

Secretary to publish a notice in the **Federal Register** identifying the applicant and summarizing its proposed export conduct.

#### Request for Public Comments

Interested parties may submit written comments relevant to the determination whether an amended Certificate should be issued. If the comments include any privileged or confidential business information, it must be clearly marked and a nonconfidential version of the comments (identified as such) should be included. Any comments not marked privileged or confidential business information will be deemed to be nonconfidential. An original and five (5) copies, plus two (2) copies of the nonconfidential version, should be submitted no later than 20 days after the date of this notice to: Office of Export Trading Company Affairs, International Trade Administration, U.S. Department of Commerce, Room 1104H, Washington, DC 20230. Information submitted by any person is exempt from disclosure under the Freedom of Information Act (5 U.S.C. 552). However, nonconfidential versions of the comments will be made available to the applicant if necessary for determining whether or not to issue the Certificate. Comments should refer to this application as "Export Trade Certificate of Review, application number 1A-00002."

CONSOL Energy Inc. (Consol) original Certificate was issued on June 30, 2000 (65 FR 43738, July 14, 2000). A summary of the application for an amendment follows.

#### Summary of the Application:

**Applicant:** CONSOL Energy Inc., 1800 Washington Road, Pittsburgh, Pennsylvania 15241.

**Contact:** William G. Rieland, Vice President, Sales, telephone: (412)831-4032.

**Application No.:** 00-1A002.

**Date Deemed Submitted:** June 4, 2003.

**Proposed Amendment:** Consol seeks to amend its Certificate to:

Add X Coal Energy & Resources, Latrobe, PA as a "Member" of the Certificate within the meaning of section 325.2(1) of the Regulations (15 CFR 325.2(1)).

Dated: June 16, 2004.

**Jeffrey Anspacher,**

Director, Office of Export Trading Company Affairs.

[FR Doc. 04-14025 Filed 6-21-04; 8:45 am]

BILLING CODE 3510-DR-P

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review: Notice of Intent to Renew Collection 3038-0055, Privacy of Consumer Financial Information

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

**DATES:** Comments must be submitted on or before July 22, 2004.

**FOR FURTHER INFORMATION CONTACT:** Trabue Bland, Division of Clearing and Intermediary Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, (202) 418-5466; FAX: (202) 418-5536; email: [tbland@cftc.gov](mailto:tbland@cftc.gov) and refer to OMB Control No. 3038-0055.

#### SUPPLEMENTARY INFORMATION:

**Title:** Privacy of Consumer Financial Information, OMB Control No. 3038-0055. This is a request for extension of a currently approved information collection.

**Abstract:** Section 124 of the Commodity Futures Modernization Act of 2000 ("CFMA") amends the Commodity Exchange Act (the "Act") and adds a new section 5g to the Act to make the Commission a Federal functional regulator for purposes of applying the provisions of Title V, Subtitle A of the Gramm-Leach-Bliley Act ("GLB Act") addressing consumer privacy to any futures commission merchant, commodity trading advisor, commodity pool operator or introducing broker that is subject to the Commission's jurisdiction with respect to any financial activity. In general, Title V requires financial institutions to provide notice to consumers about the institution's privacy policies and practices, to restrict the ability of a financial institution to share nonpublic personal information about consumers to nonaffiliated third parties, and to permit consumers to prevent the institution from disclosing nonpublic personal information about them to certain non-affiliated third parties by "opting out" of that disclosure. This

rule implements the mandates of section 124 and Title V of the GLB Act.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on March 1, 2004 (69 FR 9598-02).

**Burden statement:** The respondent burden for this collection is estimated to average .27 hours per response. These estimates include the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** 4,128.

**Estimates number of responses:** 317,414.

**Estimated total annual burden on respondents:** 85,690 hours.

**Frequency of collection:** On Occasion.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038-0055 in any correspondence.

Trabue Bland, Division Of Clearing and Intermediary Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: June 15, 2004.

**Jean A. Webb,**

Secretary of the Commission.

[FR Doc. 04-14009 Filed 6-21-04; 8:45 am]

BILLING CODE 6351-01-M

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden.

**DATES:** Comments must be submitted on or before July 22, 2004.

**FOR FURTHER INFORMATION OR A COPY**

**CONTACT:** Kevin Walek, Division of Clearing and Intermediary Oversight, CFTC, (202) 418-5463; FAX: (202) 418-5536; email: [kwalek@cftc.gov](mailto:kwalek@cftc.gov) and refer to OMB Control No. 3038-0005.

**SUPPLEMENTARY INFORMATION:**

**Title:** Rules Relating to the Operations and Activities of Commodity Pool Operators and Commodity Trading Advisors and to Monthly Reporting by Futures Commission Merchants, (OMB Control No. 3038-0005). This is a request for revision of a currently approved information collection.

**Abstract:** Part 4 of the Commission's Regulations set forth the Commission's rules prescribing the disclosure of risk, the filing of reports, and the keeping of books and records. Each CPO who is registered or required to be registered and solicits prospective participants in a commodity pool must, absent an exemption, deliver to prospective participants, and file with the NFA, a Disclosure Document containing information specified by 4.24 and 4.25 before the CPO may accept funds or other property in exchange for participation in the pool. CTAs also must comply with the disclosure requirements of 4.34 and 4.35 before they may enter into an agreement to direct or to guide a client's commodity interest trading account.

Rule 4.22 requires that CPOs who are registered or required to be registered also must provide pool participants with an unaudited monthly or quarterly Account Statement for the pool, and an Annual Report for the pool that contains the net asset value of the pool and Statements of Financial Condition, Income (Loss), Changes in Financial Position, and Changes in Ownership Equity. Rule 4.23 for CPOs, and 4.33 for CTAs provide for the types of books and records that must be maintained by these registrants.

Section 133(d) requires each futures commission merchant (FCM) to furnish to a person that controls the account of the FCM's customer (e.g., a CTA) the same information that the FCM must

furnish to the customers. Without this data, the person controlling the account lacks critical and timely information about the trades executed for the client's account.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for the CFTC's regulations were published on December 30, 1981. See 46 FR 63035 (Dec. 30, 1981). The **Federal Register** notice with a 60-day comment period soliciting comments on this collection of information was published on February 23, 2004 (69 FR 8181-01).

**Burden statement:** The respondent burden for this collection is estimated to average 6.5 hours per response. These estimates include the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; and transmit or otherwise disclose the information.

**Respondents/Affected Entities:** Commodity Pool Operators, Commodity Trading Advisors, and Futures Commission Merchants.

**Estimated number of respondents:** 7,200.

**Estimated total annual burden on respondents:** 115,871 hours.

**Frequency of collection:** On occasion, quarterly, monthly, and annually.

Send comments regarding the burden estimated or any other aspect of the information collection, including suggestions for reducing the burden, to the addresses listed below. Please refer to OMB Control No. 3038-0005 in any correspondence.

Kevin Walek, Division of Clearing and Intermediary Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW., Washington, DC 20581, and Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer for CFTC, 725 17th Street, Washington, DC 20503.

Dated: June 15, 2004.

**Jean A. Webb,**

*Secretary of the Commission.*

[FR Doc. 04-14010 Filed 6-21-04; 8:45 am]

**BILLING CODE 6351-01-M**

**COMMODITY FUTURES TRADING COMMISSION****Agency Information Collection Activities Under OMB Review: Notice of Intent To Renew Collection 3038-0054, Establishing Procedures for Entities Operating as Exempt Markets**

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected costs and burden; it includes the actual data collection instruments [if any].

**DATES:** Comments must be submitted on or before July 22, 2004.

**FOR FURTHER INFORMATION CONTACT:**

Richard Shilts, Division of Market Oversight, U.S. Commodity Futures Trading Commission, 1155 21st Street, NW, Washington, DC 20581, (202) 418-5275; FAX: (202) 418-5527; email: [rshilts@cftc.gov](mailto:rshilts@cftc.gov) and refer to OMB Control No. 3038-0054.

**SUPPLEMENTARY INFORMATION:**

**Title:** Establishing Procedures for Entities Operating as Exempt Markets, OMB Control No. 3038-0054. This is a request for extension of a currently approved information collection.

**Abstract:** Sections 2(h)(3) through (5) of the Commodity Exchange Act (Act) add exempt commercial markets as markets excluded from the Act's other requirements. The rules implement the qualifying conditions of the exemption. Rule 36.3(a) implements the notification requirements, and rule 36.3(b)(1) establishes information requirements for exempt commercial markets consistent with section 2(h)(5)(B) of the Act. And exempt commercial market may provide the Commission with access to transactions conducted on the facility or it can satisfy its reporting requirements by complying with the Commission's reporting requirements. The act affirmatively vests the Commission with comprehensive anti-manipulation enforcement authority over these trading facilities. The Commission is charged with monitoring these markets for manipulation and enforcing the anti-manipulation provisions of the Act. The informational requirements imposed by proposed rules are designed to ensure that the Commission can effectively perform these functions. Section 5d of the Act establishes a category of market