

(1) By commodity and put, call or combined option:

(i) Total number of new contracts entered into during the reporting period;

(ii) Total quantity of commodity underlying new contracts entered into during the reporting period;

(iii) Total number of contracts outstanding at the end of the reporting period;

(iv) Total quantity of underlying commodity outstanding under option contracts at the end of the reporting period;

(v) Total premiums collected on options during the reporting period;

(vi) The value of all fees, commissions, or other charges other than option premiums, collected on trade options during the reporting period;

(vii) Total number of options exercised during the reporting period;

(viii) Total quantity of commodity underlying the exercise of options during the reporting period.

(2) Total number of customers by commodity with open option contracts at the end of the reporting period.

(e) *Special calls.* Upon special call by the Commission for information relating to agricultural trade options offered or sold on the dates specified in the call, each agricultural trade option merchant shall furnish to the Commission within the time specified the following information as specified in the call:

(1) All positions and transactions in agricultural trade options including information on the identity of agricultural trade option customers.

(2) All positions and transactions for future delivery or options on contracts for future delivery or on physicals on all contract markets.

(3) All positions and transactions in cash commodities, their products, and by-products.

(f) *Internal controls.* (1) Each agricultural trade option merchant registered with the Commission shall prepare, maintain and preserve information relating to its written policies, procedures, or systems concerning the agricultural trade option merchant's internal controls with respect to market risk, credit risk, and other risks created by the agricultural trade option merchant's activities, including systems and policies for supervising, monitoring, reporting and reviewing trading activities in agricultural trade options; policies for hedging or managing risk created by trading activities in agricultural trade options, including a description of the types of reviews conducted to monitor positions; and policies relating to

restrictions or limitations on trading activities.

(2) The financial statements of the agricultural trade option merchant must on an annual basis be audited by a certified public accountant in accordance with generally accepted auditing standards.

(3) The agricultural trade option merchant must file with the Commission a copy of its certified financial statements within 90 days after the close of the agricultural trade option merchant's fiscal year.

(4) The agricultural trade option merchant must perform a reconciliation of its books at least monthly.

(5) The agricultural trade option merchant:

(i) Must report immediately if its net worth falls below the level prescribed in § 3.13 of this chapter, and must report within three days discovery of a material inadequacy in its financial statements by the independent public accountant or any state or federal agency performing an audit of its financial statements promptly to the Commission and National Futures Association by facsimile, telegraphic or other similar electronic notice; and

(ii) Within five business days after giving such notice, the agricultural trade option merchant must file a written report with the Commission stating what steps have been taken or are being taken to correct the material inadequacy.

(6) If the agricultural trade option merchant's net worth falls below the level prescribed in § 3.13(c)(1) of this chapter, it must immediately cease offering or entering into new option transactions and must notify customers having premiums which the agricultural trade option merchant is holding under paragraph (a)(4) of this section that such customers can obtain an immediate refund of that premium amount, thereby closing the option position.

(g) *Exemption.* (1) The provisions of this section shall not apply to a commodity option offered by a person which has a reasonable basis to believe that the option is offered to a producer, processor, or commercial user of, or a merchant handling, the commodity which is the subject of the commodity option transaction, or the products or by-products thereof, and that such producer processor, commercial user or merchant is offered or enters into the commodity option transaction solely for purposes related to its business as such, and that both parties to the contract have a net worth of not less than 10 million dollars.

(2) *Provided, however,* that § 32.9 of this part continues to apply to such option transactions.

### PART 33—REGULATION OF DOMESTIC EXCHANGE-TRADED COMMODITY OPTION TRANSACTIONS

7. The authority citation for part 33 continues to read as follows:

**Authority:** 7 U.S.C. 1a, 2, 4, 6, 6a, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 7, 7a, 7b, 8, 9, 11, 12a, 13a, 13a-1, 13b, 19, and 21.

8. The first sentence of the introductory text of § 33.4 is proposed to be revised to read as follows:

#### § 33.4 Designation as a contract market for the trading of commodity options.

The Commission may designate any board of trade located in the United States as a contract market for the trading of options on contracts of sale for future delivery or for options on physicals in any commodity regulated under the Act, when the applicant complies with and carries out the requirements of the Act (as provided in § 33.2), these regulations, and the following conditions and requirements with respect to the commodity option for which the designation is sought:

\* \* \* \* \*

Issued this 29th day of October 1997, in Washington, DC, by the Commodity Futures Trading Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 97-29037 Filed 11-3-97; 8:45 am]

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## DEPARTMENT OF THE INTERIOR

### Office of Surface Mining Reclamation and Enforcement

#### 30 CFR Parts 707 and 874

RIN 1029-AB94

#### Enhancing Abandoned Mine Land (AML) Reclamation

**AGENCY:** Office of Surface Mining Reclamation and Enforcement, Interior.

**ACTION:** Advanced notice of proposed rulemaking; notice of public meetings.

**SUMMARY:** The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing times and locations of meetings open to the public to discuss its early draft of a proposal for adding to the reclamation of abandoned mine lands already being accomplished under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). OSM is seeking to involve the public in the development of a proposed rule

through a request for written comments to the draft proposal as well as discussions and exchange of information at meetings such as are being announced here. OSM has sent the draft proposal to State and Tribal representatives and to industry, local and national citizen and environmental groups.

**DATES:** OSM will hold meetings on: November 13 from 4:00 to 8:00 p.m. in Charleston, WV and from 1:00 to 8:00 p.m. in Denver, CO; November 17 at 6:00 p.m. in Madisonville, KY and at 7:00 p.m. in St. Clairsville, OH; November 18 at 6:00 p.m. in Hazard, KY; November 19 from 8:00 to 10:00 p.m. in Johnstown, PA and from 5:30 to 7:30 p.m. in St. Paul, VA; and November 24 at 6:30 p.m. in Crossville, TN.

**ADDRESSES:** The meetings will be held at the Heart o' Town Hotel, 1000 Washington Street East in Charleston, WV; at the Executive Tower Hotel (Adams Room), 1405 Curtis Street in Denver, CO; at the Days Inn, 1900 Lantaff Blvd. in Madisonville, KY; at the Hampton Inn (Pinto Room), 51130 National Road in St. Clairsville, OH; at the Hazard City Hall, 700 Main Street in Hazard, KY; at the Holiday Inn, 250 Market Street in Johnstown, PA; at the Oxbow Center, 16620 East Riverside Drive in St. Paul, VA; and at the Ramada Inn, Highway 27 at I-40 in Crossville, TN. Any individual who requires special accommodation to attend a meeting should contact the person listed under **FOR FURTHER INFORMATION CONTACT**.

**FOR FURTHER INFORMATION CONTACT:** D.J. Growitz, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue, NW, Washington, D.C. 20240; telephone (202) 208-2634. E-mail: dgrowitz@osmre.gov.

**SUPPLEMENTARY INFORMATION:** OSM is seeking to increase reclamation under Title IV of SMCRA. In a **Federal Register** notice published on October 24, 1997, (62 FR 55365) OSM announced the availability of the early draft of a proposal to enhance reclamation under the abandoned mine land (AML) program. OSM also announced in that notice that it would hold meetings with interested persons to discuss the draft proposal and publish a schedule for those meetings in the **Federal Register**. When a proposed rule is developed, it will be published in the **Federal Register** for public comment in accordance with the requirements of the Administrative Procedure Act, and public hearings will be held on request.

The proposal may be obtained from FAX ON DEMAND by calling 202-219-

1703 and following the instructions on the recorded message. The October 24 **Federal Register** notice contains additional background information.

Dated: October 30, 1997.

**Ruth E. Stokes,**

*Acting Assistant Director, Program Support.*  
[FR Doc. 97-29133 Filed 11-3-97; 8:45 am]

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## DEPARTMENT OF COMMERCE

### Patent and Trademark Office

#### 37 CFR Parts 2 and 3

[Docket No. 970428100-7256-02]

RIN 0651-AA87

#### Miscellaneous Changes to Trademark Trial and Appeal Board Rules

**AGENCY:** Patent and Trademark Office, Commerce.

**ACTION:** Proposed rule; notice of hearing and reopening of comment period.

**SUMMARY:** The Patent and Trademark Office (PTO) will hold a public hearing, and reopen the comment period, on changes to certain rules and practices of the Trademark Trial and Appeal Board that were proposed in June of 1997 (62 FR 30802, June 5, 1997). Interested members of the public are invited to testify at the public hearing and to submit written comments on these proposed changes.

**DATES:** The public hearing will be held on Wednesday, December 10, 1997, beginning at 9:00 a.m.

Those wishing to present oral testimony at the hearing must request an opportunity to do so no later than Friday, December 5, 1997.

Speakers may provide a written copy of their testimony for inclusion in the record of the proceedings no later than Wednesday, December 17, 1997.

Written comments will be accepted by the PTO until December 10, 1997.

Written comments and transcripts of the hearing will be available for public inspection on or about Wednesday, January 7, 1998.

**ADDRESSES:** The hearing will be held on Wednesday, December 10, 1997, beginning at 9:00 a.m. in the Commissioner's Conference Room, located on the 9th floor of Crystal Park 2, 2121 Crystal Drive, Arlington, Virginia 22202.

Requests to testify should be sent to Ellen Seeherman by telephone at (703) 308-9300, ext. 206, by facsimile transmission at (703) 308-9333, or by mail marked to her attention and

addressed to Assistant Commissioner for Trademarks, Box TTAB-No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

Written comments may be sent by mail addressed to Assistant Commissioner for Trademarks, Box TTAB-No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513, marked to the attention of Ellen J. Seeherman. Written comments may also be sent by facsimile transmission to (703) 308-9333, marked to the attention of Ellen J. Seeherman.

Written comments and transcripts of the hearing will be maintained for public inspection in Suite 900, on the 9th Floor of the South Tower Building, 2900 Crystal Drive, Arlington, Virginia 22202-3513.

**FOR FURTHER INFORMATION CONTACT:** Ellen J. Seeherman, Administrative Trademark Judge, Trademark Trial and Appeal Board, by telephone at (703) 308-9300, ext. 206, or by mail marked to her attention and addressed to Assistant Commissioner for Trademarks, Box TTAB-No Fee, 2900 Crystal Drive, Arlington, Virginia 22202-3513 or by facsimile transmission marked to her attention and sent to (703) 308-9333.

**SUPPLEMENTARY INFORMATION:** A notice of proposed rulemaking to amend certain rules governing practice before the Trademark Trial and Appeal Board was published in the **Federal Register** on June 5, 1997 (62 FR 30802) and in the Official Gazette on June 24, 1997 (1199 TMOG 88). A number of the comments made in response to that notice suggested that a public hearing be held on the proposed rules changes. Accordingly, the PTO has decided to hold a public hearing on the proposed rules changes on December 10, 1997. Moreover, some trade organizations expressed the concern that, because the comment period occurred during the summer months, some practitioners and other interested parties and entities were not aware of the proposed amendments. Accordingly, the PTO has decided to reopen the comment period. All comments previously submitted will be considered together with any additional written comments which are submitted by December 10, 1997.

It should be noted that, in view of the comments already received, the PTO has determined that it will not adopt the proposed changes to Sections 2.120(d) and 2.120(h) regarding limiting the number of requests for production of documents and the requests for admission which may be served.