

SUPPORTING STATEMENT FOR REVISION OF INFORMATION COLLECTIONS

OMB CONTROL NUMBER 3038-0024

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Commodity Futures Trading Commission is the independent federal regulatory agency charged with providing various forms of customer protection so that users of the commodity markets can be assured of the financial integrity of the markets and the intermediaries that they employ in their trading activities. Part 1 of the Commission's regulations requires, among other things, that commodity brokers – known as futures commission merchants (FCMs) comply with minimum capital requirements. In order to monitor compliance with these financial standards, the Commission has required FCMs to file financial monthly reports with the Commission and with the designated self-regulatory organization of which they are members as well as to report to the Commission should capital levels drop below prescribed minimums. (See Commission Rules 1.10, 1.12, 1.15, 1.16 and 1.17, 17 CFR 1.10, 1.12, 1.15, 1.16 and 1.17.)

In June of 2008, the US Congress passed the Food, Conservation, and Energy Act of 2008, Pub. L. No. 110-246, 122 Stat. 1651, 2189-2204 (2008), also known as the Farm Bill. The Farm Bill provided the CFTC with new authority with regard to the regulation of off-exchange retail forex transactions. Among other things, it directed the Commission to draft rules effectuating registration provisions for a new category of registrant – the retail foreign exchange dealer, or RFED. Under the terms of the legislation, RFEDs will be subject to the same capital requirements as FCMs that are engaged in retail forex transactions, and therefore subject to the same reporting requirements. Accordingly, this collection has been amended to reflect the financial reporting requirements of the new category of registrant, RFEDs. However, because most, if not all, of the entities expected to register as RFEDs are currently registered as FCMs, the overall burden has not changed under this collection. Rather, a portion of the burden has shifted from FCMs to RFEDs.

In July of 2010, President Obama signed the Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”), Pub. L. No. 111-203, 124 Stat. 1376 (2010), giving the Commission the authority to regulate certain swap markets and participants in those markets. Among other things, the Dodd-Frank Act directed the Commission to adopt rules establishing minimum capital and margin requirements for swap dealers (“SDs”) and major swap participants (“MSPs”). Accordingly, an amendment of this collection was submitted to OMB in May 2011 to reflect the reporting and recordkeeping requirements associated with the Commission's proposed capital and margin rules for SDs and MSPs, as well as with proposed conforming rules for FCMs that will operate as SDs.

Finally, in November 2012, The Commission proposed new rules in an effort to prevent unauthorized usage of customer funds by FCMs and RFEDs. This includes proposed modifications to the reporting requirements required by the Commission. These modifications will result in changes to the financial statements filed by FCMs and RFEDS, which are the subject of this OMB Collection Number 3038-0024. Additionally, these proposals will make some of the recordkeeping requirements already contained in this OMB Collection Number 3038-0024 into reporting requirements. Finally, these proposals will add additional recordkeeping requirements by FCMs in that they will be required to establish and maintain written policies and procedures designed to assure the segregation of customer funds.

2. Indicate how, by whom, and for what purpose the data would be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

FCMs and RFEDs, as well as SDs and MSPs on the adoption of final rules respecting capital and margin requirements that were proposed in May 2011, each file or will file financial statements with the Commission and the designated self-regulatory organizations (DSROs) of which they are members for the purpose of ensuring that filers are meeting their obligations as a CFTC registrant. Respecting the November 2012 proposal, the data that would be collected, in the form of enhanced reporting to the Commission, is intended to enhance the ability of the Commission and the designated self-regulatory organization to identify problematic financial matters in time to avoid market disruptions that often occur when an FCM or RFED may fail, particularly with respect to the tie-up of customer funds that may result. Additionally, the rules require depository institutions that will hold customer funds for an FCM or RFED to acknowledge that the funds belong to the customers of the FCM or RFED, and not to the FCM or RFED itself.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also describe any consideration of using information technology to reduce burden.

The Commission's procedures enable FCMs and RFEDs to comply with the Rule 1.10 filing requirement by submitting electronic filings to their DSRO, with copies provided to the Commission. The same will be applicable for filing requirements being proposed for SDs and MSPs. Much of the information required is included as schedules to such electronic filings.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Item 2 above.

See responses to questions 1 and 2. With respect to FCMs that will operate as SDs, the rules proposed by the Commission will not impose wholly new obligations on FCMs and RFEDs, but rather build upon the existing reporting and recordkeeping associated with minimum financial capital requirements that are already in effect so as to avoid duplicative or inconsistent collections of information. In terms of the acknowledgment letters required under

these rules, a form has been developed by the Commission so that significant legal resources will not be needed to comply with the rules. A depository institution will only have to review the terms and execute the form once. FCMs and RFEDs will be required to keep the acknowledgments in their records. However, there are fewer than a score of depository institutions that provide custodial services to FCMs and RFEDs, so retention will impose minimal burden. With respect to the proposed collections for SDs and MSPs, as new registrants these entities previously have not been subject to Commission regulation. Therefore, there is no similar information already available that could be used or modified for use for purposes described in item 1 above.

5. If the collection of information involves small business or other small entities (Item 5 of OMB Form 83-1), describe the methods used to minimize burden.

Information required under these new proposed rules, and the rules proposed in May 2012 that will be applicable to SDs and MSPs, do not affect any small business or small entities. The SDs and MSPs that would be subject to the capital and margin requirements under the Dodd-Frank Act rulemakings published in April and May are expected comprise only the largest global financial firms, as the statute contemplates. Accordingly, the collections of information in the proposed rules will not involve any small business or small entity.

6. Describe the consequence to the Federal Program or policy activities if the collection were conducted less frequently as well as any technical or legal obstacles to reducing burden.

Without frequent reporting the Commodity Futures Trading Commission would be unable to adequately monitor FCM, RFED, SD, and MSP compliance with financial standards or, as applicable, to provide timely customer protection to maintain the financial integrity of the intermediaries that they employ in their CFTC regulated trading activities and avoid market disruptions in the event of a pending firm failure.

7. Explain any special circumstances that require the collection to be conducted in a manner:

- requiring respondents to report information to the agency more often than quarterly;

See responses to questions 1, 2 and 6.

- requiring respondents to prepare a written response to a collection of information in fewer than 30 days after receipt of it;

The proposed rules will require daily reporting of the customer segregation schedule which is a primary tool in safeguarding of customer funds. Note, however, that the daily

preparation and retention of the customer segregation schedule is already a part of OMB Collection 3038-0024, and requiring it to be electronically filed is a minimal change. Additional occasional reporting obligations may require response in fewer than 30 days. These occasional reporting obligations are limited to circumstances in which the financial or operating condition of the registrant may be in question.

In terms of the rules proposed for SDs, MSPs, and FCMs that will operate as SDs, occasional reporting obligations also may require response in fewer than 30 days. These occasional reporting obligations are limited to circumstances in which the SD, MSP, or FCM operating as an SD already have developed and produced such reports to another federal regulatory agency, or circumstances in which the financial or operating condition of the SD, MSP, or FCM may be in question.

- requiring respondents to submit more than an original and two copies of any document;

Respondents are not required to submit more than an original and two copies of any document.

- requiring respondents to retain records other than health, medical, government contract, grant-in-aid, or tax records, for more than three years;

This question does not apply.

- in connection with a statistical survey, that is not designed to produce valid and reliable results that can be generalized to the universe of study;

The proposed regulation does not involve a statistical survey.

- requiring the use of a statistical data classification that has not been reviewed and approved by OMB;

The proposed regulation does not involve the use of statistical data.

- that includes a pledge of confidentiality that is not supported by authority established in statute or regulation, that is not supported by disclosure and data security policies that are consistent with the pledge, or which unnecessarily impedes sharing of data with other agencies for compatible confidential use; or

The agency has procedures to protect the information's confidentiality. These are set forth in 17 CFR Parts 145 and 147.

- requiring respondents to submit proprietary trade secrets, or other confidential information unless the agency can demonstrate that it has instituted procedures to protect the information's confidentiality to the extent permitted by law.

The agency has procedures to protect the information's confidentiality. These are set forth in 17 CFR Parts 145 and 147.

8. If applicable, provide a copy and identify the date and page number of publication in the Federal Register of the agency's notice required by 5 CFR 1320.8(d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

The Commission is affirmatively seeking comment from the public and from other federal agencies on the information collection requirements of the proposed regulations. A copy of the proposed regulation as it will appear in the *Federal Register* is attached hereto. The proposed capital and margin rules were published in the *Federal Register* in April and May 2011, with a PRA submission having been made at the time the capital rules were published in May 2011.

Describe efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

The Commission developed the estimates contained in the proposed rulemaking by reviewing similar collections that already have been proposed and approved by OMB. Additionally, the Commission has contacted the DSROs and other persons within the industry regarding the burdens imposed by the proposed rules. Moreover, the proposed rules will be published in the Federal Register and the Commission will seek public comment on this and other collections associated with the new and amended rules.

With respect to the proposed capital and margin rules that were published in April and May 2011, the Commission sought comments from all interested parties as required by the PRA. The Commission received approximately 150 comments from 80 commenters on the proposed capital rules, in addition to late-filed comments and meetings with commenters during and after the comment period. The Commission additionally received approximately the same number of comments on the proposed margin rules, in addition to late-filed comments and meetings with commenters during and after the comment period. The Commission received several PRA-related comments on its proposals.

One commenter suggested alternatives to a proposal in the capital rule that would require filing a financial report for an SD that is subject to a parent or third-party guarantee, suggesting that the rule should be modified to permit the filing of a financial report of the guarantor rather than the SD. Other commenters suggested that the rule be modified to permit an SD to satisfy financial reporting requirements with a filing of financial reports that have been prepared in accordance with International Financial Reporting Standards in lieu of U.S. Generally Accepted

Accounting Principles. Two commenters objected to the early warning notice requirements that were proposed, which would alert the Commission to financial concerns at an SD that could affect the financial system and may require Commission intervention.

Several commenters suggested alternatives to the provisions of the margin rule that would obligate the execution of credit support agreements with non-financial entities, questioning the costs associated with modifying or putting such agreements in place with counterparties. Some advocated finalizing the margin rule without such requirements, while others proposed adding stronger documentation requirements. A comment additionally was received suggesting that the Commission should not adopt documentation requirements requiring parties to agree upon valuation methodologies in swap documentation.

Finally, commentary was received with respect to the overall costs of the capital and margin rules. Those comments related to the PRA include, in particular, the costs associated with the documentation requirements in the proposed rules. In one comment letter, it was suggested that the costs associated with establishing collateral arrangements pursuant to the rule as proposed could reach \$141.8 million per consolidated supervised entity. However, this comment did not estimate the costs of those arrangements vis-à-vis the reporting and recordkeeping requirements alone, nor were the PRA cost estimates in the proposed rules, stated the form of burden hours, questioned.

Consultation with representatives of those from whom information is to be obtained or those who must compile records should occur at least once every 3 years – even if the collection of information activity is the same as in prior periods. There may be circumstances that may preclude consultation in a specific situation. These circumstances should be explained.

This question does not apply.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

This question does not apply.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy.

The Commission does not provide respondents with an assurance of confidentiality beyond that provided by applicable law. The Commission fully complies with section 8(a)(1) of the Commodity Exchange Act, which strictly prohibits the Commission, unless specifically authorized by the Commodity Exchange Act, from making public “data and information that would separately disclose the business transactions or market positions of any person and trade secrets or names of customers.” Moreover, the Commission complies with the Freedom of Information Act regulations it has established, set forth at 17 CFR Part 145, and its Government in the Sunshine Act regulations, set forth at 17 CFR Part 147.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

The proposed regulation does not require the giving of sensitive information, as that term is used in Question 11.

12. Provide estimates of the hour burden of the collection of information. The Statement should:

- Indicate the number of respondents, frequency of response, annual hour burden and an explanation of how the burden was estimated. Unless directed to do so, agencies should not conduct special surveys to obtain information on which to base hour burden estimates. Consultation with a sample (fewer than ten) of potential respondents is desirable. If the hour burden on respondents is expected to vary widely because of differences in activity, size or complexity, show the range of estimated hour burden, and explain the reasons for the variance. Generally, estimates should not include burden hours for customary and usual business practices.
- If the request for approval covers more than one form, provide separate hour burden estimates for each form and aggregate the hour burdens in Item 13 OMB Form 83-I.
- Provide estimates of annualized cost to respondents for the hours burden for collections of information, identifying and using appropriate wage rate categories. The cost of contracting out or paying outside parties for information collection activities should not be included here. Instead, this cost should be included in Item 13.

See Attachment A, which adds to the most recently approved collection of information burden for this collection 0024 not only the increased burden associated with the November 2012 rulemaking, but additionally includes the increased burden associated with the May 2011 capital and margin rulemaking, which is pending OMB approval.

The information collection request associated with the capital and margin rules is pending at OMB, as will be the information collection request associated with the November 2012 customer protection rulemaking. It is critical that the burden estimates for all of collection 0024 – including the pending capital and margin rules and the customer protection rulemaking – are accurate. Accordingly, this new information collection request has been added on to the capital and margin information collection request submitted in May 2011.

Moreover, question 8 has been updated to show the results of the Commission's consultation with the public through the notice and comment period for the capital and margin rulemaking and the associated information collection. There may be changes to the capital and margin rules when they are finalized, but it is unlikely that the finalization of those rules will significantly increase the information to be collected. The capital and margin information collection therefore is eligible for approval. In the event that the burden is significantly increased with the final rulemaking, the Commission will supplement its information collection request and seek approval from OMB at that time, according to the provisions of the Paperwork Reduction Act and its implementing regulations.

13. Provide an estimate of the total annual cost burden to respondents or recordkeepers resulting from the collection of information. (Do not include the cost of any hour burden shown in Items 12 and 14).
- The cost estimate should be split into two components; (a) a total capital and start-up cost component (annualized over its expected useful life) and (b) a total operation and maintenance and purchase of services component. The estimates should take into account costs associated with generating, maintaining, and disclosing or providing the information. Include descriptions of methods used to estimate major costs factor including system and technology acquisition, expected useful life of capital equipment, the discount rate(s), and the time period over which costs will be incurred. Capital and start-up costs include, among other items, preparations for collecting information such as purchasing computers and software, monitoring, sampling, drilling and testing equipment, and record storage facilities.
 - If cost estimates are expected to vary widely, agencies should present ranges of cost burdens and explain the reasons for the variance. The cost of purchasing or contracting out information collection services should be a part of this cost burden estimate, agencies may consult with a sample of respondents (fewer than ten), utilize the 60-day pre-OMB submission public comment process and use existing economic or regulatory impact analysis associated with the rulemaking containing the information collection, as appropriate.
 - Generally, estimates should not include purchases of equipment or services, or portions thereof, made: (1) prior to October 1, 1995, (2) to achieve regulatory compliance with requirements not associated with the information collection, (3) for reasons other than to provide information or keep records for the government, or (4) as part of customary and usual business or private practices.

See Attachment A and response to question 12. There will be a significant one time start-up costs associated with changes to implement the daily filings pursuant to proposed rule 1.10, and the establishment of policies and procedures regarding the safeguarding of customer funds pursuant to proposed rule 1.11(b). However, the other financial reporting requirements either are already applicable or require the reporting of information that FCMs and RFEDs would already keep in the ordinary courses of their business. The same would be applicable to SDs and MSPs

with respect to the proposed capital and margin rules. The recordkeeping obligations are routine. And the costs of filing applications and occasional notices with the Commission will be realized at the time the application will be prepared, and are included in the cost estimates that have been presented.

14. Provide estimates of the annualized costs to the Federal Government. Also provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing and support staff), and any other expense that would not have been incurred without this collection of information. Agencies may also aggregate cost estimates from Items 12, 13, and 14 in a single table.

The primary costs for requesting and reviewing documents under the existing OMB Collection 3038-0024 and this amendment are the salaries and benefits for attorneys and auditors to analyze the information collected. The proposed amendment will add to existing costs, however, the information collected is of the same type and amount as the existing collection.

15. Explain the reasons for any program changes or adjustments reported in Items 13 or 14 of the OMB Form 83-I.

The proposed amendment reflects the adoption of new regulations, and the amendment to existing regulations, designed to enhance the monitoring and security of customer funds.

16. For collection of information whose results are planned to be published for statistical use, outline plans for tabulation, statistical analysis, and publication. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

This question does not apply.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

This question does not apply.

18. Explain each exception to the certification statement identified in Item 19, "Certification for Paperwork Reduction Act Submissions," of OMB Form 83-I.

This question does not apply.

Attachment A

REGULATION OMB COLLECTION #3038- 0024	ESTIMATED # OF RESPONDENTS OR RECORDKEEPERS PER YEAR	REPORTS ANNUALLY BY EACH RESPONDENT	TOTAL ANNUAL RESPONSES	ESTIMATE D AVERAGE NUMBER OF HOURS PER RESPONSE	ESTIMATE D TOTAL NUMBER OF HOURS OF ANNUAL BURDEN IN FISCAL YEAR
ANNUAL COLLECTIONS					
REPORTING					
1.10 FINANCIAL REPORTING BY REGISTRANTS					
FCMs	127	12	1,524	2.75	4191
IBs	513	2	1,026	1	1026
SDs and MSPs	300	13	3,900	2.75	10,725
1.10 - ONE TIME INITIAL SYSTEM CHANGES TO IMPLEMENT DAILY FILINGS					
	72	1	72	40	2,880
1.10 DAILY FINANCIAL REPORTING BY FCMS					
	72	240	17,280	0.2	3,456
1.10 APPLICANTS FOR REGISTRATION AS FCMS AND IBs FILING FINANCIAL REPORTS					
	568	1	568	1	568
1.12(a) & (b) - REPORTING BY FCMS/IBs WHO FAIL TO MEET MINIMUM FINANCIAL REQUIREMENTS OR WHOSE CAPITAL IS BELOW EARLY WARNING LEVEL					
FCM	12	1	12	1	12
IB	11	1	11	1	11
1.12(i) – REPORTING BY FCM IF IT HAS INVESTED CUSTOMER FUNDS IN INVESTMENTS THAT ARE NOT PERMITTED INVESTMENTS					
	2	1	2	1	2

1.12(j) – REPORTING BY FCM IF A WITHDRAWAL OF CUSTOMER FUNDS CAUSES AMOUNT ON DEPOSIT TO BE LESS THAN TARGETED EXCESS	5	1	5	2	10
1.12(k); 1.12(l) – REPORTING BY FCM OF A MATERIAL CHANGE IN OPERATION	5	1	5	3	15
1.15(a)(1) - INITIAL FILING OF ORG CHART, RISK MANAGEMENT POLICIES & NON-CUSTOMER ACCT INFORMATION	23	1	23	2	46
1.15(a)(2) – ANNUAL RISK ASSESSMENT FILING REQUIREMENTS	54	1	54	2	108
1.16(e) - WHERE IND. PUBLIC ACCOUNTANT (CPA) FINDS MATERIAL INADEQUACY IN ACCOUNTING SYSTEM, HE MUST NOTIFY EXCHANGE AND COMMISSION	5	1	5	2	10
1.16(f) - REQUEST BY FCM FOR EXTENSION OF TIME TO FILE AUDITED REPORT	8	1	8	2	16
1.17(c)(6) – ELECTION OF ALTERNATIVE CAPITAL DEDUCTIONS					
FCM	8	18	144	0.5	72
IB	0	0	0	0	0
1.17(h)(3)(vi) - FILING OF SUBORDINATION AGREEMENTS WITH THE COMMISSION AND EXCHANGES					
FCM	41	3	123	0.5	61.5
IB	23	1	23	0.5	11.5
RFED	15	3	45		0

1.18(b) – PREPARING MONTHLY CAPITAL COMPUTATION					
FCM	0	0	0	0	0
IB	0	0	0	0	0
1.20(d) - FCM MUST FILE ACKNOWLEDGMENT THAT ACCOUNT CONTAINS CUSTOMER FUNDS	5	1	5	2	10
1.20(g) - ACCESS TO ACCOUNTS OF DEPOSITORY INSTITUTIONS BY COMMISSION	40	1	40	1.5	60
1.23(c) –FCM MUST FILE NOTICE OF WITHDRAWAL	10	1	10	1	10
1.32(d) – FCM MUST FILE DAILY STATEMENT OF SEGREGATION ON 1-FR ELECTRONICALLY	72	200	14,440	0.01	144
1.32(f); 1.32(g) – FCM MUST FILE TWICE MONTHLY SEGREGATED INVESTMENT DETAIL REPORT	72	24	1,728	0.08	138
1.55 - FCM MUST DEVELOP AND INCORPORATE NOTICE TO CUSTOMERS INTO OPENING ACCOUNT DOCUMENTS	72	1	72	20	1,440
23.103 – FILING OF CAPITAL MODELS (ONE-TIME ONLY)	210	1	210	30	6,300
23.103 – FILING OF PROPRIETARY CAPITAL MODELS FOR SDs AND MSPs	30	1	30	60	900
23.103 –APPROVAL REQUESTS FOR COUNTERPARTY CREDIT RATINGS FOR SDs AND MSPs	270	4	1,080	8	8,640
23.104 & 23.105 – OCCASIONAL	200	1	200	5	1,000

REPORTING
REQUIREMENTS
FOR SDs AND MSPs

23.104 & 23.105 – OCCASIONAL NOTICE FILINGS FOR SDs AND MSPs	90	1	90	0.7	63
23.155 - FILING OF MARGIN MODELS FOR SDs AND MSPs	300	3	660	60	21,600
30.7(d) - FCM OPENING ACCOUNTS FOR DEPOSITING CUSTOMER FUNDS MUST FILE ACKNOWLEDGMENT THAT ACCOUNT CONTAINS CUSTOMER FUNDS	56	1	56	0.1	5.6
30.7(d) - COMPLETION OF ACKNOWLEDGMENT LETTERS BY DEPOSITORY INSTITUTION ACKNOWLEDGING THAT ACCOUNT CONTAINS CUSTOMER FUNDS	90	1	90	0.75	68
30.7(m) – FCM MUST FILE DAILY STATEMENT OF SECURED AMOUNTS ON 1-FR ELECTRONICALLY	56	200	11,200	0.01	112
SUBTOTAL REPORTING REQUIREMENTS	3,437		54,741		63,712

RECORDKEEPING

1.11(b); 1.11(c) – FCM TO ESTABLISH AND MAINTAIN WRITTEN POLICIES AND PROCEDURES RE: SAFEGUARDING CUSTOMER FUNDS	72	1	72	25	1,800
1.11(b) – FCM TO ESTABLISH AND MAINTAIN WRITTEN POLICIES AND PROCEDURES RE: SAFEGUARDING	72	1	72	75	5,400

CUSTOMER FUNDS

1.14 - FCM TO MAINTAIN RECORDS RE: MATERIAL AFFILIATES	89	1	89	3	267
1.20(a) - FCM OPENING ACCOUNTS FOR DEPOSITING SEGREGATED FUNDS MUST KEEP ACKNOWLEDGMENT THAT ACCOUNT CONTAINS CUSTOMER FUNDS	74	5	370	0.75	277.5
1.20(b) - SAME AS 1.20(a) BUT FOR CLEARING ORGANIZATION OPENING ACCOUNT	6	5	30	0.75	22.5
1.20(d) - MAINTENANCE OF ACKNOWLEDGMENT THAT ACCOUNT CONTAINS CUSTOMER FUNDS	40	1	40	0.75	30
1.20(g) - DCO ADOPT RULES SUBSTITUTING FOR ACKNOWLEDGEMENT LETTER	17	1	17	45	765
1.20(g) - DEPOSITORY INSTITUTIONS DCO ACKNOWLEDGEMENT LETTERS 1.23; 1.32; AND 30.7 - DAILY COMPUTATION OF AMOUNTS TO BE SEGREGATED AND SET ASIDE FOR CUSTOMERS TRADING ON U.S. and NON-U.S. COMMODITY MARKETS	120	200	24,000	0.5	12000
1.26 - NUMBER OF ACKNOWLEDGMENTS TO BE OBTAINED FROM SEGREGATED DEPOSITORIES BY FCMs FOR CUSTOMERS' FUNDS	80	2	160	0.75	120
1.27 - RECORD OF INVESTMENTS OF	80	1	80	10	800

CUSTOMERS'
FUNDS KEPT BY
FCMS AND
CLEARING
ORGANIZATIONS

1.36(a) - RECORD OF SECURITIES RECEIVED FROM CUSTOMERS TO MARGIN ACCOUNTS	59	1	59	3	177
1.37 - RECORD OF CUSTOMERS' NAMES, ADDRESSES AND OCCUPATIONS; ACCOUNT CONTROLLERS OR GUARANTORS; AND RECORD OF OPEN LONG AND SHORT POSITIONS IN ACCOUNTS CARRIED FOR OTHER FCMS	132	1	132	10	1320
1.49 - DENOMINATION OF CUSTOMER FUNDS AND LOCATION OF DEPOSITORIES	104	100	10,400	0.01	104
1.65 - NOTICE OF ACCOUNT TRANSFERS	8	1	8	1	8
1.68 - CUSTOMER AGREEMENT OPTING OUT OF SEGREGATION	0	250	0	0.02	0
23.104 & 23.105 – CAPITAL & MARGIN RECORDKEEPING FOR SDS AND MSPS	300	122	36,600	0.67	24,522
30.7(d) - FCM OPENING ACCOUNTS FOR DEPOSITING CUSTOMER FUNDS MUST MAINTAIN ACKNOWLEDGMENT THAT ACCOUNT CONTAINS CUSTOMER FUNDS	56	1	56	0.75	42
30.7(i) – FCM MUST KEEP A RECORD OF CUSTOMER FUNDS INCLUDING DAILY VALUATION	56	200	11,200	0.5	5,600

SUBTOTAL RECORDKEEPING REQUIREMENTS	1,405	83,425	53,285
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TOTAL AII REQUIREMENTS	4,842	138,166	116,997
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