

MEMORANDUM

Date: March 1, 2012

To: Shagufta Ahmed and Nicholas Fraser, Office of Management and Budget (OMB),
Office of Information and Regulatory Affairs

From: Vincente Martinez, Whistleblower Office,
Commodity Futures Trading Commission (CFTC)

Re: Justification Statement for Non-Substantive Revisions to CFTC Form TCR

Attached are two revised versions of the CFTC's Form TCR (OMB Control Number 3038-0082). The first contains revisions to the form for use by complainants who prefer to complete a hard copy and submit it by mail or facsimile. These are non-substantive changes to wording and formatting that are intended to make the form easier to understand. For instance, throughout the form the term "the whistleblower" has been replaced with "you" to make the questions clearer. The order of the questions in Section D of the form has also been changed to bring the most important questions to the top of the section. A box to "Print Name of Attorney and Law Firm, if Applicable" has also been added to Section G. The *Privacy Statement*, *Submission Procedures* and *Instructions for Completing Form TCR* have also been edited to conform to the revisions in the form itself, and to update certain information, such as the name of the correct office to which the form must be submitted. The *Submission Procedures* have also been updated to reflect that complainants will have the ability to submit the form electronically through a CFTC web portal, which is currently under development. Last, the form has been edited to correct spelling and grammar errors.

The second version contains the same questions and instructions, but is formatted for electronic submission in the web portal. In order to make the form shorter, certain items will only appear if the complainant clicks on the appropriate button, or selects "Yes" to a question that has follow-up sub-questions. The electronic form will also contain hyperlinks to the *Privacy Act Statement*, *Submission Procedures* and *Instructions for Completing Form TCR* so that a complainant can refer to those sections quickly as needed. Finally, the electronic form contains a checkbox for the complainant to acknowledge that he/she has read and understands the *Privacy Act Statement*.

None of these revisions change the purpose of the form, or the content of the information collected.