



## COMMODITY FUTURES TRADING COMMISSION

### Agency Information Collection Activities: Notice of Intent to Renew Collection

#### 3038-0055, Privacy of Consumer Financial Information

**AGENCY:** Commodity Futures Trading Commission.

**ACTION:** Notice.

**SUMMARY:** The Commodity Futures Trading Commission (“Commission” or “CFTC”) is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (“PRA”), Federal agencies are required to publish notice in the Federal Register concerning each proposed collection of information, including each proposed extension of an existing collection of information, and to allow 60 days for public comment. This notice solicits comments on requirements for entities that are subject to the Commission’s jurisdiction to provide certain privacy protections for consumer financial information.

**DATES:** Comments must be submitted on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER]**.

**ADDRESSES:** You may submit comments, identified by “Privacy of Consumer Financial Information” by any of the following methods:

- The Agency’s web site, at <http://comments.cftc.gov>. Follow the instructions for submitting comments through the web site.
- 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.
- Federal eRulemaking Portal: <http://www.regulations.gov/search/index.jsp>.

Follow the instructions for submitting comments through the Portal.

Please submit your comments using only one method.

**FOR FURTHER INFORMATION CONTACT:** Kathy Harman-Stokes, Chief Privacy Officer, Office of the Executive Director, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street, NW, Washington, DC 20581. Telephone: (202) 418-6629 or e-mail: [kharman-stokes@cftc.gov](mailto:kharman-stokes@cftc.gov), and refer to OMB Control No. 3038-0055.

**SUPPLEMENTARY INFORMATION:** Under the PRA, Federal agencies must obtain approval from the Office of Management and Budget (“OMB”) for each collection of information they conduct or sponsor. “Collection of Information” is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3 and includes agency requests or requirements that members of the public submit reports, keep records, or provide information to a third party. Section 3506(c)(2)(A) of the PRA, 44 U.S.C. 3506(c)(2)(A), requires Federal agencies to provide a 60-day notice in the Federal Register concerning each proposed collection of information before submitting the collection to OMB for approval. To comply with this requirement, the CFTC is publishing notice of the proposed collection of information listed below.

**Title:** Privacy of Consumer Financial Information (OMB Control No. 3038-0055). This is a request for extension of a currently approved information collection.

**Abstract:** The passage of the Dodd-Frank Wall Street Reform and Consumer Protection Act (“Dodd-Frank Act”), Pub. L. No. 111-203, 124 Stat. 1376 (2010),

broadened the Commission’s regulatory authority under the Gramm-Leach-Bliley Act (“GLB Act”) to cover two new entities: Swap Dealers and Major Swap Participants, in addition to Futures Commission Merchants, Commodity Trading Advisors, Commodity Pool Operators, and Introducing Brokers.

Specifically, amendments to the GLB Act found in section 1093 of the Dodd-Frank Act, reaffirmed the Commission’s authority to promulgate regulations to require entities that are subject to the Commission’s jurisdiction to provide certain privacy protections for consumer financial information. These regulations were later extended to Retail Foreign Exchange Dealers.

With respect to the collection of information, the CFTC invites comments on:

- Whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information will have a practical use;
- The accuracy of the Commission’s estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Ways to enhance the quality, usefulness, and clarity of the information to be collected; and
- Ways to minimize the burden of collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology; e.g., permitting electronic submission of responses.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to <http://www.cftc.gov>. You should submit 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, 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 <http://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 Information Collection Request 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 the Freedom of Information Act.

**Burden Statement:** The respondent burden for this collection is estimated to be 0.24 hours per response.

**Respondents/Affected Entities:** Futures Commission Merchants, Retail Foreign Exchange Dealers, Commodity Trading Advisors, Commodity Pool Operators, Introducing Brokers, Major Swap Participants and Swap Dealers.

**Estimated number of respondents:** 110.

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<sup>1</sup> 17 CFR 145.9.

Estimated total annual burden on respondents: 528 hours.

Frequency of collection: Annual.

Dated: October 20, 2014

Christopher J. Kirkpatrick,

Secretary of the Commission.

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