

SUPPORTING STATEMENT
for the Paperwork Reduction Act Collection Submission
for Rule 17f-1(b)
OMB Control No. 3235-0032

A. JUSTIFICATION

1. Necessity of Information Collection

The Commission, pursuant to Sections 2, 17(f), 19(a) and 23 of the Securities Exchange Act of 1934 (“Act”), adopted Rule 17f-1 (17 CFR 240.17f-1(b)) in 1979. This rule implemented Section 17(f)(1) of the Act by establishing a program for reporting and making inquiries requirements regarding missing, lost, stolen, or counterfeit securities (“Program”). Section 17(f)(1) of the Act was a response by Congress to large numbers of securities thefts. Testimony at the hearings conducted before the Senate Permanent Subcommittee on Investigation between 1971 and 1974 indicated that the trafficking in stolen securities was a profitable area for organized crime and that the failure to have available to the financial community a means of easily identifying missing, lost, stolen, or counterfeit certificates was a contributing factor to the increase in, and the ease of, negotiating such securities. The purpose of Section 17(f)(1) and Rule 17f-1 thereunder is to create a central database of information related to missing, lost, stolen, or counterfeit securities and to make available to covered institutions information that promptly identifies those securities, removing them from the stream of commerce and facilitating the capture of those who engage in such traffic.

The Commission has adopted a number of amendments to Rule 17f-1, including the addition of paragraph (b). Paragraph (b) requires that every “reporting institution” register with the Commission or its designee according to instructions issued by the Commission. The term “reporting institution” includes every national securities exchange, member thereof, registered securities association, broker, dealer, municipal securities dealer, government securities broker, government securities dealer, registered transfer agent, registered clearing agency, participant therein, member of the Federal Reserve System and bank whose deposits are insured by the Federal Deposit Insurance Corporation.

Upon accepting the registration form by the Securities Information Center (“SIC”), the Commission’s designee to maintain and operate the database, a reporting institution is given access to the data base for both reporting and inquiry purposes.¹ Without the identifying information provided by the registration form, access to the confidential database could not be limited to those institutions specified in the Act and Rule 17f-1. In addition, the registration procedure provides the Commission with a

¹ In 2019, SIC notified the Commission that it did not intend to renew the delegation arrangement with the Commission. SIC has continued to operate the Program pursuant to a series of one-year contractual extensions since that time. The Commission has selected Accenture Federal Services LLC (“Accenture”) as the new vendor to maintain and operate the Program, with its initial contract term to begin on January 1, 2025. Although the Commission discusses the Program in the context of reporting institutions registering with SIC, this discussion also will apply to Accenture as of January 1, 2025.

means of identifying those reporting institutions that have not registered in the Program and those institutions that have registered but are not complying with the requirements for reporting and inquiry.

2. Purpose and Use of the Information Collection

The Commission uses the information received in response to Rule 17f-1(b) to correlate the occurrence of securities losses and thefts to the size and type of reporting institution involved. The information is also used during the inquiry procedure to notify immediately the Federal Bureau of Investigation with regard to attempted negotiations of such securities. Without Rule 17f-1(b), the Commission would not have a means of identifying those reporting institutions that have not registered in the Program and those institutions that have registered but are not complying with the requirements for reporting and inquiry.

3. Consideration Given to Information Technology

Not applicable.

4. Duplication

Not applicable because reporting institutions are required to register with SIC only once.

5. Effect on Small Entities

Although the information requested in the registration form affects small entities, the effect is minimal. The specific information requested is easily accessible to all reporting institutions and creates no significant burden.

6. Consequences of Not Conducting Collection

Since the information is requested only once upon registration for participation in the Program, the collection of this information could not be conducted less frequently.

7. Inconsistencies with Guidelines in 5 CFR 1320.5(d)(2)

There are no special circumstances. The collection is consistent with the guidelines in 5 CFR 1320.5(d)(2).

8. Consultations Outside the Agency

The required Federal Register notice with a 60-day comment period soliciting comments on this collection of information was published. No public comments were received.

9. Payment or Gift

Not applicable.

10. Confidentiality

Reporting institutions required to register under rule 17f-1(b) will not be kept confidential. However, the Program database will be kept confidential.

11. Sensitive Questions

The Information Collection does not collect information about individuals, therefore, a PIA, SORN, and PAS are not required.

12. Burden of Information Collection

Approximately 9,500 entities in the securities industry are registered with SIC. Registration is a one-time event; it is ongoing until the registrant withdraws from the Program. We estimate that, each year, 4 new reporting institutions register with SIC. The staff estimates that the average number of hours necessary to comply with Rule 17f-1(b), that is, to register with SIC, is one-half hour. Accordingly, the staff estimates that the total annual reporting burden for all participants is 2 hours (4 x one-half hour).

While not a cost burden under Item 13, with respect to the estimated 2 hours per year to comply with the rule, the Commission staff estimates that compliance staff work at subject entities results in an internal cost of compliance, at an estimated hourly wage of \$344, of \$172 per year per entity (.5 hours x \$344 per hour = \$172 per year).² Therefore, the aggregate annual internal cost of compliance is approximately \$688 (\$172 x 4 = \$688).

New Reporting Institutions Each Year	Time to Register with SIC Per Entity	Total Time to Register Per Year
4	0.5 hours	2 hours

² The estimated hourly wages used in this analysis were derived from reports prepared by the Securities Industry and Financial Markets Association. See Securities Industry and Financial Markets Association, Office Salaries in the Securities Industry – 2022 (2022), modified to account for an 1800-hour work year and multiplied by 5.35 to account for bonuses, firm size, employee benefits and overhead.

Time to Register with SIC Per Entity	Estimated Hourly Wage	Cost of Compliance Per Year Per Entity	New Reporting Institutions Each Year	Aggregate Annual Internal Cost of Compliance
0.5 hours	\$344	\$172	4	\$688

13. Costs to Respondents

Not applicable; (a) it is not anticipated that respondents will have to incur any capital and start-up cost to comply with the rule; (b) it is not anticipated that respondents will have to incur any additional operational or maintenance cost (other than provided for in item number 12) to comply with the rule.

14. Costs to Federal Government

Not applicable. The time involved in administering Rule 17f-1(b) is minimal. The staff occasionally receives an inquiry from a reporting institution with regard to registration. Those inquiries can be responded to within one-half hour and this is done by existing staff as part of their regular duties.

15. Changes in Burden

The approximate amount of entities in the securities industry are registered with SIC has dropped by about 500. The approximate amount of new reporting institutions register with SIC has dropped by about 6. The estimated hourly wages used in this analysis which were derived from reports prepared by the Securities Industry and Financial Markets Association has been updated.

16. Information Collection Planned for Statistical Purposes

Not applicable. The information collection is not used for statistical purposes.

17. Display of OMB Approval Date

The Commission is not seeking approval to omit the expiration date.

18. Exceptions to Certification

This collection complies with the requirements in 5 CFR 1320.9.

B. COLLECTIONS OF INFORMATION EMPLOYING STATISTICAL METHODS

This collection does not employ statistical methods.