

SUPPLEMENTAL DOCUMENT FOR REVISION OF
A CURRENTLY APPROVED COLLECTION

OMB CONTROL NUMBER 3038-0005

The Commodity Futures Trading Commission (Commission) is seeking a revision of a currently approved collection for the existing OMB Control Number 3038-0005. This number applies to Rules Relating to the Operations and Activities of Commodity Pool Operators and Commodity Trading Advisors and to Monthly Reporting by Futures Commission Merchants and expires on May 31, 2009.

The revision to the currently approved collection relates to an information collection request concerning the filing of Disclosure Documents. Regulations 4.21 and 4.31, which currently are covered by the Commission's PRA submission, establish the Disclosure Document requirement for registered CPOs and CTAs. Regulations 4.26 and 4.36, which previously have not separately been covered by the Commission's PRA submission, require Disclosure Documents to be filed prior to their use. Previously, the Commission delegated to the National Futures Association (NFA), a registered futures association and a self-regulatory organization, the responsibility to receive and review Disclosure Documents. The proposed amendments to Regulations 4.26 and 4.36 will require CPOs and CTAs to electronically file their Disclosure Documents with NFA. In connection with these filings, NFA will be seeking by CPOs and CTAs separate entry into its online system (with which registrants already are familiar) of certain key information already included in the Disclosure Documents. CPOs and CTAs will not be asked to compile or retain any new information.

We estimate that it will take CPOs and CTAs no more than forty-five (45) minutes each to complete the information request. This amount includes both the time required for the initial information request (estimated to be 30 minutes) and for an annual updating of that information (estimated to be 15 minutes). There are no capital, operating or maintenance costs associated with this information request.

In addition, to accurately reflect on our PRA submission the source of these new information requests, the reporting categories are being revised to reflect (both) Regulations 4.21 *and* 4.26 for CPOs and 4.31 *and* 4.36 for CTAs.

The CFTC has an obligation to oversee the financial integrity of the marketplace and to protect the public as it participates in that marketplace. This collection of information will serve the public interest by providing the CFTC and NFA with information necessary to monitor compliance with the Part 4 rules. It will also provide the Commission and NFA with a ready source of independent aggregated financial information concerning the commodity pool and managed account industries, which informs the Commission's policy decision making.