

**SUPPORTING STATEMENT FOR
REVISED INFORMATION COLLECTIONS**

OMB CONTROL NUMBER 3038-0024

**Regulations and Forms Pertaining to Financial Integrity of the Market Place;
Margin Requirements for SDs/MSPs**

OMB CONTROL NUMBER 3038-0091

**Disclosure and Retention of Certain Information Relating to Cleared Swaps Customer
Collateral**

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 (the “Commission” or “CFTC”) 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. A primary objective of the Commodity Exchange Act (“CEA”) and the Commission’s regulations is the establishment of a framework to safeguard funds of customers engaging in CFTC-regulated derivatives transactions. A core component of the framework is the requirement for commodity brokers and clearing houses – known as futures commission merchants (“FCMs”) and derivatives clearing organizations (“DCOs”) – to treat customer funds as belonging to the customers and not as the property of the FCM or DCO, and for the FCM or DCO to segregate customer funds from its own funds by holding the funds in specially designated customer accounts maintained at banks, trust companies, FCMs, or DCOs, as applicable. Customer funds are classified into one of three distinct regulatory frameworks that are based on the derivatives markets on which the customers are transacting. Specifically, customer funds are classified as either: (i) “futures customer funds;”¹ (ii) “Cleared Swaps Customer Collateral;”² or (iii) “30.7 customer funds.”³

¹ See Commission Regulation 1.3 (defining the term “futures customer funds” as all money, securities, and property received by an FCM or a DCO from, for, or on behalf of “futures customers” to margin, guarantee, or secure futures and options on futures transactions traded on a CFTC-designated contract market) and Commission Regulation 1.20 (setting forth a segregation framework for futures customer funds). 17 CFR 1.3 and 1.20.

² See Commission Regulations 1.3 and 22.1 (defining the term “Cleared Swaps Customer Collateral” as all money, securities, or other property received by an FCM or a DCO from, for, or on behalf of, a “Cleared Swaps Customer” to margin, guarantee, or secure “Cleared Swap” positions) and Commission Regulations 22.2 and 22.3 (setting forth a segregation framework for Cleared Swaps Customer Collateral). 17 CFR 1.3, 22.1, 22.2, and 22.3.

³ See Commission Regulation 30.1 (defining the term “30.7 customer funds” as any money, securities, or other property received by an FCM from, for, or on behalf of a U.S. person or foreign-domiciled person to margin, guarantee, or secure futures or options on futures positions executed on foreign boards of trade (“foreign futures”)) and Regulation 30.7 (setting forth a segregation framework for 30.7 customer funds). 17 CFR 30.1 and 30.7.

Separately, to reserve liquidity for potential losses in connection with their business, part 1 of the Commission's regulations requires, among other things, that FCMs comply with minimum capital requirements. 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 ("DSRO") of which they are members as well as to report to the Commission should capital levels drop below prescribed minimums.⁴

In addition, part 23 of the Commission's regulations, adopted pursuant to section 4s(e) of the CEA, sets forth minimum capital requirements for swap dealers ("SDs") and major swap participants ("MSPs"). Part 23 also imposes margin requirements for SDs and MSPs that engage in uncleared swap transactions. The collection reflects the reporting and recordkeeping requirements with which FCMs, SDs, and MSPs must comply in connection with their segregation, capital, and margin requirements.

In that regard, Commission Regulation 1.20 requires that FCMs obtain a written acknowledgement from each bank, trust company, or FCM that serves as a depository for futures customer funds, declaring, among other statements, that funds placed with the depository are customer funds held in accordance with the CEA and CFTC regulations. Regulations 22.5 and 30.7 contain related requirements for Cleared Swaps Customer Collateral and 30.7 funds, respectively. In addition, Regulation 1.26 requires each FCM or DCO that invests futures customer funds in certain financial instruments, as permitted by Regulation 1.25, to separately account for such instruments and to segregate the instruments from its own funds. The FCM or DCO also must obtain and retain in its files a written acknowledgment from the depository holding the instruments stating that the depository was informed that the instruments belong to futures customers and are being held in accordance with the provisions of the CEA and CFTC regulations.⁵ Regulation 1.26 also specifies how direct investments in money market funds ("MMFs") must be held and sets forth the template acknowledgement letter to be used with respect to direct investments in MMFs. Regulations 22.5 and 30.7(d) set forth similar requirements with respect to Cleared Swaps Customer Collateral and 30.7 customer funds.

The Commission is proposing to amend its regulations governing the investment of customer funds to, among other changes, add certain exchange-traded funds ("ETFs") to the list of permitted investments in Regulation 1.25. To account for the proposed addition of ETFs, the Commission is also proposing conforming changes to Regulation 1.26. The proposed amendments to Regulation 1.26 would require FCMs and DCOs segregating customer funds in a permitted ETF account to obtain and maintain in their files an acknowledgment letter from the depository or fund in which customer funds are held and to file such acknowledgment letter electronically with the Commission. The Commission is proposing an analogous amendment to Regulation 30.7(d)(2) with respect to investments of 30.7 customer funds by FCMs. The Commission notes that an amendment to Regulation 22.5 would not be necessary as this regulation cross-references Regulation 1.26. The burden hour estimates in connection with the requirements under Regulation 22.5, however, would be adjusted, to reflect the proposed amendments to Regulation 1.26.

⁴ See Commission Regulations 1.10, 1.12, 1.15, 1.16 and 1.17. 17 CFR 1.10, 1.12, 1.15, 1.16 and 1.17.

⁵ 17 CFR 1.26.

- 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.**

Currently, FCMs and DCOs that invest customer funds in permitted MMFs must obtain acknowledgement letters from the relevant depository or fund. The letters must be submitted to the Commission and the DSROs of which the FCMs are members for purposes of ensuring that customer funds are held in accordance with the segregation requirements of the CEA and CFTC regulations. The acknowledgement letters also attest to the depository's or fund's agreement to reply promptly and directly to requests for information from Commission or DSRO staff.

The proposed new template acknowledgement letters for permitted ETFs would be modeled on and serve the same purpose as the existing template acknowledgment letters for MMFs.

- 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.**

Regulation 1.26 (by cross-reference to Regulation 1.20), Regulation 22.5 (by cross-reference to Regulations 1.20 and 1.26), and Regulation 30.7(d) require that the acknowledgment letters be provided to the Commission via electronic means.

- 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.**

The collection of information includes the submission of acknowledgment letters for a new category of funds (*i.e.*, ETFs) in which FCMs and DCOs would be allowed to invest customer funds. FCMs and DCOs would not have previously submitted acknowledgment letters in connection with investments in ETFs to the Commission. Therefore, the required information is not already collected by the Commission for any other purpose, collected by any other agency, or available for public disclosure through any other source.

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

Information required under the regulation does not involve any small business or small entities. The Commission has previously determined that registered FCMs and DCOs are not small entities.⁶ Accordingly, the collections of information in the proposed rules will not involve any small business or small entity.

⁶ See 47 FR 18618, 18619 (Apr. 30, 1982) and 66 FR 45604, 45609 (Aug. 29, 2001).

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.

FCMs and DCOs, as applicable, are required to obtain acknowledgment letters prior to or contemporaneously with the opening of a depository or an ETF account. A less frequent collection would limit the Commission's and DSROs' ability to adequately monitor FCMs' and DCOs' compliance with the segregation requirements.

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;**

Because FCMs and DCOs, as applicable, are required to obtain acknowledgment letters prior to or contemporaneously with the opening of a depository or an ETF account, opening of new depository or ETF accounts or changes to the content of existing acknowledgment letters may result in collections occurring more often than quarterly. The Commission, however, believes that a collection with such a frequency would be unlikely.

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

Not applicable.

- **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 documents to the Commission or third parties.

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

Regulations 1.26, 22.5, and 30.7 would require the FCM or DCO, as applicable, to maintain each written acknowledgment letter in its files in accordance with Regulation 1.31 for as long as the depository or ETF account remains open and thereafter for the period provided in Regulation 1.31 (*i.e.*, for at least five years).

- **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;**

Not applicable.

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

Not applicable.

- **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 collection does not involve any pledge of confidentiality, 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 Commission has procedures to protect the confidentiality of an applicant's or registrant's data. These are set forth in the Commission's regulations at parts 145 and 147 of title 17 of the Code of Federal Regulations.

- 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.**

On November 21, 2023, the Commission published in the Federal Register a notice of proposed rulemaking ("NPRM") to amend its regulations regarding the safeguarding and investment of customer funds. 88 FR 81236 (Nov. 21, 2023). The NPRM also proposed conforming amendments with respect to the written acknowledgment letters required by Regulations 1.26, 22.5, and 30.7. The NPRM requested comment on the Commission's burden hour estimates in connection with the proposed requirement for FCMs and DCOs that invest customer funds in ETFs to obtain an acknowledgment letter with respect to investments in such ETFs.

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

Not applicable. The Commission has neither considered nor made any payment or gift to a respondent.

- 10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulations, 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 CEA, which strictly prohibits the Commission, unless specifically authorized by the CEA, 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." The Commission has procedures to protect the confidentiality of an applicant's or registrant's data.

These are set forth in the Commission's regulations at parts 145 and 147 of title 17 of the Code of Federal Regulations.

- 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 regulations covered by this collection do 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 of OMB Form 83-I.**
- Provide estimates of annualized cost to respondents for the hours burdens 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.**

The proposed revisions to Regulations 1.26 and 30.7(d) would impose a new requirement on FCMs and DCOs, as applicable, to obtain an acknowledgment letter from ETFs that qualify as permitted investments. The revisions would also impact the requirements applicable to FCMs and DCOs under Regulation 22.5, which cross-references Regulation 1.26. To the extent that the new collection requirement would apply only to FCMs and DCOs that are authorized participants and invest in ETFs in such capacity, the Commission estimates that the proposed requirement would affect no more than 15 registrants (*i.e.*, approximately 10 FCMs and five DCOs). Using the Commission's prior estimates of the number of burden hours necessary to comply with the requirement to obtain an acknowledgment letter pursuant to Regulations 1.26 and 30.7(d) (*i.e.*, 0.75 burden hours per response), the Commission estimates that the new requirement would result in 0.75 annual burden hours per registrant per category of customer

funds, as applicable, assuming that a registrant would obtain one acknowledgement letter per year from an ETF with which it holds customer funds. The Commission's estimates are reflected in Attachment A below for OMB Collection Number 3038-0024 and OMB Collection Number 3038-0091.

The annualized costs per affected registrant and in the aggregate were determined using an average salary of \$100.00 per hour, which was the salary estimate previously used for the collection of information under OMB Control Number 3038-0024. The Commission believes that this is an appropriate salary estimate for purposes of this regulation.

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 factors 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.**

The proposed information collections do not involve new capital and start-up or operational and maintenance costs. FCMs and DCOs either already obtain similar written acknowledgement letters in connection with investments of customer funds in permitted MMFs or should be able to obtain an acknowledgement letter from an ETF in the ordinary course of their business.

- 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.**

It is not anticipated that the regulations would impose any additional costs to the Federal Government.

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

The annual reporting and recordkeeping burden hours have been updated to account for the proposed revisions to Regulations 1.26 and 30.7, which would result in a requirement for FCMs and DCOs to obtain acknowledgment letters in connection with investments of customer funds in ETFs.

- 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

OMB Control Number 3038-0024

**Regulations and Forms Pertaining to Financial Integrity of the Market Place;
Margin Requirements for SDs/MSPs, Capital Requirements of SDs and MSPs**

REPORTING BURDEN: REVISED

Regulation(s) – Description (Applicable Registrant)	Estimated Number of Respondents	Estimated Number of Reports by Each Respondent	Estimated Average Number of Burden Hours per Response	Annual Number of Burden Hours per Respondent (3×4)	Estimated Average Burden Hour Cost	Total Average Hour Burden Cost Per Respondent (5×6)	Total Annual Responses (2×3)	Total Annual Number of Burden Hours (2×5)	Total Annual Burden Hour Cost of All Responses (2×7)
1.10 Financial Reporting									
FCMs - Monthly	59	12	2.75	33	\$100	\$3,300	708	1947	\$194,700
IBs	494	2	1	2	\$100	\$200	988	988	\$98,800
1.10 Applicants filing Financial Reports	34	1	1	1	\$100	\$100	34	34	\$3,400
1.10(f) – Focus Notice dual registered (FCM/IB/SD)	1	1	5	5	\$100	\$500	1	5	\$500
1.12(a),(b), (c), (d),& (g) - Reporting by FCMs/IBs Fail to Meet Minimum or Capital Below Early Warning									
FCM	5	1	1	1	\$100	\$100	5	5	\$500
IB	75	1	1	1	\$100	\$100	75	75	\$7,500

1.12(a) & (b) – Notice of Failure to Maintain Minimum (FCM/IB/SD)	10	1	5	5	\$100	\$500	10	50	\$5,000
1.12(i) – Reporting By FCMs not Permissible Investments of Customer Funds	1	1	1	1	\$100	\$100	1	1	\$100
1.12(j) – Reporting if Withdrawal By FCM leaves less than Targeted Excess Customer Funds	16	2	2	4	\$100	\$400	32	64	\$6,400
1.12(k); 1.12(l), 1.12(m) – Reporting by FCM of Material Change in Operations	55	5	3	15	\$100	\$1,500	275	825	\$82,500
1.15(a)(1) - Initial Filing of Org Chart	1	1	2	2	\$100	\$200	1	2	\$200
1.15(a)(2) – Annual Risk Assessment Filing	50	2	2	4	\$100	\$400	100	200	\$20,000
1.16(e) - Independent CPA Material Inadequacy Notice	3	2	2	4	\$100	\$400	6	12	\$1,200
1.16(f) - FCM extension of time to file	2	1	2	2	\$100	\$200	2	4	\$400

1.16(f) – FCM/SD extension of time to file	1	1	5	5	\$100	\$500	1	5	\$500
1.17(c)(6) – Election of Alternative Capital									
FCM	8	18	0.5	9	\$100	\$900	144	72	\$7,200
1.17(h)(3)(vi) - Filing of Sub Debt Agreements									
FCM	10	3	0.5	1.5	\$100	\$150	30	15	\$1,500
IB	63	1	0.5	0.5	\$100	\$50	63	31.5	\$3,150
1.20(d) - FCM file acknowledgement letters	36	3	2	6	\$100	\$600	108	216	\$21,600
1.23(d) –FCM file Notice of Withdrawal	4	1	1	1	\$100	\$100	4	4	\$400
1.32(d) – FCM File Daily Segregation Statement	59	200	0.5	100	\$100	\$10,000	11800	5900	\$590,000
1.32(f); 1.32(g) – FCM File Twice Month Seg Inv Detail Report	59	24	2	48	\$100	\$ 4,800	1416	2832	\$283,200
1.55 - FCM Notice to Customers Account Opening	59	1	20	20	\$100	\$2,000	59	1180	\$118,000
30.7(d) - FCM File Acknowledgement	42	3	2	6	\$100	\$600	126	252	\$25,200

Secured Funds									
NEW: 30.7(d) – FCM File Acknowledgement Secured Funds invested in ETFs	15	1	0.75	0.75	\$100	\$75	15	11.25	\$1,125
30.7(g) – FCM file notice of withdrawal of secured funds	42	15	0.5	7	\$100	\$733	616	308	\$30,800
30.7(l) – FCM Must File Daily Statement of Secured Funds	42	200	0.5	100	\$100	\$10,000	8400	4200	\$420,000
23.101 (a)(7) – Request to Change Capital Election – (SD/MSP)	1	1	5	5	\$100	\$500	1	5	\$500
23.102(a) & 1.17(c)(6)(v)- Application /Use of Use Models (FCM/SD)	22	1	4,680	4,680	\$100	\$468,000	32	149,760	\$14,976,000
23.104 (a)- Equity withdrawal Relief (SD)	30	2	0.5	1	\$100	\$100	56	28	\$2,800
23.105 (a) - (n) – Financial Reporting – (SD/MSP)	30	15	12.5	187.5	\$100	\$18,750	420	5,250	\$525,000
23.105 (p) – Financial Reporting for Bank SD/MSP (Bank SD/MSP)	55	6	5.5	33	\$100	\$3,300	312	1,716	\$171,600
23.106 - Capital	23	1	10	10	\$100	\$1,000	24	240	\$24,000

Compare Determination (SD/MSP)										
23.154 - Margin Model Application	2	1	240	240	\$100	\$24,000	2	480	\$48,000	
PREVIOUS SUBTOTAL REPORTING REQUIREMENTS								25,852	176,707	\$17,670,650
ADDITIONAL BURDEN								+15	+11.25	+\$1,125
NEW TOTAL REPORTING BURDEN								25,867	176,718.25	17,671,775

RECORDKEEPING BURDEN: REVISED

Regulation(s) – Description (Applicable Registrant)	Estimated Number of Respondents	Estimated Number of Reports by Each Respondent	Estimated Average Number of Burden Hours per Response	Annual Number of Burden Hours per Respondent (3x4)	Estimated Average Burden Hour Cost	Total Average Hour Burden Cost Per Respondent (5x6)	Total Annual Responses (2x3)	Total Annual Number of Burden Hours (2x5)	Total Annual Burden Hour Cost of All Responses (2x7)
1.11(b); 1.11(c) – FCM establish policies safeguarding customer funds	59	1	100	100	\$100	\$10,000	59	5900	\$590,000
1.14 - FCM maintain records material affiliates	59	1	3	3	\$100	\$300	59	177	\$17,700
1.20(a) & (b) - FCM opening	53	3	0.75	2.25	\$100	\$225	159	119.25	\$11,925

accounts acknowledgem ents									
1.20(G) - Same as 1.20(a) Clearing Organizations opening accounts	6	4	0.75	3	\$100	\$300	24	18	\$1,800
1.23; 1.32; AND 30.7 - Daily Computations of Amounts Segregated and Set Aside for Customers Trading on U.S. and Non- U.S. Commodity Markets	119	200	0.5	100	\$100	\$10,000	23800	11900	\$1,190,000
1.26 - Acknowledge ments to be Obtained From Segregated Depositories by FCMs and DCOs for Customers' Funds	74	2	0.75	1.5	\$100	\$150	148	111	\$11,100
NEW: 1.26 - Acknowledgm	15	1	0.75	0.75	\$100	\$75	15	11.25	\$1,125

ents to be Obtained by FCMs and DCOs for Customers' Funds invested in ETFs									
1.27 - Record of Investments of Customers Funds Kept by FCMs and Clearing Orgs	74	200	0.5	100	\$100	\$10,000	14800	7400	\$740,000
1.36(a) - Record of Securities Received From Customers to Margin Accounts	59	1	3	3	\$100	\$300	59	177	\$17,700
1.37 - Record of Customers Information Account Controllers and Long/Short Positions in Accounts Carried for Other FCMs	1078	1	10	10	\$100	\$1,000	1078	10780	\$1,078,000
1.49 - Denomination	74	200	1	200	\$100	\$20,000	14800	14800	\$1,480,000

of Customer Funds and Location of Depositories									
1.65 - Notice of Bulk Account Transfers	20	1	1	1	\$100	\$100	20	20	\$2,000
30.7(d) - FCM Opening Accounts for Depositing Customer Funds Must Maintain Acknowledgement	42	3	0.75	2.25	\$100	\$225	126	94.5	\$9,450
30.7(h) – FCM must Keep Record of Customer Funds Including Daily Valuation	42	200	0.5	100	\$100	\$10,000	8400	4200	\$420,000
23.102(a) & 1.17(c)(6)(v)- Application /Use of Use Models (FCM/SD)	22	1	1,560	1,560	\$100	\$156,000	32	49,920	\$4,992,000
23.105 (a) - (n) – Financial	30	15	4.2	63	\$100	\$6,250	435	1,750	\$175,000

Reporting – (SD/MSP)									
23.154 - Margin Model Application	5	1	10	10	\$100	\$1,000	5	50	\$5,000
PREVIOUS SUBTOTAL RECORD- KEEPING REQUIRE- MENTS							6,004	107,417	\$10,741,675
ADDITIONAL BURDEN							+15	+11.25	+\$1,125
NEW TOTAL RECORD- KEEPING BURDEN							6,019	107,428.25	10,742,800

OMB Control Number 3038-0091

Disclosure and Retention of Certain Information Relating to Cleared Swaps Customer Collateral

RECORDKEEPING BURDEN: REVISED

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Regulations (17 CFR)	Estimated number of respondents	Estimated annual responses per entity	Estimated number of hours per response	Estimated Burden Hours per Respondent (3×4)	Estimated Average Burden Hour Cost	Total Avg Burden Hour Cost per Respondent (5×6)	Total annual responses (2×3)	Total annual burden- hours (2×5)	Total annual burden-cost (2×7)
22.2(g)	60 (FCMs)	250	0.4	100	\$120	\$12,000	15,000	6,000	\$720,000
22.5(a)	75 (60 FCMs, 15 DCOs)	1	5	5	\$120	\$600	75	375	\$45,000
NEW: 22.5(a) – Acknowledgments for Customer Funds invested in ETFs	15 (10 FCMs, 5 DCOs)	1	0.75	0.75	\$75	\$56.25	15	11.25	\$1,125
22.11	60 (FCMs)	250	0.08	20	\$120	\$2,400	15,000	1,200	\$144,000
22.12	75 (60 FCMs, 15 DCOs)	250	0.1	25	\$120	\$3,000	18,750	1,875	\$225,000
22.17	60 (FCMs)	60	1	60	\$120	\$7,200	3,600	3,600	\$432,000
Previous Total Recordkeeping Burden							52,425	13,050	\$1,566,000
Additional Burden							+15	+11.25	+1,125
New Total Recordkeeping Burden	75						52,426	13,061.25	\$1,557,125

THIRD-PARTY DISCLOSURE BURDEN: UNCHANGED

1.	2.	3.	4.	5.	6.	7.	8.	9.	10.
Regulations (17 CFR)	Estimated number of respondents	Estimated annual responses per entity	Estimated number of hours per response	Estimated Burden Hours per Respondent (3×4)	Estimate d Average Burden Hour Cost	Total Avg Burden Hour Cost per Respondent (5×6)	Total annual responses (2×3)	Total annual burden- hours (2×5)	Total annual burden-cost (2×7)
22.16	60 (FCMs)	1,000	0.2	200	\$120	\$24,000	60,000	12,000	\$1,440,000