

## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

Agency: Commodity Futures Trading Commission

Action: Notice; Information Collection 3038-0043, Rules Relating to Review of National Futures Association Decisions in Disciplinary, Membership Denial, Registration, and Member Responsibility Actions

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 [30 days after publication].

FOR FURTHER INFORMATION OR A COPY CONTACT: Gail B. Scott at CFTC, (202) 418-5139; FAX: (202) 418-5524; email: [gscott@cftc.gov](mailto:gscott@cftc.gov) and refer to OMB Control No. 3038-0043.

### SUPPLEMENTAL INFORMATION:

Title: Rules Relating to Review of National Futures Association Decisions in Disciplinary, Membership Denial, Registration, and Member Responsibility

Actions, OMB Control No. 3038-0043. This is a request for extension of a currently approved information collection.

Abstract: 17 CFR Part 171 rules require a registered futures association to provide fair and orderly procedures for membership and disciplinary actions. The Commission's review of decisions of registered futures associations in disciplinary, membership denial, registration, and member responsibility actions is governed by Section 17(h)(2) of the Commodity Exchange Act, 7 USC Section 21(h)(2). The rules establish procedures and standards for Commission review of such actions, and the reporting requirements included in the procedural rules are either directly required by Section 17 of the Act or are necessary to the type of appellate review role Congress intended the Commission to undertake when it adopted that provision.

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 8, 2006 (71 FR 6455).

Burden statement: The respondent burden for this collection is estimated to average .5 hours per response. This estimate includes 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: 25

Estimated number of responses: 51.3

Estimated total annual burden on respondents: 25.6 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. 3038-0043 in any correspondence.

Gail B. Scott, Office of General Counsel, Commodity Futures Trading  
Commission, 1155 21<sup>st</sup> Street, NW, Washington, DC 20581 and Office of  
Information and Regulatory Affairs, Office of Management and Budget, Attention:  
Desk Officer for the CFTC, 725 17th Street, NW, Washington, DC 20503.

Issued in Washington, DC on \_\_\_\_\_, 2006.

Jean A. Webb

Secretary of the Commission