

the *Code of Federal Regulations* as follows:

## PART 300—NON-FEDERAL FUNDS

1. The authority citation for part 300 would continue to read as follows:

**Authority:** 2 U.S.C. 434(e), 438(a)(8), 441a(a), 441i, 453.

2. Section 300.2 would be amended by revising paragraphs (m) and (n) to read as follows:

### § 300.2 Definitions.

\* \* \* \* \*

(m) *To Solicit.* For the purposes of part 300, to *solicit* means to ask, suggest, or recommend that another person make a contribution, donation, transfer of funds, or otherwise provide anything of value, whether it is to be made or provided directly or through a conduit or intermediary. A solicitation is a written or oral communication, whether explicit or implicit, construed as a reasonable person would understand it in context. A solicitation does not include merely providing information or guidance as to the requirement of particular law.

(n) *To Direct.* For the purposes of part 300, to *direct* means to guide a person who has expressed an intent to make a contribution, donation, transfer of funds, or otherwise provide anything of value, by identifying a candidate, political committee or organization, for the receipt of a contribution, donation, transfer of funds, or thing of value. The contribution, donation, transfer, or thing of value may be made or provided directly or through a conduit or intermediary. Direction does not include merely providing information or guidance as to the requirement of particular law.

\* \* \* \* \*

Dated: September 22, 2005.

**Scott E. Thomas,**

*Chairman, Federal Election Commission.*

[FR Doc. 05–19330 Filed 9–27–05; 8:45 am]

**BILLING CODE 6715–01–P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### 14 CFR Part 71

[Docket No. FAA–2005–21694; Airspace Docket No. 04–ASO–16]

RIN 2120–AA66

#### Proposed Establishment of Area Navigation Instrument Flight Rules Terminal Transition Routes (RITTR); Jacksonville, FL

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of proposed rulemaking (NPRM); Reopening of the comment period.

**SUMMARY:** This action proposes to establish seven Area Navigation Instrument Flight Rules Terminal Transition Routes (RITTR) in the Jacksonville, FL, terminal area. RITTRs are low altitude Air Traffic Service routes, based on Area Navigation (RNAV), for use by aircraft having instrument flight rules (IFR)-approved Global Positioning System (GPS)/Global Navigation Satellite System (GNSS) equipment. The purpose of RITTR is to expedite the handling of IFR overflight aircraft through busy terminal airspace areas. The FAA is proposing this action to enhance the safe and efficient use of the navigable airspace in the Jacksonville, FL, terminal area. This proposed rulemaking action was originally published in the **Federal Register** on July 1, 2005 (70 FR 38053). On that date, the proposal was listed in the table of contents under Proposed Rules, “Class E airspace,” rather than “Area navigation routes.” Following the close of the comment period, the FAA was contacted by an aviation organization stating that they had not seen the NPRM for this action and desired to submit comments. It was determined that no comments had been received during the comment period. Therefore, the FAA has decided to reopen the comment period for 30 days to provide an additional opportunity for any similarly affected parties to submit comments.

**DATES:** Comments must be received on or before October 28, 2005.

**ADDRESSES:** Send comments on this proposal to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify FAA Docket No. FAA–2005–21694 and Airspace Docket No. 04–ASO–16, at the beginning of your comments. You may

also submit comments through the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Paul Gallant, Airspace and Rules, Office of System Operations Airspace and AIM, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591; telephone: (202) 267–8783.

#### SUPPLEMENTARY INFORMATION:

##### Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments, as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal.

Communications should identify both docket numbers (FAA Docket No. FAA–2005–21694 and Airspace Docket No. 04–ASO–16) and be submitted in triplicate to the Docket Management System (see **ADDRESSES** section for address and phone number). You may also submit comments through the Internet at <http://dms.dot.gov>.

Commenters wishing the FAA to acknowledge receipt of their comments on this action must submit with those comments a self-addressed, stamped postcard on which the following statement is made: “Comments to FAA Docket No. FAA–2005–21694 and Airspace Docket No. 04–ASO–16.” The postcard will be date/time stamped and returned to the commenter.

All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this action may be changed in light of comments received. All comments submitted will be available for examination in the public docket both before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket.

##### Availability of NPRM's

An electronic copy of this document may be downloaded through the Internet at <http://dms.dot.gov>. Recently published rulemaking documents can also be accessed through the FAA's web page at <http://www.faa.gov>, or the **Federal Register's** web page at <http://www.gpoaccess.gov/fr/index.html>.

You may review the public docket containing the proposal, any comments received, and any final disposition in person in the Dockets Office (see **ADDRESSES** section for address and phone number) between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. An informal docket may also be examined during normal business hours at the office of the Regional Air Traffic Division, Federal Aviation Administration, 1701 Columbia Ave., College Park, GA 30337.

Persons interested in being placed on a mailing list for future NPRM's should contact the FAA's Office of Rulemaking, (202) 267-9677, for a copy of Advisory Circular No. 11-2A, Notice of Proposed Rulemaking Distribution System, which describes the application procedure.

### Background

In March 2000, the Aircraft Owners and Pilots Association (AOPA) requested that the FAA take action to develop and chart IFR RNAV airways for use by aircraft having IFR-approved GPS equipment. Due to the density of air traffic in some areas, en route aircraft are not always able to fly on the existing Federal airway structure when transiting congested terminal airspace. In such cases, air traffic control (ATC) is often required to provide vectors to reroute aircraft transitioning through the area to avoid the heavy flow of arriving and departing aircraft. AOPA stated that RNAV airways should facilitate more direct routings than are possible with the current Federal airway structure and should provide pilots with easier access through terminal airspace. In addition, AOPA encouraged the expanded use of RNAV airways throughout the National Airspace System (NAS).

In response to the AOPA request, a cooperative effort was launched involving the FAA, AOPA, and the Government/Industry Aeronautical Charting Forum. This effort began with the development of RNAV routes to provide more direct routing for en route IFR aircraft to transition through busy terminal airspace areas. This notice proposes to establish seven charted RITTRs for the Jacksonville, FL, terminal area. The RITTRs proposed in this notice would be depicted on the appropriate low altitude IFR en route chart(s).

### RITTR Objective

The objective of the RITTR program is to enhance the expeditious movement of suitably equipped IFR aircraft around or through congested terminal airspace using IFR-approved RNAV equipment. RITTRs would enhance the ability of pilots to navigate through the area

without reliance on ground-based navigation aids or ATC radar vectors. To facilitate this goal, and reduce ATC workload, RITTR routes would be designed based on the tracks routinely used by ATC to vector aircraft through or around the affected terminal area. Additionally, the routes begin and terminate at fixes or Navigational Aids located along existing VOR Federal airways in order to provide connectivity with the low-altitude en route structure. Initially, only GNSS-equipped aircraft capable of filing flight plan equipment suffix "/G" would be able to use RITTRs.

### RITTR Identification and Charting

RITTRs are identified by the letter "T" prefix, followed by a three digit number. The "T" prefix is one of several International Civil Aviation Organization (ICAO) designators used to identify domestic RNAV routes. ICAO has allocated to the FAA the letter "T" prefix, along with the number block 200 to 500, for this purpose.

RITTRs would be depicted in blue on the appropriate IFR en route low altitude chart(s). Each route depiction would include a GNSS Minimum Enroute Altitude (MEA) to ensure obstacle clearance and communications reception.

The FAA plans to publish information about the RITTR program in the Aeronautical Information Manual (AIM) and the Notices to Airmen Publication (NTAP). In addition, a Charting Notice would be issued by the FAA's National Aeronautical Charting Office to explain the charting changes associated with the RITTRs.

### Related Rulemaking

On April 8, 2003, the FAA published a final rule, request for comments, entitled Designation of Class A, B, C, D, and E Airspace Areas; Air Traffic Service Routes, and Reporting Points, in the **Federal Register** (68 FR 16943). This rule adopted certain amendments proposed in Notice No. 02-20, RNAV and Miscellaneous Amendments. This rule revised and adopted several definitions in FAA regulations, including Air Traffic Service Routes, to be in concert with ICAO definitions. Additionally, the final rule reorganized the structure of FAA regulations concerning the designation of Class A, B, C, D, and E airspace areas, airways, routes, and reporting points. The rule was designed to facilitate the establishment of RNAV routes in the National Airspace System for use by aircraft with advanced navigation system capabilities.

### The Proposal

The FAA is proposing to amend Title 14 Code of Federal Regulations (14 CFR) part 71 to establish seven RITTRs in the Jacksonville, FL, terminal area. The routes would be designated T-204, T-205, T-206, T-207, T-208, T-210, and T-211, and would be depicted on the appropriate IFR Enroute Low Altitude charts. RITTRs are low altitude Air Traffic Service routes, similar to VOR Federal airways, but based on GNSS navigation. RNAV-equipped aircraft capable of filing flight plan equipment suffix "/G" may file for these routes.

This proposed action would enhance safety and facilitate more flexible and efficient use of the navigable airspace for en route IFR aircraft transitioning through the Jacksonville, FL, terminal area.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under Department of Transportation (DOT) Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

### The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

### PART 71—DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

#### § 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9N,

Airspace Designations and Reporting Points, dated September 1, 2005, and

effective September 15, 2005, is amended as follows:

*Paragraph 6011—Area Navigation Routes.*

\* \* \* \* \*

**T-204 Taylor, FL to Brunswick, GA [New]**

Taylor, FL (TAY) .....	VORTAC .....	(lat. 30°30'17" N., long. 82°33'11" W.)
Brunswick, GA (SSI) .....	VORTAC .....	(lat. 31°03'02" N., long. 81°26'46" W.)

**T-205 Valdosta, GA to Ocala, FL [New]**

Valdosta, GA (OTK) .....	VOR/DME .....	(lat. 30°46'50" N., long. 83°16'47" W.)
Ocala, FL (OCF) .....	VORTAC .....	(lat. 29°10'39" N., long. 82°13'35" W.)

**T-206 Cross City, FL to MONIA [New]**

Cross City, FL (CTY) .....	VORTAC .....	(lat. 29°35'57" N., long. 83°02'55" W.)
MONIA .....	WP .....	(lat. 30°28'49" N., long. 82°02'53" W.)

**T-207 Waycross, GA to Ormond Beach, FL [New]**

Waycross, GA (AYS) .....	VORTAC .....	(lat. 31°16'10" N., long. 82°33'23" W.)
MONIA, FL .....	WP .....	(lat. 30°28'49" N., long. 82°02'53" W.)
Cecil, FL (VQQ) .....	VOR .....	(lat. 30°12'47" N., long. 81°53'27" W.)
CARRA .....	WP .....	(lat. 29°43'51" N., long. 81°36'29" W.)
Ormond Beach, FL (OMN) .....	VORTAC .....	(lat. 29°18'12" N., long. 81°06'46" W.)

**T-208 Gators, FL to CARRA [New]**

Gators, FL (GVN) .....	VORTAC .....	(lat. 29°41'32" N., long. 82°16'23" W.)
CARRA .....	WP .....	(lat. 29°43'51" N., long. 81°36'29" W.)

**T-210 Taylor, FL to Cecil, FL [New]**

Taylor, FL (TAY) .....	VORTAC .....	(lat. 30°30'17" N., long. 82°33'10" W.)
Cecil, FL (VQQ) .....	VOR .....	(lat. 30°12'47" N., long. 81°53'27" W.)

**T-211 Ocala, FL to CARRA [New]**

Ocala, FL (OCF) .....	VORTAC .....	(lat. 29°10'39" N., long. 82°13'35" W.)
JUTTS .....	WP .....	(lat. 29°36'00" N., long. 82°02'00" W.)
CARRA .....	WP .....	(lat. 29°43'51" N., long. 81°36'29" W.)

\* \* \* \* \*

Issued in Washington, DC, on September 15, 2005.

**Edith V. Parish,**

*Acting Manager, Airspace and Rules.*

[FR Doc. 05-19290 Filed 9-27-05; 8:45 am]

**BILLING CODE 4910-13-P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 1

#### RIN 3038—AC20

#### Definition of "Client" of a Commodity Trading Advisor

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Proposed rules.

**SUMMARY:** The Commodity Futures Trading Commission (Commission or CFTC) is proposing to amend Rule 1.3(bb) by adding to that rule a definition of the term "client," as it relates to commodity trading advisors (CTAs) (Proposal). This would clarify inconsistencies in the Commission's regulations concerning the advisees of CTAs. The Proposal would also reflect the Commission's longstanding view that its antifraud authority extends to all CTAs, irrespective of whether they provide advice on a personalized or nonpersonalized basis.

**DATES:** Comments must be received on or before November 28, 2005.

**ADDRESSES:** Comments on the Proposal should be sent to Jean A. Webb, Secretary, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581. Comments may be sent by facsimile transmission to (202) 418-5528, or by e-mail to [secretary@cftc.gov](mailto:secretary@cftc.gov). Reference should be made to "Proposed Rule Regarding the Definition of 'Client' of a Commodity Trading Advisor." Comments may also be submitted by connecting to the Federal eRulemaking Portal at <http://www.regulations.gov> and following the comment submission instructions.

#### FOR FURTHER INFORMATION CONTACT:

Barbara S. Gold, Associate Director, or R. Stephen Painter, Jr., Staff Attorney, Division of Clearing and Intermediary Oversight, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW., Washington, DC 20581, telephone number: (202) 418-5450 or (202) 418-5416, respectively; facsimile number: (202) 418-5528; and electronic mail: [bgold@cftc.gov](mailto:bgold@cftc.gov) or [spainter@cftc.gov](mailto:spainter@cftc.gov), respectively.

#### SUPPLEMENTARY INFORMATION:

## I. The Proposal

### A. Background

Section 1a(6)(A) of the Commodity Exchange Act (Act)<sup>1</sup> defines the term "commodity trading advisor" to mean any person who:

(i) For compensation or profit, engages in the business of advising others, either directly or through publications, writings, or electronic media, as to the value of or the advisability of trading in—

(I) Any contract of sale of a commodity for future delivery made or to be made on or subject to the rules of a contract market or derivatives transaction execution facility;

(II) Any commodity option authorized under section 4c; or

(III) Any leverage transaction authorized under section 19; or

(ii) For compensation or profit, and as part of a regular business, issues or promulgates analyses or reports concerning any of the activities referred to in clause (i).

Under the language of Section 1a(6)(A) of the Act, the term "commodity trading advisor" can include advisors who provide nonpersonalized advice, such as publishers of advisory newsletters or Web sites, as well as advisors who provide advice tailored to the needs of particular persons and advisors who direct other persons' trading pursuant to a power of attorney or other written

<sup>1</sup> 7 U.S.C. 1a(6) (2000). The Act and the Commission's regulations issued thereunder can be accessed at [http://www.access.gpo.gov/uscode/title7/chapter1\\_.html](http://www.access.gpo.gov/uscode/title7/chapter1_.html) and <http://www.gpoaccess.gov/ecfr>, respectively.