

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****14 CFR Parts 437**

[Docket No. FAA-2006-24197; Amendment Nos. 401-5, 404-4, 405-3, 406-4, 413-9, 420-3, 431-2, 437-0]

**Experimental Permits for Reusable Suborbital Rockets**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of Office of Management and Budget Approval for Information Collection.

**SUMMARY:** This notice announces the Office of Management and Budget's (OMB) approval of the information collection requirement in the final rule published April 6, 2007 (72 FR 17001). The sections of the final rule pending approval of this information collection request are effective on publication of this notice.

**DATES:** The FAA received OMB approval for the information collection requirement in the Final Rule published on April 6, 2007. The compliance date for information collection requirements in 14 CFR 437.21, 437.25, 437.27, 437.29, 437.31, 437.37, 437.41, 437.53, 437.55, 437.57, 437.59, 437.69, and 437.89 is August 31, 2007.

**FOR FURTHER INFORMATION CONTACT:**

Randy Repcheck, Office of Commercial Space Transportation, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267-8760; facsimile: (202) 267-5463; e-mail: [randy.repcheck@faa.gov](mailto:randy.repcheck@faa.gov).

**SUPPLEMENTARY INFORMATION:****Background**

On April 6, 2007, the FAA published the final rule, "Experimental Permits for Reusable Suborbital Rockets," in the **Federal Register**. The rule established application requirements for an operator of a manned or unmanned reusable suborbital rocket to obtain an experimental permit. The FAA also established operating requirements and restrictions on launch and re-entry of reusable suborbital rockets operated under a permit. The requirements above are in Title 14 of the Code of Federal Regulations parts 401, 404, 405, 406, 413, 415, 420, 431, and 437.

We noted, in the "Paperwork Reduction Act" section of the final rule, that affected parties did not need to comply with the information collection requirements of the rule until the Office of Management and Budget (OMB)

approved the FAA's request to collect the information.

In accordance with the Paperwork Reduction Act, OMB approved the FAA's request for new information collection on June 1, 2007, and assigned the information collection OMB Control Number 2120-0722. The control number was not available when the final rule was published, thus necessitating publication of this notice. The FAA request was approved by OMB without change and expires on June 30, 2010.

49 U.S.C. 106(g), 40113, 40119, 41706, 44101, 44701-44702, 44705, 44709-44711, 44713, 44716-44717, 44722, 46105, grants authority to the Administrator to publish this notice. The final rule (72 FR 17001) became effective on June 5, 2007, and the compliance date for information collection requirements in 14 CFR 437.21, 437.25, 437.27, 437.29, 437.31, 437.37, 437.41, 437.53, 437.55, 437.57, 437.59, 437.69, and 437.89 is August 31, 2007.

Issued in Washington, DC on August 24, 2007.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

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**COMMODITY FUTURES TRADING COMMISSION****17 CFR Part 21****Special Calls**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Final rules.

**SUMMARY:** The Commodity Futures Trading Commission ("Commission") has adopted amendments to Part 21 of its regulations relating to special calls for information. The amendments will: Add to the types of information specified in § 21.02, which must be furnished upon special call, information regarding exchanges of futures for physical commodities or for derivatives positions, and information regarding delivery notices issued and stopped; and delegate to the Director of the Division of Market Oversight and the Director's delegates, the ability to issue special calls pursuant to sections 21.01 and 21.02.

**EFFECTIVE DATE:** August 31, 2007.

**FOR FURTHER INFORMATION CONTACT:** Don Heitman, Senior Special Counsel (telephone 202-418-5041, e-mail [dheitman@cftc.gov](mailto:dheitman@cftc.gov)), Division of Market

Oversight, Commodity Futures Trading Commission, Three Lafayette Center, 1155 21st Street, NW., Washington, DC 20581.

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

The Commodity Exchange Act ("Act"), as amended by the Commodity Futures Modernization Act of 2000 ("CFMA"), Pub. L. No. 106-554, is intended, among other things, to "deter and prevent price manipulation or any other disruptions to market integrity."<sup>1</sup> To that end, the Commission, through its Division of Market Oversight ("Division"), conducts a comprehensive program of market surveillance. A centerpiece of this program is the large-trader reporting system, under which all large futures and option positions are reported to the Commission. Each day, for every active futures or option market, Division surveillance staff monitors the activities of large traders, key price relationships, and all relevant supply and demand factors in a continuous review for potential market problems. An essential element of the Commission's market surveillance program is the ability to make special calls for information from Commission registrants and other market participants.

**A. Information To Be Furnished Upon Special Call**

Part 17 of the Commission's regulations sets forth the routine reports that futures commission merchants, members of contract markets and foreign brokers (collectively, "reporting firms") are required to submit to the Commission.<sup>2</sup> These reports provide the information for the Commission's large trader reporting system. The Commission uses that information in its market surveillance program to detect and prevent market manipulation or other disruptions to market integrity in markets subject to Commission oversight.

By contrast, the purpose of the Commission's special call authority in Part 21 of the Commission's regulations is to provide the Commission with relevant information that is not routinely supplied to the Commission pursuant to other parts of the

<sup>1</sup> Commodity Exchange Act § 3(b), 7 U.S.C. § 5(b).

<sup>2</sup> The Commission has recently proposed amendments to its definition of the term, "foreign broker." The amended definition would also be relocated, from its current location at § 15.00(g) to § 1.3(xx). See 72 FR 15637 (April 2, 2007). If such amendments were to be adopted, there would be no change in a foreign broker's obligations to comply with the Commission's large trader or special call regulations set forth in 17 CFR Parts 15-21.