

SUPPLEMENTAL DOCUMENT FOR NON-SUBSTANTIVE ICR CHANGE

OMB CONTROL NUMBER 3038-0024

The Commodity Futures Trading Commission is seeking a non-substantive ICR change for the existing OMB Control Number 3038-0024. This number applies to Regulations and Forms Pertaining to Financial Integrity of the Marketplace and expires on March 31, 2009.

The Federal Register notice announcing the public comment period for an extension of OMB Control Number 3038-0024 stated that the frequency of response would be “Monthly, Annually, Quarterly, Semi-Annually, [and] On Occasion.” 65 Fed. Reg. 4405, 4406 (Jan. 27, 2000). The time estimates cited in the Federal Register included occasional collections. As summarized in the Supporting Statement provided to OMB for Control Number 3038-0024, on February 17, 2000, “In addition, under Rule 1.10 an SRO or the Commission may request at any time an FCM [futures commission merchant] or IB [introducing broker] to file additional reports.”

The non-substantive change relates to an information collection request, made pursuant to CFTC Rule 1.10(b)(4), which will be sent to registered FCMs. This non-routine collection seeks a breakdown of information already reported to the CFTC in the aggregate on the FCM’s monthly Form 1-FR-FCM report of financial condition. The FCM will not be asked to compile or retain any new information. FCMs file regular financial reports with both the CFTC and their designated self-regulatory organizations and possess the expertise to respond to this collection in the same manner and with no greater burden than imposed by existing regulations. The information requested will not be duplicative of the information contained in 1-FR-FCM, but is information routinely collected and retained by the FCM as part of its preparation of that form and in the course of its compliance with other regulatory obligations.

We estimate that it will take the FCM no more than thirty (30) minutes to complete the information request. The request will be transmitted electronically and the FCMs will be able to provide their responses electronically, on an Excel spreadsheet, in a format very similar to that of the 1-FR-FCM. There are no capital, operating or maintenance costs associated with this information request.

The CFTC has an obligation to oversee the financial integrity of the marketplace. This collection of information will serve the public interest by providing the CFTC with information useful to evaluating the adequacy of the CFTC’s risk management requirements for FCMs.