Ynez Airport, excluding that portion within the Santa Barbara, CA, Class C and Class E airspace areas.

* * * * *

Issued in Los Angeles, California, on April 10, 1997.

Leonard A. Mobley,

Acting Manager, Air Traffic Division, Western-Pacific Region.

[FR Doc. 97–10358 Filed 4–21–97; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

14 CFR Part 198

[Docket No. 28893; Notice No. 97–5]

RIN 2120–AF23

Aviation Insurance

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of proposed rulemaking (NPRM); correction.

SUMMARY: This document contains a correction to the NPRM published in the **Federal Register** (62 FR 19008) on April 17, 1997.

The NPRM is proposing to revise Title 14 Code of Federal Regulations (CFR) part 198 to provide for the issuance of insurance for certain types of flight operations and for the issuance of insurance for certain ground support activities essential to flights insured under the Aviation Insurance Program. Also, the amendments would redefine the activation of insurance coverage, revise the process for amending insurance policies, increase the binders for non-premium insurance coverage, and reflect new statutory authority. The proposed amendments would allow the FAA to be more responsive to the aviation industry when commercial insurance coverage cannot be obtained on reasonable terms, and the insurance coverage can be provided by the Aviation Insurance Program.

DATES: Comments must be received on or before June 2, 1997.

FOR FURTHER INFORMATION CONTACT: Eleanor Eilenberg, (202) 267–3090.

Correction of Publication

In the NPRM (FR Doc. 97–9957) on page 19008 in the issue of Thursday, April 17, 1997, the Internet address for electronically sending comments was incorrectly written.

Please make the following correction: On page 19008, in the Addresses section the internet address should read as follows: 9–NPRM–CMTS@faa.dot.gov.

Issued in Washington, DC on April 17, 1997.

Ida Klepper,

Acting Director, Office of Rulemaking.

[FR Doc. 97–10368 Filed 4–21–97; 8:45 am]

BILLING CODE 4910–13–M

COMMODITY FUTURES TRADING COMMISSION

17 CFR Part 190

Proposed Amendment to Part 190, Appendix B, to Govern the Distribution of Customer Property Related to Trading on the Proposed Chicago Board of Trade—London International Financial Futures and Options Exchange Trading Link

AGENCY: Commodity Futures Trading Commission.

ACTION: Notice of a proposed amendment to Part 190, Appendix B, to govern the distribution of customer property related to trading on the proposed Chicago Board of Trade—London International Financial Futures and Options Exchange Trading Link.

SUMMARY: In connection with the proposal of the Board of Trade of the City of Chicago (''CBT'') to establish a link (''Link'') with the London International Financial Futures and Options Exchange (''LIFFE''),[1] the Commodity Futures Trading Commission (''Commission'') is proposing to amend an Appendix to its bankruptcy rules to govern the distribution of property where the debtor is a futures commission merchant (''FCM'') that maintains customer accounts that carry or trade positions in Designated CBT Contracts at LIFFE or Designated LIFFE Contracts at CBT (''Link Accounts'') as well as non-Link accounts. This new distributional framework is intended to assure that non-Link customers of such an FCM would not be affected adversely by a shortfall in Section 4d(2) segregated funds caused by the operation of the Link. The new distributional framework would become effective upon the effective date of the Link.

DATES: Comments must be received on or before May 7, 1997.

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

SUPPLEMENTARY INFORMATION:

I. Trading in Link Contracts

The CBT, LIFFE and their respective clearing houses have entered into a Link Agreement, and CBT has sought Commission approval of rules which would permit the establishment of trading and clearing arrangements for Designated CBT Contracts[2] to be traded on LIFFE, initially cleared by the London Clearing House Limited (''LCH''), and transferred to the Board of Trade Clearing Corporation (''BOTCC''), and Designated LIFFE Contracts[3] to be traded on the CBT, initially cleared by BOTCC, and transferred to LCH.

In the case of Designated CBT Contracts traded on LIFFE, the U.S. FCM would likely maintain a customer omnibus account with a LIFFE clearing member. Each day, LCH would mark futures positions to a closing price, pay to and collect from the LIFFE clearing member the difference between trade price and mark price, pay and collect option premiums and, at the request of the LIFFE clearing member, net positions prior to their transfer to BOTCC at approximately 10:00 a.m. Chicago time. Bank settlement commitments would be required in response to instructions for Link variation obligations on trade date (''T''), with payment expected to be made to LCH on the next day (''T+1''). Also, if the CBT were closed for a holiday, LCH would hold positions in Designated CBT Contracts overnight and could call for margin. Property of the customers of the U.S. FCM that accrued to such customers as the result of such trades or contracts prior to their transfer to BOTCC or which was deposited to margin, guarantee or secure trades or contracts in Designated CBT Contracts at LIFFE would be deemed to be ''Link property''. During the interval before transfer back from LCH to BOTCC, Link property at LCH could for operational purposes be held in a foreign depository as provided in CFTC Advisory 87–5.[4]

In the case of Designated LIFFE Contracts traded on CBT, property received by the U.S. FCM to margin,

[1] The proposal to establish a Link arrangement between CBT and LIFFE was previously published for comment. 61 FR 16899. (April 18, 1996).

[2] Designated CBT Contracts would consist of U.S. Treasury Bond futures and futures options. At a later date, it is anticipated that 10 Year U.S. Treasury Note futures and futures options and 5 Year U.S. Treasury Note futures and futures options would be added.

[3] Designated LIFFE Contracts would consist of German Government Bond futures and futures options. At a later date, British Gilt futures and futures options and futures and futures options on the Italian Government Bond would be added.

[4] Comm. Fut. L. Rep., ¶ 23,997 (December 3, 1987).

secure or guarantee trades would be included in the foreign futures and foreign options secured amount, pursuant to Commission Regulation 30.7. The BOTCC has requested a no action position to permit certain excess property contained in such secured amount and separately accounted for to be used to meet original margin requirements for U.S. contracts under Section 4d(2) of the Act. Such excess property held in a combined BOTCC account but applied to margin requirements for U.S. contracts as Section 4d(2) property would also be ''Link property'' under this Framework.

To the extent that positions in Designated CBT Contracts executed on LIFFE and property supporting or accruing from those positions are deemed to be customer property under Section 4d(2) of the Act, or certain foreign currency margin deposited in respect of Designated LIFFE Contracts is held in a Section 4d(2) clearing account, any customer net equity claim in respect of such Link property held by an FCM in a Link account would be treated as a customer net equity claim under Part 190 of the Commission's rules [5] and subchapter IV of chapter 7 of the Bankruptcy Code (the commodity broker liquidation provisions).[6] In the case of an FCM bankruptcy, the commodity broker liquidation provisions of the Bankruptcy Code and Part 190 of the Commission's rules provide for a pro rata distribution of assets in proportion to net equity claims among the Section 4d(2) customers whose accounts were carried by such FCM. Thus, absent some provision to the contrary, if a participating FCM defaulted due to losses in its Link-related account(s), non-Link customers could be forced to share in losses generated by a shortfall in Link property. To avoid that result, the new framework would provide a rule of distribution that would operate to subordinate claims for Link property to Section 4d(2) claims overall as reflected in Appendix B.

II. New Bankruptcy Distribution in the Context of the CBT–LIFFE Link

When the Commission adopted its Part 190 bankruptcy regulations,[7] it included an Appendix intended to facilitate the execution of a trustee's duties, forms concerning customer instructions for return of non-cash property and transfer of hedge positions, and a proof of claim form. The Commission later adopted Appendix B to provide guidance to a trustee on the appropriate distribution of property where an FCM's customers cross-margined non-proprietary futures positions with certain securities positions.[8]

The proposed extension of Appendix B would have the effect of subordinating claims for Link property to claims for non-Link property when a shortfall in Link property was greater than the shortfall, if any, of non-Link property. The proposed amendment follows the guiding principles of Appendix B to Part 190: To assure that generally there is pro rata distribution to customers of the customer property in the bankrupt FCM's commodity interest estate and that the satisfaction of non-Link customer claims are not adversely affected by a shortfall in the pool of Link property. The proposed amendment is intended to assure that non-Link claims would never receive less than they would have received in the absence of the Link, but the distributional rule would not require Link-related claims to be subordinated in every instance.

Under the proposal, a bankruptcy trustee handling the commodity interest estate of a bankrupt FCM with Link property first would have to determine the respective shortfalls, if any, in the pools of Link customer and non-Link customer segregated funds. The trustee would then calculate the shortfall in each pool as a percentage of the segregation requirement for the pool. In making this determination, any shortfall in Link property held overseas could be offset in whole or in part by any excess funds held by the FCM in segregation in the United States.

If there were: (1) No shortfall in either of the two pools; (2) an equal percentage shortfall in the two pools; (3) a shortfall in the non-Link pool only; or (4) a greater percentage of shortfall in the non-Link pool than in the Link pool, then the two pools of segregated funds would be combined and Link customers and non-Link customers would share pro rata in the combined pool.[9]

However, if there were: (1) A shortfall in the Link pool only, or (2) a greater percentage of shortfall in the Link pool than in the non-Link pool, then the two pools of segregated funds would not be combined.[10] Rather, Link customers would share pro rata in the pool of Link segregated funds (including any excess funds held by the FCM in segregation in the U.S.), while non-Link customers would share pro rata in the pool of non-Link segregated funds. Further, if a pool of property initially would be treated as if it had a shortfall because frozen or otherwise unavailable as the result of government action, and later the freeze were lifted or funds became available, subsequent distribution would not be permitted to result in customers for whom funds were frozen receiving any greater distribution than a pro rata distribution for Section 4d (segregated funds) customers as a whole. To facilitate this distributional framework, subclasses of customer accounts, a Link account and a non-Link account would be recognized.

Like the existing distribution system for a bankrupt FCM with customer claims related to cross-margining, the proposed Appendix would assure that non-Link customers would never receive less than they would have received in the absence of the Link. The proposed Framework to the Appendix is intended to eliminate the need for each customer who seeks to trade pursuant to the Link to execute a separate subordination agreement.

III. Request for Comments

The Commission requests comments from interested persons concerning any aspect of the proposed amendment to Part 190, Appendix B, to govern the distribution of customer property related to trading on the proposed CBT–LIFFE Link.

Any person interested in submitting written data, views, or arguments on the proposal should send such comments to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, N.W., Washington, D.C. 20581 by the specified date. In addition, comments may be sent by facsimile transmission to facsimile number (202) 418–5521, or by electronic mail to secretary@cftc.gov. Reference should be made to the proposed amendment to Part 190, Appendix B.

IV. Related Matters

A. Regulatory Flexibility Act

The Regulatory Flexibility Act (RFA), 5 U.S.C. sections 601–611 (1988), requires that agencies, in proposing rules, consider the impact of those rules on small businesses. These rules would affect distributees of a bankrupt FCM's estate where the FCM had entered into a Link Clearing Agreement with a clearing member of LIFFE to transfer or accept the transfer of positions in Designated Link Contracts. The proposed appendix would eliminate the need for customers of FCMs who wish

[5] 17 CFR part 190.

[6] 11 U.S.C. §§ 761–766.

[7] 48 FR 8716 (March 1, 1983).

[8] 59 FR 17468 (April 13, 1994).

[9] See examples 1, 2, 5 and 6 of proposed Appendix B to part 190, Framework 2.

[10] See examples 3 and 4 of proposed Appendix B to part 190, Framework 2.

to participate in the Link to execute a subordination agreement. Further, the distributional framework is intended to assure that non-Link customers of such FCM would not be disadvantaged by a shortfall in the pool of Link funds. Persons participating in the Link will be provided with special risk disclosure related to such participants. Thus the adoption of this bankruptcy distributional rule should not in itself have a significant economic impact on such customers electing to participate but rather should operate to facilitate the Link arrangement. Therefore, the Chairperson, on behalf of the Commission, hereby certifies pursuant to 5 U.S.C. 605(b), that the action taken herein would not have a significant economic impact on a substantial number of small entities. The Commission nonetheless invites comments from any person or entity which believes that the proposal would have a significant impact on its operations.

B. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 (Pub. L. 104–13 (May 13, 1996)) 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. This rule would eliminate the need to execute a document and therefore would reduce rather than increase paperwork. While this rule has no burden, the group of rules (3038–0021) of which this is a part has the following burden:

Average burden hours per response: 0.35.

Number of Respondents: 802.

Frequency of response: On occasion.

Copies of the OMB approved information collection package associated with this rule may be obtained from Desk Officer, CFTC, Office of Management and Budget, Room 10202, NEOB Washington, D.C. 20503, (202) 395–7340.

List of Subjects in 17 CFR Part 190

Bankruptcy.

Accordingly, the Commission pursuant to the authority contained in the Commodity Exchange Act and, in particular, Sections 1a, 2(a), 4c, 4d, 4g, 5, 5a, 8a, 15, 19 and 20 thereof, 7 U.S.C. 1a, 2 and 4a, 6c, 6d, 6g, 7, 7a, 12a, 19, 23 and 24 (1994), and in the Bankruptcy Code and, in particular, Sections 362, 546, 548, 556 and 761–766 thereof, 11 U.S.C. 362, 546, 548, 556 and 761–766 (1994), hereby proposes to amend Part 190 of Chapter I of title 17 of the Code of Federal Regulations as follows:

PART 190—BANKRUPTCY

1. The authority citation for Part 190 continues to read as follows:

Authority: 7 U.S.C. 1a, 2, 4a, 6c, 6d, 6g, 7, 7a, 12, 19, 23 and 24 and 11 U.S.C. 362, 546, 548, 566 and 761–766.

2. Part 190 is proposed to be amended by adding to Appendix B thereof the following:

Appendix B to Part 190—Special Bankruptcy Distributions

* * * * *

Framework 2—Special Distribution of Customer Funds When FCM Participated in the Trading of Designated Link Contracts Pursuant to the CBT–LIFFE Link

The Commission has established the following distributional convention with respect to Section 4d customer funds held by a futures commission merchant (''FCM'') that participates in the trading of Chicago Board of Trade (''CBT'')—designated contracts executed on the London International Financial Futures and Options Exchange (''LIFFE'') or LIFFE-designated contracts executed on CBT (''Designated Link Contracts'') pursuant to the CBT–LIFFE Link (''Link'') which shall apply if customers of the FCM have been provided with a notice which makes reference to this distributional rule and the form of such notice has been approved by the Commission by rule, regulation or order. The maintenance of property in a Link account would result in subordination of the claim for such property to certain non-Link customer claims in certain circumstances. This creates subclasses of customer accounts required to be segregated for purposes of Section 4d(2) of the Commodity Exchange Act: a Link account and a non-Link account (a person could hold each type of account), and results in two pools of customer segregated funds: a Link pool and a non-Link pool.

In the event that there is a shortfall in the non-Link pool of customer segregated funds, and there is no shortfall in the Link pool of customer segregated funds, customer net equity claims, whether or not they arise out of the Link subclass of accounts, will be combined and will be paid pro rata out of the total pool of available Link and non-Link customer funds. In the event that there is a shortfall in the Link pool of customer segregated funds, and there is no shortfall in the non-Link pool of customer segregated funds, customer net equity claims arising from the non-Link subclass of accounts shall be satisfied from the non-Link customer segregated funds, and customer net equity claims arising from the Link subclass of accounts shall be paid from the Link customer segregated funds (and, if applicable, any excess funds held by the FCM in segregation in the U.S.). Furthermore, in the event that there is a shortfall in both the non-Link and Link pools of customer segregated funds: (1) If the non-Link shortfall as a percentage of the segregation requirement in the non-Link pool is greater than or equal to the Link shortfall as a percentage of the segregation requirement in the Link pool, customer net equity claims will be paid pro rata; and (2) if the Link shortfall as a percentage of the segregation requirement in the Link pool is greater than the non-Link shortfall as a percentage of the segregation requirement of the non-Link pool, non-Link customer net equity claims would be paid pro rata out of the available non-Link segregated funds, and Link customer net equity claims would be paid pro rata out of the available Link segregated funds. In this way, non-Link customers will never be disadvantaged by a Link shortfall.[11]

The following examples illustrate the operation of this convention. The examples assume that the FCM has two customers, one with exclusively Link accounts and one with exclusively non-Link accounts. In practice, the FCM would have a customer omnibus account with a LIFFE clearing member or would itself be a LIFFE clearing member with its own customer omnibus account. Positions in Designated CBT Contracts traded at LIFFE and initially cleared by LCH would be allocated to this customer omnibus account; following the transfer of the positions via the Link, the FCM would allocate the positions and any gains or losses to its customers' accounts. Accordingly, a customer who trades Designated CBT Contracts at LIFFE may have the portion of his account which reflects his activity in the customer omnibus account at LIFFE deemed a Link account and the remainder of the account a non-Link account. Effectively this will result in the customer having two claims—one against Link property and one against non-Link property.[12]

[11] Because Link property will be located offshore, it is possible that such property could be frozen by governmental action or become unavailable as the result of sovereign events. In that situation, should such property subsequently become available, the Link property account may acquire no greater distributional share than Section 4d(2) (segregated funds) customers generally.

[12] Certain other property of the customers of the U.S. FCM also will be treated as ''Link property'' and part of the Link account for purposes of this Framework 2. In the case of Designated LIFFE Contracts traded on CBT, property received by the U.S. FCM to margin, guarantee or secure trades is included in the foreign futures and foreign options secured amount, pursuant to Commission Regulation 30.7. The BOTCC has requested a no action position to allow certain property in excess of the required secured amount to be used to meet original margin requirements for U.S. contracts under Section 4d(2) of the Act. Such excess property held in a ''combined'' account but applied to margin requirements for U.S. contracts as Section 4d(2) property would also be ''Link property'' under this Framework.

	Non-link	Link	Total
1. Sufficient Funds to Meet Non-Link and Link Customer Claims:			
Funds in segregation	150	150	300
Segregation Requirement	150	150	300
Shortfall (dollars)	0	0	
Shortfall (percent)	0	0	
Distribution	150	150	300

There are adequate funds available, and both the non-Link and Link customer claims will be paid in full.

2. Shortfall in Non-Link Only:			
Funds in segregation	100	150	250
Segregation Requirement	150	150	300
Shortfall (dollars)	50	0	
Shortfall (percent)	50/150=33.3	0	
Pro Rata (percent)	150/300=50	150/300=50	
Pro Rata (dollars)	125	125	
Distribution	125	125	250

Due to the non-Link account, there are insufficient funds available to meet both the non-Link and the Link customer claims in full. Each customer will receive his or her pro rata share of the funds available, or 50% of the $250 available, or $125.

3. Shortfall in Link Only:			
Funds in segregation	150	100	250
Segregation Requirement	150	150	300
Shortfall (dollars)	0	50	
Shortfall (percent)	0	50/150=33.3	
Pro Rata (percent)	150/300=50	150/300=50	
Pro Rata (dollars)	125	125	
Distribution	150	100	250

Due to the Link account, there are insufficient funds available to meet both the non-Link and Link customer claims in full. Accordingly, the Link funds and non-Link funds are treated as separate pools, and the non-Link customer will be paid in full, receiving $150, while the Link customer would receive the remaining $100.

4. Shortfall in Both, Link Shortfall Exceeding Non-Link Shortfall:			
Funds in segregation	125	100	225
Segregation Requirement	150	150	300
Shortfall (dollars)	25	50	
Shortfall (percent)	25/150=16.7	50/150=33.3	
Pro Rata (percent)	150/300=50	150/300=50	
Pro Rata (dollars)	112.50	112.50	
Distribution	125	100	225

There are insufficient funds available to meet both the non-Link and Link customer claims in full, and the Link shortfall exceeds the non-Link shortfall. The non-Link customer will receive $125 available with respect to non-Link claims while the Link customer will receive the $100 available with respect to the Link claims.

5. Shortfall in Both, With Non-Link Shortfall Exceeding Link Shortfall:			
Funds in segregation	100	125	225
Segregation Requirement	150	150	300
Shortfall (dollars)	50	25	
Shortfall (percent)	50/150=33.3	25/150=16.7	
Pro Rata (percent)	150/300=50	150/300=50	
Pro Rata (dollars)	112.50	112.50	
Distribution	112.50	112.50	225

There are insufficient funds available to meet both the non-Link and Link customer claims in full, and the non-Link shortfall exceeds the Link shortfall. Each customer will receive 50% of the $225 available, or $112.50.

6. Shortfall in Both, Non-Link Shortfall = Link Shortfall:			
Funds in segregation	100	100	200
Segregation Requirement	150	150	300
Shortfall (dollars)	50	50	
Shortfall (percent)	50/150=33.3	50/150=33.3	
Pro Rata (percent)	150/300=50	150/300=50	
Pro Rata (dollars)	100	100	
Distribution	100	100	200

	Non-link	Link	Total

There are insufficient funds available to meet both the non-Link and the Link customer claims in full, and the non-Link shortfall equals the Link shortfall. Each customer will receive 50% of the $200 available, or $100.

7. Shortfall in Link Account Caused by Freeze That Is Subsequently Lifted, Where Non-Link Account Had Actual Shortfall But Link Account Did Not Sub -sequent to Lifting of Freeze Order:

Funds in segregation	100	Frozen	100
Segregation Requirement	150	150	300
Shortfall (dollars)	50	150	.....
Shortfall (percent)	50/150=33.3	150/150=100	.....
Pro Rata (percent)	150/300=50	150/300=50	.....
Pro Rata (dollars)	50	50	.....
Initial Distribution	100	0	100
Freeze Lifted: Funds Previously Frozen	0	150	150
Subsequent Distribution	25	125	.....
Total Distribution	125	125	250

Through the time of the initial distribution, this situation would follow the pattern of Example 4 because the shortfall in the Link account was larger. After the freeze was lifted, it would follow the pattern of Example 2 because the shortfall in the non-Link account was larger.

These examples illustrate the principle that pro rata distribution across both accounts is the preferable approach except when a shortfall in the Link account could harm non-Link customers. Thus, pro rata distribution occurs in Examples 1, 2, 5 and 6. Separate treatment of the Link and non-Link accounts occurs in Examples 3 and 4. In Example 7, separate treatment occurs where the funds are frozen. It is adjusted to become pro rata treatment after the freeze is lifted.

Issued in Washington, D.C. on April 16, 1997 by the Commission.

Jean A. Webb,

Secretary of the Commission.

[FR Doc. 97–10338 Filed 4–21–97; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF THE TREASURY

Customs Service

19 CFR Part 142

RIN 1515–AB27

Publication of Entry Filer Codes

AGENCY: Customs Service, Department of the Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document proposes to amend the Customs Regulations to provide for the annual publication by electronic means of the code assigned by Customs to identify frequent entry filers. This proposal is consistent with the efforts to modernize the Customs Service and the documentation related to imports. The proposal will assist components of the trade industry in controlling import transactions and in serving their clients among the importing public. It is anticipated that, if promulgated as a final rule, the proposal will reduce the paperwork burden on the affected public and the administrative burden on the Customs Service.

DATES: Comments must be received on or before June 23, 1997.

ADDRESSES: Comments (preferably in triplicate) may be addressed to the Regulations Branch, U.S. Customs Service, Franklin Court, 1301 Constitution Avenue, NW, Washington, D.C. 20229, and may be inspected at Franklin Court, 1099 14th Street, NW, Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Ray Janiszewski, Office of Trade Compliance, (202) 927–0365 (Operational matters), or Paul Hegland, Entry and Carrier Rulings Branch, Office of Regulations and Rulings, (202) 482–7040 (Legal matters).

SUPPLEMENTARY INFORMATION:

Background

Generally, all merchandise brought into the United States is required to be ''entered'', unless specifically excepted from entry. The entry process consists of the importer of record, using reasonable care: (1) filing with Customs the documentation necessary for Customs to determine whether the merchandise may be released from Customs custody (''an entry'') and (2) completing the entry by filing the declared value, classification and rate of duty applicable to the merchandise, and such other information or documentation as is necessary to enable Customs to properly assess duties on the merchandise, collect accurate statistics with regard to the merchandise, and determine whether any other applicable requirement of the law is met (''an entry summary''). Generally, an entry is required within 5 working days after the arrival of the importing conveyance. The person making entry (by filing the required documentation) is required by law to be the owner or purchaser of the merchandise or, if appropriately designated by the owner, purchaser, or consignee of the merchandise, a licensed customs broker.

As a part of its Automated Commercial System (ACS), Customs assigns a unique 3 character (alphabetic, numeric, or alpha numeric) entry filer code to all licensed broker companies filing Customs entries and to certain other importers filing Customs entries, based on the volume and frequency of filing and other considerations. These entry filer codes are not assigned to intermittent importers, who obtain from Customs forms with Customs-assigned pre-printed entry numbers. The entry filer is required to place the filer code, along with a unique (to each entry) number and a check digit on each entry. This entry number (consisting of 11 characters) is used by Customs and the importer to identify the particular entry. This procedure of assigning entry filer codes was implemented in the Customs Regulations (see 19 CFR 142.3a) by Treasury Decision (T.D.) 86–106, published in the **Federal Register** on May 28, 1986 (51 FR 19166).

Entries of merchandise are reviewed by Customs. Under the law, Customs is responsible for fixing the final appraisement of the merchandise and the determination of applicable duty and admissibility. ''Liquidation'' is the final determination by Customs on the dutiability and admissibility of imported merchandise. Customs is required by law to give notice of liquidation to the importer, his consignee, or agent, as prescribed by regulations. The pertinent regulations require this notice to be made on a bulletin notice of liquidation, Customs Form 4333 (19 CFR 159.9).