

transfer these messages to computers, storage devices, or storage media, as well as the time required to periodically confirm the transfer and retention of the messages. The Commission estimates that Unregistered Members would spend approximately one-half hour per month preserving and maintaining text messages in the manner described above. The Commission estimates based upon select market data that there are approximately 3,200 Unregistered Members that will have their recordkeeping obligations reduced as a result of this element of the Final Rule.

#### 4. Exclusion of CTAs From Requirement To Record Oral Communications

Pursuant to the Final Rule, CTAs will no longer be required to record oral communications.<sup>7</sup> In the 2012 Rule, the Commission added the requirement that certain types of firms, including CTAs that are members of a DCM or of a SEF, record all oral communications that lead to the execution of a transaction. Under the Final Rule, CTAs that are members of a DCM or of a SEF no longer have to comply with this requirement, and they therefore no longer have to administer a recording program and maintain a recording infrastructure. The Commission estimates that these CTAs would spend approximately one-half hour per week administering a recording program and maintaining recording infrastructure. The Commission estimates that there are approximately 1,175 CTAs that will have their recordkeeping obligations reduced as a result of this element of the Final Rule.<sup>8</sup>

#### 5. Form and Manner Requirements, in General

Pursuant to the Final Rule, all records required to be kept under Regulation 1.35(a) must be kept in a form and manner which permit prompt, accurate and reliable location, access, and retrieval of any particular record, data, or information. In addition, the Final Rule also states that all records, except records of oral and written communications leading to the execution of a transaction in a commodity interest and related cash or forward transactions, must be kept in a form and manner that allows for

<sup>7</sup> Pursuant to CFTC Staff Letter Nos. 14-60, 14-147 and 15-65, Commission staff granted no-action relief to CTAs from the requirement to record oral communications.

<sup>8</sup> As of November 2015, there were approximately 2,350 CTAs registered with the Commission. For the purposes of this analysis, the Commission is conservatively estimating that half of registered CTAs are members of a DCM or of a SEF.

identification of a particular transaction. These new requirements replace the former requirement in the previous version of the rule that required records be "identifiable and searchable by transaction." The Commission views these revised form and manner requirements as a clarification of the prior requirements. Accordingly, the revised form and manner requirements do not increase or decrease the information collection burden for market participants that are subject to Regulation 1.35(a).

The Commission estimates the burden of this collection of information as follows:

*Respondents/Affected Entities:* Futures Commission Merchants, Retail Foreign Exchange Dealers, Introducing Brokers, and Members of a DCM or of a SEF.

*Estimated number of respondents:* 6,000.

*Estimated total annual burden on respondents:* 319,707 hours.

*Frequency of collection:* Ongoing.

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

Dated: December 18, 2015.

**Christopher J. Kirkpatrick,**  
*Secretary of the Commission.*

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**BILLING CODE 6351-01-P**

## DEPARTMENT OF DEFENSE

### Office of the Secretary

[Docket ID: DoD-2014-OS-0063]

### Submission for OMB Review; Comment Request

**ACTION:** Notice.

**SUMMARY:** The Department of Defense has submitted to OMB for clearance, the following proposal for collection of information under the provisions of the Paperwork Reduction Act.

**DATES:** Consideration will be given to all comments received by January 25, 2016.

**FOR FURTHER INFORMATION CONTACT:** Fred Licari, 571-372-0493.

#### SUPPLEMENTARY INFORMATION:

*Title, Associated Form and OMB Number:* Pentagon Facilities Parking Program; DD Form 1199; OMB Control Number 0704-0395.

*Type of Request:* Reinstatement, with change, of a previous approved collection for which approval has expired.

*Number of Respondents:* 4,200.

*Responses per Respondent:* 1.

*Annual Responses:* 4,200.

*Average Burden per Response:* 5 minutes.

*Annual Burden Hours:* 350.

*Needs and Uses:* The information collection requirement is necessary to administer the Pentagon, Mark Center, and Suffolk Building Vehicle Parking Program where individuals are allocated parking spaces, and to ensure that unless authorized to do so, parking permit applicants do not also receive the DoD National Capital Region Public Transportation fare subsidy benefit.

*Affected Public:* Individuals or households.

*Frequency:* On occasion.

*Respondent's Obligation:* Requires to obtain or retain benefits.

*OMB Desk Officer:* Ms. Jasmeet Seehra.

Comments and recommendations on the proposed information collection should be emailed to Ms. Jasmeet Seehra, DoD Desk Officer, at [Oira\\_submission@omb.eop.gov](mailto:Oira_submission@omb.eop.gov). Please identify the proposed information collection by DoD Desk Officer and the Docket ID number and title of the information collection.

You may also submit comments and recommendations, identified by Docket ID number and title, by the following method:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the instructions for submitting comments.

*Instructions:* All submissions received must include the agency name, Docket ID number and title for this **Federal Register** document. The general policy for comments and other submissions from members of the public is to make these submissions available for public viewing on the Internet at <http://www.regulations.gov> as they are received without change, including any personal identifiers or contact information.

*DoD Clearance Officer:* Mr. Frederick Licari.

Written requests for copies of the information collection proposal should be sent to Mr. Licari at WHS/ESD Directives Division, 4800 Mark Center Drive, East Tower, Suite 02G09, Alexandria, VA 22350-3100.

Dated: December 21, 2015.

**Aaron Siegel,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

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