<sup>4</sup> Association of the Bar of the City of New York, Committee on Futures Regulation.

<sup>5</sup> Consumer Federation of America ("CFA").

<sup>6</sup> Arthur F. Bell, Jr., & Associates, LLC.

<sup>7</sup> One of these commenters, Paul H. Bjarnason, Jr., is an accountant and former Commission employee. Six commenters, Elizabeth M. Buckman, Bonnie Kayser, James S. Finucane, Christine E. Schoen, Laura M. Stephens, and Ray Weaver, submitted identical letters.