

FDC date	State	City	Airport	FDC No.	SIAP
09/10/96	MO	Kaiser/Lake Ozark	Lee C. Fine Memorial	6/7037	GPS RWY 21, ORIG...
09/10/96	MO	Osage Beach	Grand Glaize-Osage Beach	6/7034	VOR OR GPS RWY 32, AMDT 4...
09/11/96	IN	Bloomington	Monroe County	6/7064	VOR/DME RWY 35 AMDT 14...
09/11/96	IN	Bloomington	Monroe County	6/7068	VOR OR GPS RWY 17 AMDT 11...
09/11/96	IN	Bloomington	Monroe County	6/7070	NDB OR GPS RWY 35 AMDT 4...
09/11/96	IN	Bloomington	Monroe County	6/7071	ILS RWY 35 AMDT 4...
09/11/96	IN	Bloomington	Monroe County	6/7072	VOR OR GPS RWY 24 AMDT 10...
09/11/96	MO	Jefferson City	Jefferson City Memorial	6/7056	ILS RWY 30, AMDT 3...
09/11/96	MO	Jefferson City	Jefferson City Memorial	6/7061	NDB OR GPS RWY 30, AMDT 8...
09/11/96	MS	Greenville	Mid Delta Regional	6/7059	LOC BC RWY 36R, AMDT 8...
09/12/96	IN	Bloomington	Monroe County	6/7123	VOR OR GPS RWY 6 AMDT 16...
09/12/96	NC	Louisburg	Louisburg/Franklin County	6/7142	VOR/DME OR GPS-A, ORIG-A...
09/13/96	FL	Key West	Key West Intl	6/7170	NDB OR GPS-A AMDT 14...
09/13/96	WI	Appleton	Outagamie County	6/7038	NDB OR GPS RWY 3 AMDT 14...
09/13/96	WI	Appleton	Outagamie County	6/7039	VOR/DME RWY 3 AMDT 8...
09/13/96	WI	Appleton	Outagamie County	6/7122	ILS RWY 3 AMDT 16...
09/17/96	CA	Fresno	Fresno Air Terminal	6/7243	NDB OR GPS RWY 29R AMDT 23...
09/17/96	CA	Fresno	Fresno Air Terminal	6/7245	ILS RWY 29R AMDT 33...
09/18/96	AZ	Phoenix	Phoenix Sky Harbor Intl	6/7269	ILS RWY 8R AMDT 9...
09/18/96	AZ	Prescott	Ernest A. Love Field	6/7282	VOR OR GPS RWY 11 AMDT 1...

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FEDERAL TRADE COMMISSION

16 CFR Parts 2 and 3

Publication of Consent Agreements Accepted for Public Comment in the Federal Register

AGENCY: Federal Trade Commission (FTC).

ACTION: Final rule.

SUMMARY: The Federal Trade Commission has revised Rule 2.34 and Rule 3.25(f) of its Rules of Practice, 16 CFR 2.34, 3.25(f) (1996), so that the full text of consent agreements accepted for public comment will no longer be published in the Federal Register. Instead, a summary of each such agreement; the Analysis to Aid Public Comment that accompanies each such agreement; and any Commission or Commissioner statements will be published in the Federal Register after each such agreement is placed on the public record. The Commission is not required by statute to publish the full text of its consent agreements and related documents in the Federal Register. Moreover, complete versions of these materials are publicly available—from the Commission’s Office of Public Affairs, on its Internet

World Wide Web Home Page (at “http://www.ftc.gov/os/actions.htm”), and from its Public Reference Room—prior to the time they are published in the Federal Register. The substantial expenditure of public funds required to publish full text versions of consent agreements in the Federal Register therefore is not warranted.

EFFECTIVE DATES: These rule amendments are effective on September 26, 1996. Comments may be filed with the Office of the Secretary until October 28, 1996.

FOR FURTHER INFORMATION CONTACT: Donald S. Clark, Office of the Secretary, Federal Trade Commission, Sixth Street and Pennsylvania Avenue N.W., Washington D.C. 20580 (202) 326-2514.

SUPPLEMENTARY INFORMATION: Section 2.34 of the Federal Trade Commission Rules of Practice, 16 CFR 2.34 (1996), currently provides that when the Commission accepts for public comment a consent agreement under Part 2 of its Rules of Practice, it “will publish the agreement, order, and explanation in the Federal Register.” Similarly, section 3.25(f) of the Rules, 16 CFR 3.25(f) (1996), provides that when the Commission accepts for public comment a consent agreement under Part 3 of its Rules of Practice, it “will publish the agreement, order, and explanation in the Federal Register.” The Commission also places all of the

documents associated with each Part 2 or Part 3 consent agreement—including the agreement itself, the complaint, the Analysis to Aid Public Comment, any separate Commission or Commissioner statements, and a news release—on the public record. The Commission makes these documents available to the public in a number of locations, including its Office of Public Affairs (in both paper and electronic form), on its Internet World Wide Web Home Page (at “http://www.ftc.gov/os/actions/htm”) (in electronic form), and in its Public Reference Room (in paper form).

The Commission estimates that it can save more than \$60,000 each year by instead printing only the following documents, for each consent agreement, in the Federal Register: (1) A summary announcing the commencement of the public comment period and indicating that the full text of the consent agreement documents is available from the Commission’s Office of Public Affairs, on its Internet Home Page, and from its Public Reference Room; (2) the analysis to aid public comment; and (3) any Commission or Commissioner statements. The Commission believes that this substantial reduction in expenditures can be effected without any adverse effects on the public comment process. At the time a particular consent agreement is placed on the public record—that is, on the date on which the news release

describing it is issued—members of the public are fully informed both of the terms of the agreement and of how they can file comments concerning it. In addition, the news release and all of the consent agreement documents typically are made public—in both paper and electronic form—at least one week before the consent agreement and the analysis appear in the Federal Register. As a result, most individuals and entities first learn about the consent agreement from the news release, or from news coverage of the agreement. Any member of this group who wishes both to comment and to review the full text of the agreement can request a copy from the Public Reference Room—using the address and telephone number in the news release—or pick up a copy in person. Moreover, members of the public can secure an electronic copy of each consent agreement package from the Commission's Internet Home Page (at "http://www.ftc.gov/os/actions.htm") or from the electronic bulletin board maintained by the Commission's Office of Public Affairs. Furthermore, the Federal Register notice announcing the agreement will continue to provide—through the analysis to aid public comment—a comprehensive description of both the agreement and the draft complaint. As a result, Federal Register users will continue to be informed of both the contours of the agreement and that they can, if they wish, file comments concerning it. If they need additional detail from the agreement itself, they can secure electronic copies and/or paper copies from the above sources.

These rule revisions relate solely to agency practice and, thus, are not subject to the notice and comment requirements of the Administrative Procedure Act, 5 U.S.C. 553(a)(2), nor to the requirements of the Regulatory Flexibility Act, 5 U.S.C. 601(2). The Paperwork Reduction Act, 44 U.S.C. 3501, does not apply because these revisions do not contain requirements for information collection subject to approval of the Office of Management and Budget. Although the rule revisions are effective immediately, the Commission welcomes comment on them and will consider further revision, as appropriate. Such comments may be filed with the Office of the Secretary until October 28, 1996.

List of Subjects in 16 CFR Parts 2 and 3

Administrative practice and procedure.

In consideration of the foregoing, the Commission hereby amends Title 16,

Chapter I, Subchapter A, Parts 2 and 3 of the Code of Federal Regulations, as follows:

1. The authority for Parts 2 and 3 continues to read as follows:

Authority: Sec. 6, 38 Stat. 721, 15 U.S.C. 46.

2. Section 2.34 is amended so that the third sentence after the introductory text beginning with "The Commission * * *" and ending with "* * * Federal Register." is revised to read as follows:

§ 2.34 Disposition.

* * * * *
* * * The Commission will publish the explanation in the Federal Register.
* * *

3. Section 3.25(f) is amended so that the second sentence in the concluding text beginning with "The Commission * * *" and ending with "* * * Federal Register." is revised to read as follows:

§ 3.25 Consent agreement settlements.

* * * * *
(f) * * * The Commission will publish the explanation in the Federal Register.
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By direction of the Commission,
Commissioner Azcuenaga dissenting.

Donald S. Clark,
Secretary.

Dissenting Statement of Commissioner Mary L. Azcuenaga Concerning Commission Decision To Stop Publishing in the Federal Register the Full Text of Consent Agreements Accepted for Public Comment

Today the Commission revokes its long held policy of publishing in the Federal Register the full text of consent agreements accepted for public comment. Instead, the Commission will publish a summary, an analysis and any Commission or commissioner statements. In announcing this decision, the Commission also advises that complete versions of the consent agreement, including complaints and orders, will continue to be available from the Commission's Office of Public Affairs (the press office), the Commission's home page on the World Wide Web and the Commission's Public Reference Room (the office that serves the general public). In an ideal world, the attainment of which is surely very near, these alternative sources should be sufficient. Unless we can be confident, however, that the other sources are adequately serving the wide audience that follows the Commission's actions in the Federal Register, the abandonment of that means of disseminating information seems premature.

The Commission has a long and admirable tradition of genuine attentiveness to public comment and of seeking it out even when it is not required by law to do so. Out of deference to the members of the public whose interests we serve, many of whom have a keen interest in and need to know about Commission decisions, I would have

preferred, before dispensing with our current practice, to have greater reason for confidence in the adequacy of the alternative sources of the information.

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COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 1

Correction of Trading Records

AGENCY: Commodity Futures Trading Commission.

ACTION: Final rule clarification.

SUMMARY: On June 6, 1996, the Commodity Futures Trading Commission ("Commission" or "CFTS") published a proposed rule amendment to its regulation to clarify a procedure specified for the correction of erroneous information on trading cards and to make that procedure applicable to other trading records.¹ After consideration of comments received, the Commission published a final rule amendment on August 20, 1996.² One comment letter inadvertently was not mentioned in that release.

EFFECTIVE DATE: The final rule will become effective October 21, 1996.

FOR FURTHER INFORMATION CONTACT: Duane C. Andresen, Special Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Telephone: (202) 418-5490.

SUPPLEMENTARY INFORMATION:

I. Introduction

The Commission amended Commission Regulation 1.35(d)(7), which addresses the preparation, submission and correction of trading cards, to make its provisions applicable to all trading records. The Commission also amended the error correction procedures in paragraph (d)(7)(ii) to state that a member may correct any errors by crossing out erroneous information without obliterating or otherwise making illegible any of the originally recorded information. The Commission further amended paragraph (d)(7)(ii) to require that when errors on a trading card are corrected by rewriting the trading card, the member must submit a copy of the trading card, or in the absence of plies the original trading card, that is subsequently rewritten in accordance with contract market rules

¹ 61 FR 28806 (June 6, 1996).

² 61 FR 42999 (August 20, 1996).