

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and

- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.
- Futures Volume, Open Interest, Price, Deliveries and Exchange of Futures for Physicals, OMB control number 3038-0012—Extension  
Commission Regulation 16.01 requires the U.S. futures exchanges to

publish daily information on the items listed in the title of the collection. The information required by this rule is in the public interest and is necessary for market surveillance. This rule is promulgated pursuant to the Commission's rulemaking authority contained in Sections 5 and 5a of the Commodity Exchange Act, 7 U.S.C. 7 and 7a (2000).

The Commission estimates the burden of this collection of information as follows:

ESTIMATED ANNUAL REPORTING BURDEN

17 CFR section	Annual number of respondents	Frequency of response	Total annual responses	Hours per response	Total hours
16.01	12	On occasion .....	2,640	0.5	1,320

Dated: September 20, 2001.  
**Jean A. Webb,**  
*Secretary of the Commission.*  
 [FR Doc. 01-24166 Filed 9-26-01; 8:45 am]  
**BILLING CODE 6351-01-M**

**COMMODITY FUTURES TRADING COMMISSION**

**Notice of Statement of Commission Policy Regarding Temporary Relief From Certain Provisions of the Commission's Regulations**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Statement of policy.

**SUMMARY:** In light of disruptions to the financial markets caused by the terrorist attacks of September 11, 2001, the Commission, as a matter of regulatory policy, has determined not to require compliance with certain Commission regulations to the extent set forth below.

**EFFECTIVE DATE:** September 11, 2001.

**FOR FURTHER INFORMATION CONTACT:** Tom Smith, Special Counsel (202-418-5495, *tsmith@cftc.gov*), or Robert Wasserman, Associate Director (202-418-5092, *rwasserman@cftc.gov*), Division of Trading and Markets, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581.

**SUPPLEMENTARY INFORMATION:** In light of disruptions to the financial markets caused by the terrorist attacks of September 11, 2001, the Commission, as a matter of regulatory policy, has determined not to require compliance with certain Commission regulations to the extent set forth below. The Commission recognizes that there may be registrants whose individual

circumstances warrant relief beyond that provided by this Statement of Policy. Such registrants are encouraged to contact the National Futures Association, their Designated Self-Regulatory Organization, or Commission staff, and advise them of the particulars of their situation and of the relief needed.

(1) Futures Commission Merchants ("FCMs") and Introducing Brokers ("IBs") need not count September 11, 12, 13, and 14 as business days for the purpose of calculating the filing deadlines under Commission Rule 1.10 for forms 1FR-FCM AND 1FR-IB.

(2) FCMs need not count September 11, 12, 13, and 14 as business days for purposes of the calculations under Commission Rule 1.17.

(3) Any registrant that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore is unable to comply with the following requirements of 1.31, 1.35, 4.23, and/or 4.33 relating to books or records created on or before September 11, 2001, shall not be required:

a. To keep such books or records readily accessible, as required by Commission Rule 1.31(a), during the period September 11, 2001 through October 11, 2001;

b. To have available at all times, or to be ready at all times to provide, during the period September 11, 2001 through October 11, 2001 the facilities and/or records under Rules 1.31(b)(2)(i), 1.31(b)(2)(ii), and 1.31(b)(3); or

c. To provide such books or records promptly, as required by Commission Rule 1.35, during the period September 11, 2001 through October 11, 2001.

(4) FCMs and IBs that have had their physical operations disrupted as a result of the attacks of September 11, 2001,

and therefore are unable to comply with the timestamping requirements of Rule 1.35(a-1)(1) due to their inability to access timestamping devices shall not be required to comply with those requirements between September 11, 2001 and September 21, 2001. In that event, any such FCM or IB shall use reasonable alternative methods to document the time sequence of orders.

(5) Any FCM that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore was unable to comply with the requirements of Commission Rules 1.32 or 30.7(f) on September 11, 12, 13, and/or 14 shall not be required to comply with those requirements.

(6) Any FCM that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore is unable to complete the computations required under Commission Rules 1.32 and 30.7(f) by the noon deadline set forth in the applicable rule, shall be permitted to extend that deadline to the close of business of the applicable day during the period from September 17, 2001 through October 11, 2001.

(7) Any FCM that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore was unable to comply with the requirements of Commission Rules 1.33(b) or 1.46(a) need not count September 11, 12, 13, and 14 as business or calendar days for the purpose of such rules.

(8) Any FCM or IB that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore is unable to comply with the requirement of Commission Rule 1.65(g) need not count September 11,

12, 13, and 14 as business or calendar days for the purpose of such rule.

(9) Any Commodity Pool Operator that has had its physical operations disrupted as a result of the attacks of September 11, 2001, and therefore was unable to comply with the requirements of Commission Rule 4.22(a) or the introductory paragraph of Rule 4.23 need not count September 11, 12, 13, and 14 as calendar or business days for the purposes of the filing or inspection provisions of such rules.

(10) Registrants that file paper copies of reports with the New York Regional office should submit the reports to the Chicago Regional Office at the following address: Commodity Futures Trading Commission, 300 South Riverside Plaza, Suite 1600 North, Chicago, IL 60606.

The Commission encourages Self-Regulatory Organizations to grant

analogous relief from provisions of their own rules as necessary and appropriate.

Issued in Washington, D.C. on September 19, 2001 by the Commission.

**Jean A. Webb,**

*Secretary of the Commission.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Transmittal No. 01-23]

#### 36(b)(1) Arms Sales Notification

**AGENCY:** Defense Security Cooperation Agency, Department of Defense.

**ACTION:** Notice.

**SUMMARY:** The Department of Defense is publishing the unclassified text of a section 36(b)(1) arms sales notification. This is published to fulfill the requirements of section 155 of Pub. L. 104-164 dated July 21, 1996.

**FOR FURTHER INFORMATION CONTACT:** Ms. J. Hurd, DSCA/COMPT/RM, (703) 604-6575.

The following is a copy of a letter to the Speaker of the House of Representatives, Transmittal 01-23 with attached transmittal, policy justification, and Sensitivity of Technology.

Dated: September 19, 2001.

**Patricia L. Toppings,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

**BILLING CODE 5001-08-M**