



## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities Under OMB Review

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (“PRA”), this notice announces that the Information Collection Request (“ICR”) abstracted below has been forwarded to the Office of Information and Regulatory Affairs (“OIRA”), of 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.

**DATES:** Comments must be submitted on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** Written comments and recommendations for the proposed information collection should be submitted within 30 days of this notice’s publication to OIRA, at <https://www.reginfo.gov/public/do/PRAMain>. Please find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the website’s search function. Comments can be entered electronically by clicking on the “comment” button next to the information collection on the “OIRA Information Collections Under Review” page, or the “View ICR—Agency Submission” page. A copy of the supporting statement for the collection of information discussed herein may be obtained by visiting <https://www.reginfo.gov/public/do/PRAMain>.

In addition to the submission of comments to <https://Reginfo.gov> as indicated above, a copy of all comments submitted to OIRA may also be submitted to the Commodity Futures Trading Commission (the “Commission” or “CFTC”) by clicking on the “Submit Comment” box next to the descriptive entry for OMB Control No. 3038-0087, at <https://comments.cftc.gov/FederalRegister/PublicInfo.aspx>.

Or by either of the following methods:

- *Mail:* Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581.
- *Hand Delivery/Courier:* Same as Mail above.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments submitted to the Commission should include only information that you wish to make available publicly. If you wish the Commission to consider information that you believe is exempt from disclosure under the Freedom of Information Act (“FOIA”), a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the Commission’s regulations.<sup>1</sup> The Commission reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of your submission from <https://www.cftc.gov> that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the ICR will be retained in the public comment file and will be considered as required under the Administrative Procedure Act and other applicable laws, and may be accessible under FOIA.

**FOR FURTHER INFORMATION CONTACT:** Catherine Brescia, Attorney Advisor, Market Participants Division, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW, Washington, DC 20581; (202) 418-6236; email: [cbrescia@cftc.gov](mailto:cbrescia@cftc.gov); and refer to OMB Control No. 3038-0087.

**SUPPLEMENTARY INFORMATION:**

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<sup>1</sup> 17 CFR 145.9, 74 FR 17395 (Apr. 15, 2009).

*Title:* Reporting, Recordkeeping, and Daily Trading Records Requirements for Swap Dealers and Major Swap Participants (OMB Control Nos. 3038–0087). This is a request for an extension of a currently approved information collection.

*Abstract:* On April 3, 2012, the Commission adopted Commission regulations 23.201 through 23.205 (Reporting, Recordkeeping, and Daily Trading Records Requirements For Swap Dealers and Major Swap Participants)<sup>2</sup> pursuant to sections 4s(f)<sup>3</sup> and 4s(g)<sup>4</sup> of the Commodity Exchange Act (“CEA”).<sup>5</sup> Commission regulations 23.201 through 23.205 require, among other things, swap dealers (“SDs”)<sup>6</sup> and major swap participants (“MSPs”)<sup>7</sup> to maintain transaction and position records of their swaps (including daily trading records) and to maintain specified business records (including records related to the governance and financial status of the SD or MSP, complaints received by such SD or MSP and such SD or MSP’s marketing and sales materials). They also require SDs and MSPs to report certain swap transaction data to swap data repositories (“SDRs”), to satisfy certain real time public reporting requirements, and to maintain records of information reported to SDRs and for real time reporting purposes.<sup>8</sup> The Commission believes that the information collection obligations imposed by Commission regulations 23.201 through 23.205 are necessary to implement sections 4s(f) and 4s(g) of the CEA, including ensuring that each SD and MSP maintains the required records of their business activities and an audit trail sufficient to conduct comprehensive and accurate trade reconstruction.

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<sup>2</sup> 17 CFR 23.201-23.205.

<sup>3</sup> 7 U.S.C. 6s(f).

<sup>4</sup> 7 U.S.C. 6s(g).

<sup>5</sup> 77 FR 20128 (Apr. 3, 2012).

<sup>6</sup> For the definition of SD, *see* section 1a(49) of the CEA and Commission regulation 1.3. 7 U.S.C. 1a(49) and 17 CFR 1.3.

<sup>7</sup> For the definition of MSP, *see* section 1a(33) of the CEA and Commission regulation 1.3. 7 U.S.C. 1a(33) and 17 CFR 1.3.

<sup>8</sup> *See* 17 CFR 23.201–23.205.

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. On April 8, 2025, the Commission published in the Federal Register notice of the proposed extension of this information collection and provided 60 days for public comment on the proposed extension, 90 FR 15138 (“60-Day Notice”). The Commission did not receive any relevant comments on the 60-Day Notice.

*Burden Statement:* The Commission is not revising its estimate of the burden for this collection to reflect the current number of respondents and estimated burden hours.<sup>9</sup> The respondent burden for this collection is estimated to be as follows:

*Estimated Number of Respondents:* 107.

*Estimated Average Burden Hours Per Respondent:* 2,096.

*Estimated Total Annual Burden Hours:* 224,272.

*Frequency of Collection:* As applicable.

There are no capital costs or operating and maintenance costs associated with this collection.

(Authority: 44 U.S.C. 3501 *et seq.*)

Dated: June 24, 2025

Robert Sidman,

*Deputy Secretary of the Commission.*

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<sup>9</sup> The 60-Day Notice reflected an estimate of 106 respondents. Based on this number of respondents, the Commission had previously estimated that the annual burden hours for all respondents totaled 222,176. These estimates have been updated based on the most recent available data on the total number of respondents as shown here.