

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22

UNITED STATES OF AMERICA
COMMODITY FUTURES TRADING COMMISSION

PUBLIC MEETING OF ADVISORY COMMITTEE

Washington, D.C.
Friday, November 19, 2010

<p style="text-align: right;">2</p> <p>1 PARTICIPANTS: 2 Commission Members: 3 GARY GENSLER, Chairman 4 BART CHILTON, Commissioner 5 MICHAEL V. DUNN, Commissioner 6 SCOTT D. O'MALIA, Commissioner 7 JILL E. SOMMERS, Commissioner 8 Staff: 9 ROBERT WASSERMAN 10 Division of Clearing and Intermediary Oversight 11 12 JEFFREY BURNS 13 Overview of Swap Data Repositories 14 15 DAVID TAYLOR 16 Division of Market Oversight 17 18 TOM LEAHY 19 Division of Market Oversight 20 21 22</p>	<p style="text-align: right;">4</p> <p>1 with regard to the data elements and data that has to be 2 kept by all various registrars, whether swapped dealers 3 or the swap data repositories themselves. And I think 4 last up today will be the proposal for real-time 5 reporting. 6 All three of these are critical. I think 7 it's one of the key features of the Dodd-Frank Act to 8 bring transparency, both to the regulators, which is the 9 swap data repositories, and the data elements, which are 10 so critical so that regulators can have direct access and 11 help ensure the integrity of the markets and help police 12 markets, but also to the public. And one of the key 13 features that bring transparency is real-time reporting 14 or post-trade transparency. 15 We will later take up in December rules 16 around swap execution facilities, and that's another 17 feature bringing transparency in the pre-trade 18 transparency before the transaction. 19 Before we hear from staff, I would like to 20 thank Commissioner Mike Dunn, Commissioner Jill Sommers, 21 Commissioner Bart Chilton, and Scott O'Malia. 22 I think this is our fourth public meeting,</p>
<p style="text-align: right;">3</p> <p>1 PROCEEDINGS 2 (9:40 a.m.) 3 CHAIRMAN GENSLER: Good morning. This 4 meeting will come to order. This is a public meeting of 5 the Commodity Futures Trading Commission to consider 6 issuance of proposed rule with regard to the Dodd-Frank 7 Act. 8 Today, I think will be considering four 9 proposals and one advanced notice proposed rulemaking in 10 the four proposals. We will first hear from the panel 11 with regard to protection of collateral of counterparties 12 of uncleared swaps. These are bilateral swaps that are 13 between counterparties and swap dealers. 14 That panel will also talk about a set of 15 questions called "Advanced Notice of Proposed Rulemaking" 16 with regard to similar protection, but with regard to the 17 cleared swaps between counterparties, futures commission, 18 merchants, and clearing houses. 19 We will then hear on three proposals. I call 20 them the "data triplets" or the "transparency trio." But 21 it will be three proposed rules with regard to one set of 22 rulemaking swap data repositories and one set rulemakings</p>	<p style="text-align: right;">5</p> <p>1 and the team is just working terrific together. We are, 2 I think, consistently sort of watching each other's backs 3 editing documents. 4 And I do apologize to my fellow Commissioners 5 because sometimes those edits are coming in response to 6 other Commissioner's comments, but are coming in really 7 in the last couple of days. And I know we'll probably 8 need to help each other out by getting our edits in 9 earlier. But this set of data rules had a lot of last 10 edits in them. 11 It's really remarkable how hard each of the 12 Commissioner's and their staff and legal assistants -- 13 who you usually see sitting back here. I think most are 14 here, a couple aren't -- are just working all the time. 15 I also want to thank staff of the whole 16 Commission with regard to these rules. I think with 17 today, if we do move forward with the proposal today, I 18 think, finally, Commissioner Sommers, we're probably 19 halfway there. 20 I know the arithmetic seemed odd, but with 21 two final rules and 22 proposed rulings, I think if we 22 move forward today, we have four advanced notices of</p>

<p style="text-align: right;">6</p> <p>1 proposed rulemakings. So if I add that, that's about 28. 2 I think that's probably, at least, halfway, but that's 3 just the proposal stage. 4 As we said in the past, we set out a goal to 5 do this through December. We have three more meetings in 6 December. I think one has been officially calendared to 7 the public December 1st. We are looking for two 8 additional dates. We do know of some matters that will 9 be in January. We have not set a date, one date or two 10 dates in January, yet. And, of course, I welcome the 11 public to the meeting. And all of your comments on these 12 proposals have already helped us tremendously, but will 13 continue to help us in formal context as the rules go 14 out. 15 I think rules are all for 60 days. I think 16 the advanced notice of proposed rulemaking may be 45 17 days, but the public comment will be very important. 18 With that, before we turn to staff, I will 19 turn to Commissioner Dunn. 20 COMMISSIONER DUNN: Thank you, Mr. Chairman. 21 I want to thank everyone for joining us today for this 22 important meeting regarding the implementation of the</p>	<p style="text-align: right;">8</p> <p>1 term "Too costly to clear." My concern is whether we're 2 moving to fast to follow. 3 Our ambition deadlines calls for us to 4 complete almost every rule Dodd-Frank requires by July 5 15, 2011. However, the rest of the world is not working 6 at this pace. 7 At the 2009 Pittsburgh Summit, the G20 8 leaders declared that all standardized OTC derivatives 9 contracts should be cleared through central calendar by 10 the end of 2012. 11 Additionally, all over-the-counter 12 derivatives contracts should be reported to the CRIG 13 repositories at that time. I think there's a fine line 14 between leading the world on financial reform and leaving 15 the world behind. 16 Since we are working at an appropriate pace 17 for circumstances as described by Dodd-Frank, it is 18 imperative that we seek input and advice from our sister 19 regulators around the globe throughout this rule-writing 20 process. 21 It's my understanding the CFTC's rules team 22 has been reaching out to and cooperating internationally</p>
<p style="text-align: right;">7</p> <p>1 Dodd-Frank Act. 2 Today's meeting will address proposed rules 3 regarding real-time reporting, data recordkeeping, swap 4 data repository, segregation bankruptcy rules. 5 As with previous proposed rules, I will 6 support publishing today's rule in the current form, but 7 reserve judgment on the final rules until I carefully 8 review all comments the agency receives from the public, 9 and get final redactions from our staff. 10 This, Mr. Chairman, is our fifth public 11 meeting, not the fourth. 12 CHAIRMAN GENSLER: Thank you. My math is 13 starting to slip. You can see how much I've been reading 14 rule text. 15 COMMISSIONER DUNN: I can understand. I can 16 empathize. This is our fifth public meeting to consider 17 proposed public rules pursuant to Dodd-Frank. 18 And when I have a moment to actually reflect 19 on the magnitude and the speed in which we are moving 20 forward, I am amazed. 21 You've all heard the phrase, "Too big to 22 fail." Just last week Commissioner O'Malia coined the</p>	<p style="text-align: right;">9</p> <p>1 with those proposed rules. It is my hope and expectation 2 that our fellow regulators will continue to participate 3 in the process to promulgate these important rules. 4 It's also my hope that through this public 5 process with international cooperation, we will achieve 6 final rules that ultimately will be in harmony with rules 7 adopted by regulators internationally. 8 I would also like to emphasize how various 9 possible roundtables have been in the process of drafting 10 these proposed rules. Roundtable provides feedback that 11 lead to clear improvements in the rules that we are 12 looking at today. 13 Once again, I feel compelled to point out 14 that expense. That the expense that will be involved in 15 implementing these proposed regulations to effectively 16 implement the proposals. We will require substantial 17 investment in new technology and human resources if we 18 are to achieve the goal of reducing risk of future 19 meltdowns CFTC requires funding at a level that provides 20 technology and staff needed to do the job. 21 I would once again like to thank the staff at 22 the CFTC for all of their hard work in getting us to the</p>

<p style="text-align: right;">10</p> <p>1 point we are today.</p> <p>2 CHAIRMAN GENSLER: Thank you, Commissioner</p> <p>3 Dunn. Commissioner Sommers?</p> <p>4 COMMISSIONER SOMMERS: Thank you, Mr.</p> <p>5 Chairman. I want to start by saying how much I</p> <p>6 appreciate all of the work that the staff has done on</p> <p>7 these proposals today.</p> <p>8 I think, as I said last week, as we continue</p> <p>9 this process, the rules are becoming much more</p> <p>10 complicated and comprehensive. And so for staff work and</p> <p>11 all of the teams that are responsible for what's in front</p> <p>12 of us today, you know, hundreds and hundred of pages of</p> <p>13 these proposals, I just want to say how much I appreciate</p> <p>14 everything that you have done up until the very last</p> <p>15 minute making changes and accepting comments on these</p> <p>16 proposals.</p> <p>17 I do have a number of concerns with regard to</p> <p>18 a couple of items that are on our agenda today. I think</p> <p>19 that my concerns are both substantive. And also with</p> <p>20 regard to the process that we're in because of these</p> <p>21 types of statutory deadlines and trying to get all of</p> <p>22 this done by the dates that we're required to do it.</p>	<p style="text-align: right;">12</p> <p>1 regard to the markets that we're each regulating.</p> <p>2 I guess I will end there and say how grateful</p> <p>3 again I am to the staff. And I look forward to your</p> <p>4 presentations today.</p> <p>5 CHAIRMAN GENSLER: Thank you, Commissioner</p> <p>6 Sommers. I was just -- as Commissioner Dunn and</p> <p>7 Commissioner Sommers raised to the coordination for the</p> <p>8 public to hear because I know and all of the</p> <p>9 Commissioners know we have been sharing staff-to-staff</p> <p>10 information with the SEC and Federal Reserve, various</p> <p>11 bank regulators here, where appropriate, the Treasury</p> <p>12 Department, and international regulators.</p> <p>13 And this is primarily in Europe, but also in</p> <p>14 Asia and Canada. And this includes sharing internal</p> <p>15 memos, internal terms sheets, since the terms sheets were</p> <p>16 developed through September, and more recently, actually,</p> <p>17 proposed rule text.</p> <p>18 And while the comments come very specifically</p> <p>19 from our fellow regulators in the U.S., it's actually</p> <p>20 been very positive, the European Commission, the FSA,</p> <p>21 which is the London lead regulator, the European Central</p> <p>22 Bank Committee, who has securities dealers in Europe,</p>
<p style="text-align: right;">11</p> <p>1 As Commissioner Dunn said, that people are</p> <p>2 having trouble following what we're doing. I might be</p> <p>3 having trouble following what we're doing. It's a lot to</p> <p>4 keep up.</p> <p>5 So I would say that I'm not sure that this</p> <p>6 process is sustainable through finalizing some of these</p> <p>7 rules, for putting out proposals we're hoping for public</p> <p>8 comments, and appreciate everybody who is participating</p> <p>9 in this process. But as we continue on trying to</p> <p>10 finalize some of these rules, I think this process may be</p> <p>11 unsustainable.</p> <p>12 I want to say thank you to my staff for</p> <p>13 helping doing an incredible job in helping me keep up</p> <p>14 with all of this. And also to agree with Mike on the</p> <p>15 coordination with the SEC and other foreign regulators.</p> <p>16 I think it's key with the proposals that we're putting</p> <p>17 out today; considering the SEC is doing some of the exact</p> <p>18 same issues today to make sure we're consistent with what</p> <p>19 the SEC is doing, to really talk about deliberating how</p> <p>20 important that is. Is it important for our rules that we</p> <p>21 put out today to be almost identical to what the SEC is</p> <p>22 doing, or do we just need to try to be consist with</p>	<p style="text-align: right;">13</p> <p>1 have all commented. And where possible, we've tried to</p> <p>2 accommodate their comments.</p> <p>3 But, ultimately, it's the five of us up here</p> <p>4 that have to have the, you know, the statutory mandate,</p> <p>5 and the President appointed us to do this.</p> <p>6 So we take in those comments, but I do think</p> <p>7 we're trying to be as consistent as possible, but there</p> <p>8 will be some differences even with the Securities and</p> <p>9 Exchange Commission.</p> <p>10 I think somebody is keeping a count of the</p> <p>11 meetings. But I think we're up over 250 meetings with</p> <p>12 other regulators. That compares to be probably over 400</p> <p>13 meetings with the public, so I don't know how to judge</p> <p>14 that.</p> <p>15 And I agree with you all that the statutory</p> <p>16 deadlines are demanding, but I think they also help to</p> <p>17 lower regulatory uncertainty.</p> <p>18 These are just proposals, so we do need the</p> <p>19 public comments to help us. And that's why that probably</p> <p>20 thousands, maybe tens of thousands of comments we will</p> <p>21 get in the spring will have to be sorted through very</p> <p>22 thoughtfully before we go to the final rulings. I agree</p>

<p style="text-align: right;">14</p> <p>1 with that. Commissioner Chilton?</p> <p>2 COMMISSIONER CHILTON: I agree. It's</p> <p>3 difficult, but doable. I was just thinking this week,</p> <p>4 seeing all of the people, all of the meetings, people</p> <p>5 running in and out sort of like a beehive here into our</p> <p>6 offices, groups of some of you moving, and large groups</p> <p>7 from one place to another. And, you know, it's rule</p> <p>8 writing on steroids.</p> <p>9 But that process is a tested process.</p> <p>10 Whether or not it's tested with this many rules at this</p> <p>11 level, we don't know. But I think it's challenging for a</p> <p>12 lot of people and a lot of folks that have been coming</p> <p>13 and visiting us.</p> <p>14 And challenging may be an understatement.</p> <p>15 Some people sort of doubt, and some people are scared,</p> <p>16 and maybe legitimately so. And some of them are sort of</p> <p>17 panicky because they don't know what's going to happen.</p> <p>18 Is the government going to help me out of business.</p> <p>19 And, while I understand that, but when people</p> <p>20 panic, a lot of times, people head for the door. How do</p> <p>21 get around this or how do we get out. A lot of people</p> <p>22 have done that, too. They've talked about how to get out</p>	<p style="text-align: right;">16</p> <p>1 already a hell of a lot of harm that's already been done</p> <p>2 on families and businesses. All of pensions are worth</p> <p>3 half. Our college funds for kids are with worth less.</p> <p>4 So there's already a lot of harm done.</p> <p>5 Now, how do you figure this all out? I was</p> <p>6 just thinking I needed to start backward. There are all</p> <p>7 of these meetings. Everybody is freaked out. There's a</p> <p>8 singularly purpose for us. We've got law to go to. As</p> <p>9 much as we would like to do this or that, we've got to</p> <p>10 back to the law.</p> <p>11 Now, there's some flexibility. Dan Berkovitz</p> <p>12 and the Chairman talked about it. There's some</p> <p>13 flexibility. But there's also a lot things that you</p> <p>14 can't deter, defer, or delay. There are things that are</p> <p>15 set in stone, and that's where we have to go. Even if we</p> <p>16 don't like it, that's what we have to do. So that's what</p> <p>17 I want to do, is do what the law says.</p> <p>18 Now, my last point is that this is a pretty</p> <p>19 tough time because there are all these moving pieces that</p> <p>20 the Commissioner Sommers talked about with the reams of</p> <p>21 paper. So it's disconcerting because folks don't know</p> <p>22 what's going to happen. But as we're putting these</p>
<p style="text-align: right;">15</p> <p>1 of this. They've talk about why they are different.</p> <p>2 Do you remember the church lady on Saturday</p> <p>3 Night Live? Isn't that special. How convenient. Well,</p> <p>4 a lot of people are special. And they actually are.</p> <p>5 Some of them really are special. So it's good they've</p> <p>6 been coming in and letting us know.</p> <p>7 And what I've been getting caught up in sort</p> <p>8 of this beehive activity -- well, we don't want to do any</p> <p>9 harm. We don't want to mess up things that are going on.</p> <p>10 Well, but then you have sort of step back and say: Wait</p> <p>11 a minute. How do we get here? We had the regulatory</p> <p>12 environment in which we had. We had the economic</p> <p>13 climate, the regulated futures market has worked very</p> <p>14 well.</p> <p>15 I mean, Jim Newsom did a hell of a job. The</p> <p>16 regulated stuff works well, but that's five trillion</p> <p>17 dollars of annualized trading. The OTC is six hundred</p> <p>18 trillion, and a lot of that worked well. A lot of the</p> <p>19 unregulated stuff worked well, but there's a huge section</p> <p>20 that has not worked so well. And that's where AIG was.</p> <p>21 And that's what helped the economy go down.</p> <p>22 When you talk about doing no harm, there's</p>	<p style="text-align: right;">17</p> <p>1 pieces -- like we are today -- of the puzzle, people are</p> <p>2 starting to get a visual of what's going to happen in the</p> <p>3 future, and they know where they will be.</p> <p>4 So I think once we get these out, hopefully</p> <p>5 most of them out in the very near future, people cannot</p> <p>6 be as freaked out, cannot be as concerned. And</p> <p>7 hopefully, we'll take all of these comments. And</p> <p>8 hopefully that people have been here have felt like we</p> <p>9 have taken their comments in. I know I have. I know</p> <p>10 some of my fellow Commissioners have been working on this</p> <p>11 with changes. We're actually learning from folks who are</p> <p>12 commenting in.</p> <p>13 So a blanket thank you, like everybody else</p> <p>14 is, not just to the staff, Chairman, but to everybody</p> <p>15 that's commented. It's been very helpful. I'm</p> <p>16 confident. This is difficult. It's changing. But it's</p> <p>17 imminently doable. Thank you.</p> <p>18 CHAIRMAN GENSLER: Thank you, Commissioner</p> <p>19 Chilton. Commissioner O'Malia?</p> <p>20 COMMISSIONER O'MALIA: Thank you, Mr.</p> <p>21 Chairman. Again, let me add my voice to the chorus</p> <p>22 thanking the teams. We have Bob Wasserman and his team.</p>

<p style="text-align: right;">18</p> <p>1 Susan Nathan and Jeffrey Burns and their teams. Dave 2 Taylor and his team. Tom Leahey and his team for all of 3 their hard work on these prospective rulemakings. 4 Mr. Chairman, I'm well-aware of how 5 passionate you are about real-time reporting and your 6 desire to bring greater transparency to the swaps market. 7 However, the real-time reporting rulemaking reminds me of 8 a comment by President Teddy Roosevelt. 9 He once said, "In any moment of a decision, 10 the best thing you can do is the right thing. The next 11 best thing is the wrong thing. And the worse thing you 12 can do is nothing." 13 While I'm quite confident we are not doing 14 the latter, I'm not quite convinced we're doing the best 15 thing either by mandating a 15-minute reporting on blocks 16 of trades and large notional swaps between dealers and 17 end users, while providing little to no direction on the 18 reporting of all remaining trades. 19 I believe we owe the market some certainty as 20 to what the Commission believes is "technologically 21 practicable." If the Commission does not know, then we 22 should admit as much and attempt to identify an outer</p>	<p style="text-align: right;">20</p> <p>1 Congress clearly recognized that there are 2 key differences between these two markets, and expects us 3 to do our homework and understand the relationship 4 between post-trade reporting and liquidity. 5 I have some concern about a footnote in the 6 rulemaking preamble with regard to this rulemaking that 7 admits there is lack of public information regarding the 8 market liquidity. How market liquidity might be impacted 9 by post-trade reporting. 10 Specifically, footnote number 74 states: 11 "The Commission expects that, as post-trade transparency 12 is implemented in the context of the Dodd-Frank Act, new 13 data will come to light that will inform the discussion 14 and could cause subsequent revision of the proposed 15 regulation." 16 I find the shoot first ask questions later 17 approach to be problematic, and I cannot support this 18 rulemaking. 19 Mr. Chairman, the data and recordkeeping 20 rulemaking and have a far more favorable view, is a very 21 important document. It does not hide from the fact that 22 we don't know how the collection, retention, and</p>
<p style="text-align: right;">19</p> <p>1 time-reporting boundary that provides a clear, safe 2 harbor for the market to conduct its business. 3 As I noted at the last rulemaking, it's 4 difficult to define the terms and conditions of a 5 post-trading reporting regime without the benefit of the 6 proposal at the mode and manner in which swaps will be 7 executed. 8 I hope this will be presented with a SEF 9 definition proposal that will enable the market to 10 transact on a range of electronic platforms that will not 11 only increase transparency, but will also lead to more 12 standardized swap products, as you have strongly 13 advocated. 14 The second concern I have with the real-time 15 reporting rules is that it fails to take into account the 16 Dodd-Frank Act, the statutory mandate to considerable 17 liquidity in the material impact that reporting may have. 18 Unlike the futures market, the swaps market 19 is comprised of a diverse set of products that trades 20 infrequently and are larger in notional value compared to 21 the futures market. The swaps market clearly has far 22 fewer participants.</p>	<p style="text-align: right;">21</p> <p>1 utilization will play out in the swaps market. 2 The rules provides for over 75 requests for 3 comments. I believe this approach is appropriate. And 4 I, too, have numerous questions as to how the 5 Commission's own technological capabilities will be 6 implemented. I'm interested to know if the rulemaking 7 team has given any thought to the necessary 8 infrastructure investments the CFTC will need to make in 9 order to fill the numerous regulatory responsibilities 10 created by this proposed rule. 11 One important element in this rule is the 12 requirement to establish a unique identifier for every 13 swap, swap transaction, and market participate. I'm 14 eager to comment on this provision. 15 While I believe the policy rational 16 underlying requirement is sound, I do recognize the cost 17 burden of an ID is high and it's impact on data storage 18 demand is significant. However, I understand that the 19 domestic and international communities are eager to adopt 20 such a concept, and there is no better time to implement 21 from the beginning. 22 In addition, I believe that the rulemaking is</p>

<p style="text-align: right;">22</p> <p>1 sufficiently complex, that I would not be opposed to 2 extending a 60-day deadline to enable the comment, for 3 the public to comment on the 75 requests for comments in 4 this rulemaking. 5 The focus on today's discussion on trade 6 reporting storage analysis begs a question as to how the 7 Commission will preparing, is preparing to handle our 8 greatly expanded mission. 9 Mr. Chairman, as you are well-aware of my 10 strong desire to reorganize information and technology 11 services in order to establish an office of market data 12 collection and analysis. This entity will clarify the 13 Commission's technology needs and support the Division 14 surveillance requirements. 15 With regard to the segregation of bankruptcy 16 rule, I have great concerns with this issue. I am 17 pleased the Commission is taking prudent steps to put out 18 an advanced notice of proposed rulemaking on this complex 19 issue. This will benefit certainly for public input. 20 On November 3rd, I sent out a letter to 21 number of end-user groups manufacturing, energy, and 22 agricultural sectors asking for comment on the cost</p>	<p style="text-align: right;">24</p> <p>1 make a margin call and the FCM defaults, regardless of 2 the customer's inability to make margin call resulting in 3 a default, a DCO may recover owed margin from the FCM's 4 collective omnibus customer account. 5 If we propose to move away from our prior 6 guidance and treat segregated customer funds for cleared 7 swaps differently than how we treat futures commission 8 funds have been handled to date, we should fully consider 9 the rational for doing so. 10 I think it's important that the public is 11 aware of the Commission's prior guidance on the issue as 12 they develop their comments. And I ask that a copy of 13 that interpretation be included with the rulemaking 14 proposal that will be published in the Federal Register. 15 I think that will add to the guidance and maybe consider 16 that. 17 Mr. Chairman, in closing, I recognize that we 18 still have a great deal of work ahead of us as we all try 19 to do the best we can to get these proposals right. 20 In the interest of providing the most 21 meaningful debate, let me renew my request to move those 22 entity definitions to the next rulemaking, which I think</p>
<p style="text-align: right;">23</p> <p>1 associated with individual segregation and possible 2 creation of a bifurcated system. 3 I received a range of comments -- all of 4 which will be posted on the website -- from those who 5 support it, to those who strongly oppose it. And it is 6 clear there is not a consensus among those who stand to 7 me significantly impacted by this rulemaking proposal. 8 And we must be cognizant of the diverse opinions that 9 will not be resolved without public input. I'm very 10 interested to learn what other options we are going to 11 consider. I know this is included in the rulemaking. 12 I also have concerns about the impact the 13 different proposals may have on risk management practice 14 futures commission merchants that handle swaps under this 15 new regime. It is my understanding that is has not only 16 been a long-standing industry practice for designated 17 clearing organizations not to treat FCM customer funds 18 held collectively in an omnibus account as the property 19 of particular customers, but also that FCMs and DCOs have 20 long relied on Commission guidance contained in 21 interpretive Statement No. 85-3. 22 As a result, if an FCM customer is unable to</p>	<p style="text-align: right;">25</p> <p>1 you're prepared to do. 2 And with regard to the SEF definition, if we 3 cannot get that on the next meeting, I wouldn't be 4 opposed to extending the deadline for real-time reporting 5 in order to make sure that we have the real-time 6 reporting in the SEF in front of the public so they can 7 compare them side by side and understand how they're 8 going to transact and how they will record. 9 I also renew my request to conduct a 10 staff-led roundtable on capital and margin. 11 Let me finally thank the teams that have 12 worked so hard on these rulemakings. I appreciate that 13 you consider our input at a very late date and the 14 Chairman's, as well. 15 CHAIRMAN GENSLER: Thank you very much, 16 Commissioner O'Malia. And I thank all of the 17 Commissioners for their very thoughtful comments in these 18 opening remarks. 19 I think after we go through -- 20 COMMISSIONER DUNN: Mr. Chairman, if I may? 21 CHAIRMAN GENSLER: Sure. 22 COMMISSIONER DUNN: There are a number things</p>

<p style="text-align: right;">26</p> <p>1 that were brought up here. We are under a difficult 2 timeline, and that's mandated by Congress. We've all 3 sworn to uphold the law. And that's what you're trying 4 to get us to do. It's a little like herding cats. I 5 understand that.</p> <p>6 I was at the seminar at the Stern School of 7 Business on Wednesday. Rob Ingle was on our joint 8 advisory group. The SEC was there. He asked us how we 9 were doing and how we're proceeding. And they're 10 standing by to help us, but I did have questions very 11 similar to what was raised here by the Commission.</p> <p>12 One of the things that I'm thoroughly 13 convinced of is that the financial industry would like us 14 to have some legal certainty there. They have spent a 15 couple of years going through the Dodd-Frank Act. And 16 they all went and did their give-and-take on that, and 17 they know what the Act says.</p> <p>18 And Congress, in their wisdom, allowed the 19 commissions -- SEC, CFTC, Fed, Treasury -- leeway to make 20 some decisions in there. And I think that's important 21 because things change. What we do is we develop these 22 regulations change, and they're going to have impact on</p>	<p style="text-align: right;">28</p> <p>1 through the process. But I think at the end of the day, 2 we get to do plastic surgery on those, and we will have 3 an opportunity to get it right. Maybe not this 4 Commission, futures Commissions will get those petitions 5 if something has gone wrong. And it will get corrected. 6 It's an ongoing process there.</p> <p>7 As we do things, it has impact on that 8 financial service environment. And that in itself will 9 make for changes that have to take place. So at the end 10 of the day, I'm going to get forward with the process.</p> <p>11 I want to get these proposed rules out to get 12 down to the hard-and-fast situation of making those final 13 rules out there, but even the final rules are not final. 14 You're still going to have an opportunities to make 15 changes. Thank you.</p> <p>16 CHAIRMAN GENSLER: Thank you, Commissioner 17 Dunn. Again, I'm thanking everybody. I was going to 18 turn to the teams. But after we go through each of these 19 -- and I know we have a large agenda and then a comment 20 period in the next three meetings in what might possibly 21 be in January. So, if I can, Commissioner O'Malia, if I 22 can sort of respond.</p>
<p style="text-align: right;">27</p> <p>1 that whole financial industry that we oversee 2 collectively.</p> <p>3 I would like to remind people that rulemaking 4 is much easier than legislating. And that what Congress 5 did when they developed the Administrative Procedure Act 6 -- and in my opinion was one of the best things that 7 Congress has ever done because it set out a process of 8 how we operate -- but regulations are dynamic, they've 9 not static.</p> <p>10 And we are going to make mistakes in what we 11 come up with. We can't do anything with this magnitude, 12 but we have the luxury under that Administrative Act for 13 people to petition us to change those regulations if we 14 do get them wrong. I'm not saying we will get it all 15 wrong. I hope we're fine. We're 99 percent there, but 16 getting that legal certainty out there, letting people 17 get on to understand what the rules are so they can 18 continue in their business. And, in my opinion, is 19 extremely important as we go through this uncertainty 20 that has surrounded the financial industry in these last 21 couple of years.</p> <p>22 And so there are a lot of warps as we go</p>	<p style="text-align: right;">29</p> <p>1 I think we chatted privately. I think we're 2 pretty much aligned, maybe with one exception in there. 3 But if we can do that whole scheduling part at the end 4 after we do everything, if that's all right.</p> <p>5 I'd like to now begin with a presentation and 6 discussion on a notice of proposed rulemaking and 7 advanced notice proposed rulemaking. And I will leave it 8 to the team here in front of me to how you discuss both. 9 But we will have to have two votes and two motions and 10 things like that.</p> <p>11 But what's really being discussed here is 12 with regard to the protection of customer funds, whether 13 it's in the customized or bilateral world where you're in 14 a swap dealer holding those funds, or margins that might 15 be posted, and how that's protecting segregation and 16 bankruptcy, or where we're going to be asking further 17 public input in this advanced notice. And hopefully, or 18 at least staff is recommending it going to clear spots.</p> <p>19 Ananda Radhakishnan runs our Division of 20 Clearing and Intermediary Oversight. Bob Wasserman, the 21 ever present member of the team. But he is the team 22 leader of the segregation and bankruptcy. Martin White,</p>

<p style="text-align: right;">30</p> <p>1 from the Office of General Counsel, who has researched 2 not only 85-3, but all sorts of matters on clearing back 3 to 1938. I've been reading some of your memos, Martin. 4 And then Dan Berkovitz, our general counsel. So I will 5 hand it over to you. 6 MR. WASSERMAN: Thank you, Mr. Chairman. I'm 7 Bob Wasserman of the Division of Clearing and 8 Intermediary Oversight. As mentioned, I'm the lead for 9 the segregation and bankruptcy team. 10 I would like to express my appreciation to 11 all of other members of the team. Martin White, sitting 12 next to the Office of General Counsel. My DCIO 13 colleagues, Nancy, Jennifer Bower, and John DeBorg. And 14 from the Office of Chief Economist, Dave Griffin and Todd 15 Burns. 16 I'm presenting two documents today. A notice 17 of proposed rulemaking concerning protection of 18 collateral of counterparties to unclear swaps, which also 19 addresses a number of housekeeping matters that I will 20 describe later. And then an advanced notice of proposed 21 rulemaking and a request for comment concerning 22 protection of cleared swap customers before and after</p>	<p style="text-align: right;">32</p> <p>1 elects segregation or not. 2 In order to enhance the likelihood that this 3 important decision will be addressed at an appropriate 4 level, proposed regulation 23.6-01 requires that notice 5 be delivered to the risk officer of a counterparty, or, 6 if there is no such officer, to the CEO, or the highest 7 level decision-maker of the counterparty. 8 And while the statute may be read to require 9 such notification at the beginning of each swap, the Rule 10 provides that notification particular counterparty by a 11 particular swap dealer or MSP need only be made once in 12 the calendar year. 13 The counterparty may change its election at 14 any time upon delivery of written notice. But that 15 change would only be effective with respect to swaps 16 entered into between the parties after the delivery of 17 that notice. 18 Now, the statute says that this right does 19 not apply to variation margin. Accordingly, regulation 20 23.600 defines both variation and initial margin 21 delineated between the two based on time. Variation 22 margin covers current exposure arising from past changes</p>
<p style="text-align: right;">31</p> <p>1 commodity broker bankruptcies with respect to the notice 2 of proposed rulemaking concerning protection of 3 collateral counterparties to uncleared swaps. 4 In Section 724(c) of Dodd-Frank, which is 5 codified as new section 4s(1) of the Commodity Exchange 6 Act, Congress enacted Divisions to require swap dealers 7 and major swap participants to notify their 8 counterparties of what the statute described as a right 9 to require segregation of property margining the 10 obligations of their counterparties. 11 Use of the term "right" to describe what 12 would otherwise be a term for commercial negotiation 13 suggests that Congress thought that segregation of margin 14 is important. However, the terms of the statute make it 15 clear that a counterparty may elect to require 16 segregation, but also may elect not to require 17 segregation. 18 For example, Section 4s(l)(4) deals with 19 reporting requirements where a counterparty does not 20 choose to require segregation. Moreover, I've seen no 21 appendix in a statute to a swap that are offering 22 different terms depending upon whether the counterparty</p>	<p style="text-align: right;">33</p> <p>1 in the market value of a position, while an initial 2 margin is based on anticipation exposure to future 3 changes in the value of a swap. 4 Regulation sets forth requirements where the 5 counterparty elect to segregate. Proposed regulation 6 23.602 would require that initial margin be segregated to 7 the custodian that is independent of both the swap dealer 8 or major swap participate and the counterparty; although 9 an affiliate by either party would be eligible under the 10 proposed regulation. 11 The Rules for proposed leave the choice of 12 independent negotiation between the parties, but we 13 explicitly ask for comment on both one party or the other 14 should be granted that choice. If so, what criteria 15 should be applied. 16 Regulation 23.602 also sets forth 17 requirements for the custody agreement. The agreement 18 must be in writing and must include the custodian as a 19 party. 20 The regulation also requires clarity in the 21 agreement concerning when either party may have gained 22 control over the margin in accordance of the agreement</p>

<p style="text-align: right;">34</p> <p>1 between the parties in order to avoid the expense of a 2 time consuming interpleader proceeding, which is what 3 would happen if the custodian was faced with a situation 4 where there is no clear answer. 5 It also requires that the turnover of control 6 must happen with the statement in writing with an 7 authorized representative of a party seeking such control 8 made under penalty of perjury. 9 Regulation 23.603 governs investment for 10 segregation collateral, limiting such investments to 11 those permitted under regulation 1.25, which is the 12 standard Commission applied to customer funds posted as 13 collateral for exchange of trading futures; I should note 14 that the regulation we're discussing here only governs 15 investments of margin statutes and is posted by a 16 counterparty and does not govern what collateral is 17 eligible to be posted at such margin. 18 As required by the statute, the regulation 19 implies that a swap dealer and counterparty may enter 20 into any commercial arrangement in writing regarding the 21 investment of segregated initial margin, and the related 22 allocation of gains and losses resulting from that</p>	<p style="text-align: right;">36</p> <p>1 I would now like to turn to the advanced 2 notice of proposed rulemaking and request for comment 3 concerning protection of cleared swaps customers before 4 and after commodity broker bankruptcies. 5 CHAIRMAN GENSLER: I would just ask -- it's 6 up to you, but since we're going to vote on them 7 separately, do you want to take them separately? 8 MR. WASSERMAN: That would be great. 9 CHAIRMAN GENSLER: I think I will entertain a 10 motion on staff redaction on the Notice of Proposed 11 Rulemaking on Segregation and Bankruptcy Matters for 12 Uncleared Swaps. 13 COMMISSIONER DUNN: So moved. 14 COMMISSIONER SOMMERS: Second. 15 CHAIRMAN GENSLER: Having been moved and 16 seconded, we will talk about it a little bit. 17 I support the proposed rulemaking concerning 18 protection of collateral to counterparties to these 19 uncleared swaps. 20 I think the proposal does include important 21 protections for end users when entering into bilateral or 22 what I'll call "customized swaps." The proposal follows</p>
<p style="text-align: right;">35</p> <p>1 investment. The proposed effective date for those rules 2 is six months after promulgation of final rules. And we 3 request comment as to whether that period is sufficient. 4 This notice of proposed rulemaking address 5 two housekeeping matters: First, Section 713(c) of 6 Dodd-Frank requires the Commission to exercise its 7 authority to ensure that securities held in a portfolio 8 margin account carried as a futures account are customer 9 property. And that the owners of those accounts are 10 customers for purposes of the commodities brokers 11 revisions of the Bankruptcy Code. 12 This provision is implemented through 13 amendments to Part 190, the Commission's bankruptcy 14 regulations concerning the definition of customer and 15 customer property. 16 Second, and outside of Dodd-Frank, the 17 Statutory Time-Periods Amendments Act of 2009 changed, 18 among other things, one of time period in the commodity 19 broker section of Bankruptcy Code from five business days 20 to seven calendar days. This rulemaking changes the 21 Commission's Part 190 bankruptcy regulations to conform 22 to that change.</p>	<p style="text-align: right;">37</p> <p>1 in congressional directions and allow end users to have a 2 choice, if they so decide to have it segregated, the 3 initial margin is segregated and posted with a 4 third-party custodian. 5 I think these are important protections for 6 users of swaps, whether they be corporations, whether 7 they be pension funds, whether they be asset managers. 8 The proposal includes also the necessary 9 housekeeping details that Bob Wasserman also kindly took 10 us through Section 190 and other parts with regard to 11 that. So I'm just going to say that I support it, but I 12 don't have any questions for you. Commissioner Dunn? 13 COMMISSIONER DUNN: Mr. Chairman, I have no 14 question on this, as well. I just want to point out that 15 both this and the Advanced Notice for Proposed Rulemaking 16 were the subject of roundtable meeting that the staff had 17 at the request of the Commissioners. 18 And I think it vastly improved both pieces 19 of the regulation that we're looking at today. And in 20 that same vein, I would support Commissioner O'Malia's 21 request for a roundtable meeting on other issues. 22 CHAIRMAN GENSLER: Although I said I would</p>

<p style="text-align: right;">38</p> <p>1 reserve earlier until later, I think I've told each of 2 you probably privately I support this capital margin 3 roundtable. Commissioner Sommers? 4 COMMISSIONER SOMMERS: I don't have any 5 questions. 6 CHAIRMAN GENSLER: Commissioner Chilton? 7 COMMISSIONER CHILTON: Thank you all for your 8 work. This was a tough one. We got one letter from 9 these comment letters that talks about these tri-party 10 agreements. I'm just going to quote from the letter: 11 "This Commission should seek the views of the 12 bilateral participants on the use tri-party custody 13 arrangement for the judicial of variation margin to 14 mitigate risks in the swaps market and the effect on 15 their participation of the cleared swaps market if 16 they're not permitted to use tri-party custody 17 agreements, as is common in the open counter market." 18 Can you discuss whether or not this rule 19 impacts that, or whether or not this would forestall 20 anything with regard to that in the future? 21 MR. WASSERMAN: It certainly would not 22 forestall anything. Actually, what it does is with</p>	<p style="text-align: right;">40</p> <p>1 COMMISSIONER CHILTON: Okay. And there is 2 nothing, if the Commission at some point decided to do 3 something else, we wouldn't be forestalled? 4 There's enough language here to hook it that 5 you wouldn't be coming to us and saying: You know that 6 thing that you asked, it might be a good idea, but we 7 can't do it because of how we wrote the proposal. We 8 retain flexibility in this rule if we want to do 9 something. 10 And I'm not suggesting where we'd come up 11 from where I am, but I want to make sure we're 12 forestalling something. 13 MR. RADHAKISHNAN: Yes, we're not 14 forestalling. We don't allow the use of tri-party 15 custody agreements in clear context because the concern 16 is the FCM must have an unfeathered right to customer 17 margin and it would have a third party involved. 18 The bank can say no. Somebody can slap an 19 order on the bank saying don't release the money. And 20 that's why we're very uncomfortable with tri-party 21 agreements. 22 The concern is anytime the FCM needs to get</p>
<p style="text-align: right;">39</p> <p>1 respect to the initial -- 2 COMMISSIONER CHILTON: Different rule? 3 MR. WASSERMAN: I'm sorry? 4 COMMISSIONER CHILTON: It would be in a 5 different rule or a different proposal, perhaps? Would 6 it be in a different proposal? 7 MR. WASSERMAN: No. Actually, what this 8 proposal does with respect to the initial margin is that 9 it provides, as the statute requires, that the customer 10 -- excuse me-- that the counterparty, rather, be given 11 the right to elect whether to require segregation or not. 12 If they elect to require segregation, it 13 requires a tri-party agreement between the counterparty, 14 the swap dealer, and the custodian. 15 Now, the statute was very clear that this 16 right only applies, as a right, applies only to initial 17 margin. And so it does not grant the right for variation 18 margin because that's what Congress decided. 19 Having said that, if the parties decide to 20 also segregate variation margin, they could put that in 21 same account with the initial margin, and the proposed 22 regulation explicitly permits that.</p>	<p style="text-align: right;">41</p> <p>1 customer margin paid to the clearing house, it should be 2 unfeathered. I think that's what they're talking about. 3 COMMISSIONER CHILTON. Thank you both. 4 CHAIRMAN GENSLER: But your answer was 5 unclear in bilateral -- 6 MR. RADHAKISHNAN: Bilateral. That's right. 7 We allow that. 8 CHAIRMAN GENSLER: Thank you, Commissioner 9 Chilton. Not hearing any further questions, I will, I 10 guess, call the voice vote. All those in fair say "Aye." 11 (Chorus of Ayes.) 12 CHAIRMAN GENSLER: Any opposed? None. The 13 ayes appearing to have it. They ayes have it. 14 Bob, if you want to chat about the advanced 15 notice. 16 MR. WASSERMAN: Thank you. Yes. Section 17 724(a) of Dodd-Frank Act requires segregation of swaps 18 customer fund in a clearing environment. And 724(b) 19 addresses the bankruptcy treatment of cleared swaps. To 20 implement these provision, the Commission will ultimately 21 need to propose regulations. 22 What makes this issue tricky is something</p>

<p style="text-align: right;">42</p> <p>1 that can be described as fellow customer risk.</p> <p>2 Under the futures model for protection, the</p> <p>3 futures customer --</p> <p>4 CHAIRMAN GENSLER: Is that fellow customer</p> <p>5 risk?</p> <p>6 MR. WASSERMAN: Yes. Under the futures model</p> <p>7 of futures customer fund that has been used for decades,</p> <p>8 customer funds are protected on an omnibus basis.</p> <p>9 Customer assets are segregated from the FCM's own assets</p> <p>10 and liabilities, and the creditor cannot attached</p> <p>11 customer funds.</p> <p>12 However, FCMs post-collateral to clearing</p> <p>13 organization on an omnibus basis, that is clearing house</p> <p>14 will have one account for all an FCMs futures customers,</p> <p>15 and a clearing house legally has no knowledge of or</p> <p>16 relationship to any individual futures customer than they</p> <p>17 act now -- a practical basis have such knowledge for risk</p> <p>18 mismanagement purposes, but on a legal basis they have no</p> <p>19 such knowledge.</p> <p>20 If a customer defaults to the FCM with</p> <p>21 respect to the losses on futures contracts, it is the</p> <p>22 responsibility of the FCM to make good of the loss from</p>	<p style="text-align: right;">44</p> <p>1 Some swaps customer, many of whom are used</p> <p>2 to successfully negotiating the segregation of collateral</p> <p>3 they currently post for uncleared swaps as mentioned are</p> <p>4 concerned then the cleared swaps environment, they will</p> <p>5 be exposed to those risks posed by their fellow</p> <p>6 customers. They note they will be required to clear many</p> <p>7 swaps and ask why they should be exposed to a new risk,</p> <p>8 which is largely out of their control as part of that</p> <p>9 move to clearing.</p> <p>10 Firms in clearing organization express</p> <p>11 concerns about the costs to protect customers</p> <p>12 individually. They note that certain models individual</p> <p>13 customer protection have extremely high administrative</p> <p>14 cost in terms of day-to-day compliance. And others</p> <p>15 create significant costs due to changes in the risk</p> <p>16 environment. And some of those costs and some of those</p> <p>17 concerns have also been expressed by customers.</p> <p>18 As to that misenvironmental clearing</p> <p>19 organization use a variety of resources in addressing</p> <p>20 potential FCMs arising from a members customer account.</p> <p>21 These resources, which are frequently referred to as a</p> <p>22 "waterfall," typically include an order to the property</p>
<p style="text-align: right;">43</p> <p>1 its own capital to avoid permitting the funds of one</p> <p>2 futures customer being used to margin another customer's</p> <p>3 contracts. And, in fact, every day it defaults by</p> <p>4 customer FCMs, which are made good by the FCM.</p> <p>5 However, if a customer loss exceeds FCM's</p> <p>6 available capital, then FCM will default for clearing</p> <p>7 organization. So the clearing house will use all of the</p> <p>8 collateral posted by the FCM on behalf of its customers,</p> <p>9 including collateral attributable in fact to</p> <p>10 non-defaulting customers.</p> <p>11 In the commodity broker bankruptcy, that</p> <p>12 would follow all of the FCMs futures customers, not just</p> <p>13 those who may have been dealing with contracts cleared by</p> <p>14 that clearing house, but all of those customers would</p> <p>15 share proportionately in those losses.</p> <p>16 And, as has been discussed, we've had</p> <p>17 extensive consultations with a variety of stakeholders on</p> <p>18 these issues, including customers, futures commission</p> <p>19 merchants, and derivatives clearing organizations.</p> <p>20 These consultations took place at bilateral</p> <p>21 meetings reflected on the Commissioner's website and at</p> <p>22 the October 22nd staff roundtable.</p>	<p style="text-align: right;">45</p> <p>1 of a defaulting member, a margin posted on behalf of all</p> <p>2 of that members customers, a portion of capital of the</p> <p>3 derivatives clearing organization, and default fund</p> <p>4 contributions of other members of the derivatives</p> <p>5 clearing organization.</p> <p>6 If the collateral of non-defaulting swaps</p> <p>7 customers of an FCM is not available as default</p> <p>8 resources, clearing organization will need to change</p> <p>9 their models for sizing their default waterfalls and for</p> <p>10 the size of the components of those default waterfalls.</p> <p>11 One means to do this would be to increase margin level.</p> <p>12 And at the roundtable, one clearing</p> <p>13 organization estimated it might need to increase</p> <p>14 collateral from a 99 percent confidence level, to 99.99</p> <p>15 percent confident level, which would cause an increase in</p> <p>16 required collateral for each customer of approximately 60</p> <p>17 percent.</p> <p>18 Those increases and required margin levels</p> <p>19 would be passed on to customers as a FCM's required</p> <p>20 collect margin from a customer at a level no less than a</p> <p>21 margin a clearing house collects from the members.</p> <p>22 An alternative approach to meeting this</p>

<p style="text-align: right;">46</p> <p>1 challenge would be to increase clearing members default 2 fund contributions. FCM's note, however, if they're 3 required to permit added capital by making these default 4 fund contributions, they would pass those costs on to 5 customers. 6 As I said, come customers have expressed 7 concerns about these costs, as well. We've heard a 8 number of fairly rough estimates of these costs, but have 9 not yet obtained from anyone a really thorough, detailed 10 analysis. 11 The staff is accordingly recommending that 12 the Commission publish an advanced notice of proposed 13 rulemaking to request for comment to obtain information 14 that we in the Commission can use to analyze these very 15 important issues of costs. 16 The proposed notice suggests four models for 17 customer production: Existing futures omnibus model has 18 three alternatives. We ask a detailed set of questions 19 endeavoring to tease out the details of costs of each 20 model relative to that existing omnibus model. 21 The first alternative model we described is 22 full, physical segregation where each customer's property</p>	<p style="text-align: right;">48</p> <p>1 resource. However, clearing organizations would be 2 required first to apply its own contribution to default 3 resources and the entire guarantee fund contributions of 4 non-defaulting members. And so the customers would 5 essentially be moved from more of the front-line 6 exposure, to the very much the end-of-the-line exposure. 7 That model would leave the collateral on 8 non-defaulting customers, someone at risk, but only in 9 the most extreme of circumstances that is in a default 10 which consumes the entire guarantee fund. That, however, 11 permitting the contributions of non-defaulting customers 12 to remain as part of the available resources may result 13 in minimizing the risk costs. 14 We then have a detailed set of questions 15 addressed to each SEG holder group seeking comment on the 16 cost of each alternative model compared to the futures 17 omnibus model. 18 First, we asked customers about costs and 19 benefits from their perspective. 20 Next, we asked firms about the differences in 21 their activities that would result from each model, that 22 estimates in initial and analyzed ongoing costs for those</p>
<p style="text-align: right;">47</p> <p>1 would be kept separate and treated separately from every 2 other customer property at each level of the process at 3 the FCM, at the clearing organization, and in each 4 depository. 5 The second alternative model is legal 6 segregation with commingling. In this model, the 7 collateral of all customers can be kept on an omnibus 8 basis, but will be attributed to each customer based on 9 the collateral requirement set by the clearing house for 10 that customer's positions. 11 The staff believes that this model 12 significantly reduces administrative costs, but may well 13 involve risk costs; and I should note while that is the 14 what staff believes, again our hope is go get more 15 detailed comments from the folks out there in the 16 industry to essentially tail the costs. 17 The third alternative can be referred to as 18 moving customers to the back of the waterfall. This 19 model is similar to the second model in that customers 20 are treated individually, but it's different in that 21 clearing organization may continue to rely on remaining 22 collateral of the non-defaulting customers as a default</p>	<p style="text-align: right;">49</p> <p>1 incremental activities, and about how those estimates 2 could be applied industry-wide. 3 We asked about implemental costs and changes 4 in the risk environment, whether those costs are the same 5 for each member or a function activity level, and how 6 those estimates can be applied industry-wide. 7 Then, we asked clearing organizations about 8 their implemental activities and costs and for their 9 views on how costs would changes for their members. In 10 particular, we asked about changes to their default 11 management structure, and the costs imposed by those 12 changes on the clearing organization and on its members. 13 We asked all commentators for comments on 14 optional models. That is models where customer choose on 15 omnibus collateral protection, or individual collateral 16 protection. How could costs be attributed to and charged 17 to customers locked in. How could those payments be used 18 to address those costs. In particular, how much costs 19 would be avoidable in an optional model. And what 20 changes would we need to make in our bankruptcy approach 21 to accommodate an optional model. 22 We also asked questions about how customers</p>

<p style="text-align: right;">50</p> <p>1 can under the base model -- this is a suggestion a number 2 of members made -- how can customers risk manage their 3 FCMs. That is provide market discipline by doing 4 business with FCMs that pose less risk. Also, to what 5 extent would each alternative model reach moral hazard 6 concerns. Also, what information would each customer 7 need to effectively manage the risk posed by fellow 8 customers. What is or would be the costs for a customer 9 to conduct this risk management, and how does that costs 10 translate to the industry as a whole.</p> <p>11 We hope the commentators will provide 12 detailed answers to these questions. And I would like to 13 thank you for the opportunity to describe these releases.</p> <p>14 CHAIRMAN GENSLER: Thank you, Bob. Do I hear 15 a motion to staff recommendation to publish an Advanced 16 Notice of Proposed Rulemaking on Cleared Segregation?</p> <p>17 COMMISSIONER DUNN: So moved. 18 COMMISSIONER SOMMERS: Second. 19 CHAIRMAN GENSLER: And now I'll be chatting 20 about it, but I think the first thing I was going to do 21 is to ask unanimous consent to take up Commissioner 22 O'Malia's suggestion including 85-3 with a short question</p>	<p style="text-align: right;">52</p> <p>1 asset managers, who I think generally, not always, but 2 generally would like more individual protections. We 3 heard from futures commission merchants and clearing 4 houses that generally, not always, have ventured to other 5 side.</p> <p>6 I think this a very complicated matter. And 7 I'm very pleased we will move forward and have an 8 advanced notice for proposed rulemaking and hearing from 9 the public.</p> <p>10 I just want to the ask you two questions, 11 though. And I'm glad Commissioner O'Malia suggested 12 85-3. But I have a question probably for general 13 counsel, but anyone at the table.</p> <p>14 I understand that statutory provisions for 15 swaps clearing are almost the same as in futures 16 clearing, but have a difference. If you could just 17 describe the difference between the statutory provision 18 and the two? And it might be slight, but maybe you can 19 help us out.</p> <p>20 MR. BERKOVITZ: That's correct, Mr. Chairman. 21 The statutory provision governing the clearing and 22 futures contract which has been in the statute since --</p>
<p style="text-align: right;">51</p> <p>1 so it would add a question. I will just roughly read it. 2 But that we'd ask for commentator view on 85-3, how it 3 should inform the rulemaking on this. I don't know what 4 you call this topic, but the rulemaking on swap 5 segregation.</p> <p>6 COMMISSIONER O'MALIA: I really appreciate 7 you're allowing us to that, and I support it.</p> <p>8 CHAIRMAN GENSLER: So a unanimous consent. 9 Not hearing any objection, or are there any objections? 10 Not hearing any objection at this time, it is now passed 11 by unanimous consent.</p> <p>12 I support the advanced notice of proposed 13 rulemaking concerning protection of collateral to have 14 customer funds. I will have a couple of questions, but 15 let me say why I support it.</p> <p>16 I think there has been much public input on 17 this. And I do thank the public and the staff for 18 holding this really very good roundtable in October. I 19 think it's appropriate to formalized and get this public 20 comment in a file in and a way to solicit input. And I'm 21 hopeful this input comes from broad spectrum. 22 We've heard from a lot of pension funds and</p>	<p style="text-align: right;">53</p> <p>1 the original provisions were in the Commodities Exchange 2 Act. But the provision, I will quote, was in the 1968 3 Amendments and 4d(b) of the Commodity Exchange Act, which 4 basically states:</p> <p>5 "It shall be unlawful for any person, 6 including, but not limited to any clearing organization 7 that has received margin funds that is held in a 8 segregated account to hold, dispose of, or use any such 9 monies, securities, or property as belonging to the 10 depositing futures commission merchant or any person 11 other than the customers of such futures commission 12 merchants."</p> <p>13 So you can't use the customer money deposited 14 in these accounts belonging to the FCM or any such person 15 other than the customer of such futures.</p> <p>16 CHAIRMAN GENSLER: So that is what's in our 17 current law that's added by statute in 1968 and that for 18 futures?</p> <p>19 MR. BERKOVITZ: That's correct. 20 CHAIRMAN GENSLER: What is it for swaps? 21 MR. BERKOVITZ: For swaps, Dodd-Frank added 22 to the Commodities Exchange Act 4d(f)(6), Which is</p>

<p style="text-align: right;">54</p> <p>1 virtually identical to the futures provision. But the 2 final clause relevant here prohibits the use of those 3 similar, those funds by similar persons, or treating it 4 as belonging to the depositing futures commission 5 merchant or any person other than the swaps customer for 6 the futures commission merchant. 7 So it refers to the swaps customer in the 8 singular, the provision added by Dodd-Frank. But the 9 existing provision in the Commodities Exchange Act refer 10 to swaps customers in plura. The difference between 11 singular and plural the word "customer." 12 CHAIRMAN GENSLER: So largely the same, but 13 in the swaps world, in the futures world in the 1968 14 provision talks about segregation and protection of the 15 customers with an "s," and then swaps customer without an 16 "s"? 17 MR. BERKOVITZ: Correct. 18 CHAIRMAN GENSLER: I'm assuming we will hear 19 some comments through the advanced notice of proposed 20 rulemaking on that. 21 My other question is: As I understand it, 22 maybe way back from the 1930s, funds are not supposed to</p>	<p style="text-align: right;">56</p> <p>1 diligently look at them. And I rather expect we may try 2 to do follow up, depending upon the clarity of the 3 comment, depending upon the question the comments, 4 themselves. Raise. 5 And I would expect within a period of, I will 6 guess a month -- that's probably about as much I will be 7 able to get -- to essentially do follow up. And 8 essentially try to study this issue so that we can 9 essentially move to a recommended proposal. 10 COMMISSIONER DUNN: I'm sorry, I had an angel 11 talking over my shoulder. There was talk about getting 12 some type of a study ongoing through. And this is in 13 lieu of that study, I guess. But you don't envision 14 staff doing any study or doing any peer review or things 15 like that? 16 MR. RADHAKISHNAN: We could do a study, but 17 it would have to be quick because we had to propose a new 18 rule for clearing swaps. Right now there is no rule on 19 clearing swaps, so it would have to be a very aggressive 20 study. 21 COMMISSIONER DUNN: It then occurs to me that 22 for us to get one of the models that makes the most sense</p>
<p style="text-align: right;">55</p> <p>1 commingled except for convenience. Can you tell me what 2 you think the word "convenience" means? And I promise 3 that's my last question. 4 MR. BERKOVITZ: Generally, the Commission has 5 interpreted the word "convenience" generally to mean for 6 administrative convenience. How to keep track of these 7 funds for accounting administrative convenience. 8 CHAIRMAN GENSLER: Commissioner Dunn? 9 COMMISSIONER DUNN: So it does not mean the 10 convenience of the customer? 11 MR. BERKOVITZ: And the convenience of the 12 FCM. 13 COMMISSIONER DUNN: Just one quick question 14 on the timing of this because this is an ANPR, and you're 15 now four different models, and you're asking for 45 days, 16 folks to comment on those models. 17 What do you envision as staff reviewing those 18 and the timing of coming out with the proposed 19 regulation, if that's what we end up at the end of the 20 day would be? 21 MR. WASSERMAN: I expect that when we get 22 these comments in, we are going to very quickly and</p>	<p style="text-align: right;">57</p> <p>1 for all individuals involved, that comments that are 2 jointly submitted then by a number of different entities 3 that have a dog in the fight may go a long way in giving 4 us the direction we might be going to. 5 MR. RADHAKISHNAN: That might be the case. 6 If you look at a roundtable, the firms and DCOs are 7 pretty much on one side. And some of the MFAs were on 8 the side individual SEG. 9 Black Rock is an individual SEG and some of 10 the mutual funds are on the side of the individual SEG. 11 So it's basically you've got a group of people who want 12 an individual SEG. And the industry right now is saying, 13 you know, it's going to be considered costly and so and 14 so. 15 And I guess the issue at the end of day is 16 you cannot do it just for swaps and not do it for 17 futures. You have to change all the systems. It doesn't 18 make any sense. So, practicably if the industry is going 19 to change it, you'll have to change it for both swaps. 20 COMMISSIONER DUNN: My point being, that if 21 those various interest groups could get together during 22 that 45-day period and say here is a solution, a firm</p>

<p style="text-align: right;">58</p> <p>1 solution; although it doesn't give everybody 100 percent 2 what they want, staff would look favorable on that? 3 MR. RADHAKISHNAN: Absolutely. I think if 4 the industry came up with a solution jointly, I think 5 certainly we would look upon that, assuming that it would 6 make sense. 7 The other thing we have to consider in 8 bankruptcy, depending on what they propose, staff may 9 have to propose further amendments to our bankruptcy 10 rule, assuming it doesn't conflict with the Code. 11 Let's assume that, if it does not conflict 12 with the Code, then staff may have to propose changes to 13 our bankruptcy rule. But that should not be. 14 COMMISSIONER DUNN: Thank you. 15 CHAIRMAN GENSLER: Before I turn to 16 Commissioner Sommers, I just have one follow up. 17 On the timing, if we run 45-days, and it does 18 -- I should say for the public and the press -- it takes 19 a little while to get things in the Federal Register. It 20 doesn't happen overnight. We have Thanksgiving. This 21 might not even be in the Federal Register until after 22 Thanksgiving, if I envision how this works, with how the</p>	<p style="text-align: right;">60</p> <p>1 CHAIRMAN GENSLER: And the other thing, 2 Ananda, while you did express an interesting, helpful 3 perspective, there is a difference in the statute by one 4 "s." 5 MR. RADHAKISHNAN: That is absolutely 6 correct. 7 CHAIRMAN GENSLER: As I can assure the 8 public, the general counsel's office has done research 9 back to the 1930s. It's been very helpful. I'm glad 10 we're putting this 85-3 in. I almost want to put the 11 general counsel's memo on the website. 12 Dan, you can think about that. I mean, it's 13 quite a tour de force on legislative history. 14 Commissioner Sommers? 15 COMMISSIONER SOMMERS: Thank you, Mr. 16 Chairman. I guess I would start by saying, although I'm 17 not opposing the ANPR, it's not my preferred path. I 18 think at least one of the options that we've included in 19 this proposal is somewhat unacceptable at this point. 20 I associate myself with Commissioner Dunn's 21 comments on the study and how important I think it would 22 be for the industry or economists to do a study with</p>
<p style="text-align: right;">59</p> <p>1 folks over at the Federal Register. So this comment 2 period will run well into January. 3 If you take so time to review it, we're 4 probably looking at a proposal in the latter part of 5 February. But I personally believe that we have to sort 6 of give guidance on this if clearing houses are going to 7 be up and running in the next summer and fall, that we 8 have to finalize all of this. 9 So I think the public debate has been 10 helpful. But at some point, the five of us are going to 11 have to decide. It may well be that we end up exactly 12 the way it is in the futures world, currently. Or, we 13 might propose something that moves toward the direction 14 of better SEG. I just think this is important, it's a 15 good process, but at some point, the five of us, with 16 staff's help, we will have to make a recommendation and a 17 proposal. I think that's really critical part to this. 18 I don't know. Ananda, if you wanted to -- 19 MR. RADHAKISHNAN: No. That's absolutely 20 correct, Mr. Chairman. I submit the earlier we do that 21 the better. I think then everybody knows what the 22 situation is.</p>	<p style="text-align: right;">61</p> <p>1 regard to feasibility of individual segregation. 2 I understand there are questions about it, 3 and part of the industry, it's the way they do business, 4 and that's important for them to protect. But at this 5 point, for us, I just don't know how we can move forward 6 with that particular option. Yet, it's an option in this 7 ANPR. 8 So I look forward to the public's comments. 9 I guess I would suggest that 45 days is probably not 10 enough for the industry to pull together some kind of 11 study that would be timely enough for us to be able to 12 consider before we end up proposed a ruling or finalizing 13 a ruling in this area, but I'm not sure it precludes us 14 from going down that path in the future. 15 If we can find that these are issues that we 16 had not considered with regard to individual segregation, 17 that by proposing the futures style, segregation per 18 swaps doesn't preclude us from in the future choosing 19 another path, whether it's for both futures and swaps or 20 for swaps separately. 21 And I guess I would also be remiss if I 22 didn't say that I think Congress would have been a little</p>

<p style="text-align: right;">62</p> <p>1 more direct in their statutory language if they expected 2 us to treat these two separately.</p> <p>3 CHAIRMAN GENSLER: Thank you, Commissioner 4 Sommers. Commissioner Chilton?</p> <p>5 COMMISSIONER CHILTON: I agree. Some more 6 information would be helpful so when people tell us about 7 the cost, I'd like not just to know they think it's going 8 to mean "X," but how they got there. It's not too 9 helpful. We've already got a lot of that. It's not 10 going to cost a lot, or it's going to cost a whole bunch. 11 It doesn't help us much if we just get a number.</p> <p>12 CHAIRMAN GENSLER: Do you want to comment on 13 that?</p> <p>14 MR. WASSERMAN: Yes. We asked a lot of very 15 detailed questions to tease out not just simply what is 16 the total cost going be, but what are the things you will 17 need to differentiate how much that is going to cost for 18 you. How is it that one extends that to the entire 19 industry.</p> <p>20 And we're asking that really for each of the 21 alternative models compared to the base, and looking at 22 that separately compared to the administrative policy</p>	<p style="text-align: right;">64</p> <p>1 COMMISSIONER O'MALIA: You know how hard it 2 is to ask questions when everybody else has gone before 3 you because Bart just took one of mine, so.</p> <p>4 But part 2 of international question is: I 5 understand the LCH has a system that's similar to the 6 individual SEG. Is that accurate, and does that square 7 with our individual SEG proposal we have? Maybe you can 8 explain any differences or similarities.</p> <p>9 MR. WASSERMAN: LCH has been working on what 10 they call their "FCM model." And they have been looking 11 at for customers, essentially for customer swaps.</p> <p>12 Right now they're not yet doing customer 13 swaps. I believe they are rather just clearing on 14 between members. They have been working towards 15 individual customer protections themselves.</p> <p>16 One of the difficulties in doing that one for 17 clearing house would be the way we currently do it in the 18 futures model. Essentially, you don't identify customers 19 by clearing house, rather. Essentially, the customers 20 have their claims based on their positions across 21 whatever clearing house they are trading with. 22 Whatever money comes back, you look at total</p>
<p style="text-align: right;">63</p> <p>1 versus the risk costs.</p> <p>2 COMMISSIONER CHILTON: Just one other. Which 3 is on the operational commingle, but the separate system. 4 How would that harmonize or not with the international 5 regulatory systems?</p> <p>6 MR. WASSERMAN: I think my understanding is 7 that the European union is currently working to develop 8 some approaches to this. One of the approaches that has 9 have been described to me by some of the European 10 regulators as aspirational is more of an individual 11 customer protection approach.</p> <p>12 Part of it is, I think this sort of customer 13 protection needs to follow the bankruptcy codes in each 14 jurisdiction. And so our bankruptcy codes provide 15 certain opportunities and certain approaches.</p> <p>16 The UK is different and France and Germany, 17 they're all different. And so to get precisely in 18 harmonized approach might be difficult unless we can, at 19 the bankruptcy code level, also get harmonization.</p> <p>20 CHAIRMAN GENSLER: Thank you, Commissioner 21 Chilton. Commissioner O'Malia? And then I will have a 22 follow-up question after Commissioner O'Malia.</p>	<p style="text-align: right;">65</p> <p>1 of claims of each customer, and that's divided pro rata 2 without regard to which clearing house.</p> <p>3 So if we tried to do that, we need to come to 4 you with a way to say: Okay. That is for LCH customer. 5 This is for the CME customers. And if you're both, then 6 we have to figure out how it is we'll allocate your 7 collateral between your LCH claim and your CME claim.</p> <p>8 And so I guess my answer is it might be 9 difficult to do this in a way that says we're going treat 10 customers of one clearing house different than customers 11 who are treating it as a separate one, especially 12 because, in many cases, the same customers will be 13 involved.</p> <p>14 COMMISSIONER O'MALIA: Mr. Chairman, I do 15 appreciate you adding 85-3. This is single-spaced, 405 16 pages. I guess for the benefit of everybody, Dan or 17 Martin, if somebody wants to take a stab at kind of 18 summarizing at what this actually says and why it is 19 relevant to this today.</p> <p>20 CHAIRMAN GENSLER: If I could add. Anything 21 you want to do on that tour de force legislation history, 22 keep it to, you know, so the public can understand it.</p>

<p style="text-align: right;">66</p> <p>1 MR. BERKOVITZ: 85-3 addressed the basic 2 questions that Bob mentioned in his statement and that 3 we've have been talking about: Can derivatives clearing 4 organization clearing agency use all the funds in the 5 segregated account in the event of an FCM default, not 6 just the customer that may have precipitated the default, 7 but all of the customers that were not in default, 85-3 8 concluded that they could.</p> <p>9 And it basically said that the property and 10 that the statute, that statute protects the property of 11 the customers collectively, not singularly. And 12 therefore, the individual customers did not have that 13 individual protection that basically protected customers 14 collectively.</p> <p>15 And it relied upon the fact that the -- 16 typically, these funds were held collectively rather than 17 singularly. That it had been the long-standing industry 18 practice. And so it interpreted the statute to support 19 that practice.</p> <p>20 COMMISSIONER O'MALIA: Okay.</p> <p>21 MR. WASSERMAN: I think I would note a couple 22 of things in the division. As I mentioned before,</p>	<p style="text-align: right;">68</p> <p>1 On the other hand, there is case law that 2 says if Congress says one thing in one place and a 3 different thing in a different place, we do not assume 4 that they just slipped, but we have to assume they meant 5 different things.</p> <p>6 And in this case, the "s" is really what 7 we're all here about. Essentially, it's do you treat 8 customers as a group, or customer individual.</p> <p>9 And so that missing "s" bears the special 10 residence of -- gosh, I don't want to take this too far 11 -- but it bears a special residence in connection with 12 the issue that we're discussion here legally.</p> <p>13 But, on the other hand, I think, very 14 importantly, in addition to those legal issues, the cost 15 is very important. And I'm very hopeful that, as the 16 industry looks at each of these alternatives -- and I 17 certainly guess one of them I think will be very 18 expensive indeed -- but I wanted to, it seems to me, get 19 the full spectrum of alternatives.</p> <p>20 I think some of other alternatives would cost 21 a lot less. And indeed, one of them, I think, I think -- 22 but it's up to the industry to tell us -- would not add</p>
<p style="text-align: right;">67</p> <p>1 clearing houses today and certainly back in 1985 looked 2 at customer collateral on a omnibus basis.</p> <p>3 And one of the things is that, I think back 4 in 1985, both legally and actually, clearing houses did 5 not know the positions of individual customers. And it 6 would have, I think given the technology available now 7 than then, it would have been rather difficult to 8 identify even a daily basis, this is the property of 9 customer 1, customer 2, customer 3.</p> <p>10 And, so one of the interesting questions 11 is: Here we are in 2010 with different technology, is it 12 practicable for clearing houses to know customers 13 positions at an individual level?</p> <p>14 And I think particularly with swaps area, it 15 is not only practicable, but is, in fact, happening today 16 and now.</p> <p>17 And now -- and that might change some of the 18 underpinnings there -- as I think what is mentioned in 19 the memo, there is that "s" which might suggest -- and 20 it's difficult. And you're right, Commissioner Sommers. 21 One would hope that Congress, if they're going to speak, 22 that would speak a bit more clearly.</p>	<p style="text-align: right;">69</p> <p>1 to the total industry cost very much at all, but rather 2 just simply be a risk shift between customers and firms. 3 And then hopefully will be a policy decision, both in 4 terms of looking at the law and looking at the policy, is 5 that risk shift a good way to go.</p> <p>6 CHAIRMAN GENSLER: Go ahead.</p> <p>7 MR. BERKOVITZ: I will just add to what Bob 8 just said. In terms of statutory interpretation, in one 9 of the opinions that we reviewed in terms of another 10 statute when there was a very small difference, Justice 11 O'Connor stated:</p> <p>12 "One must presume that the Congress crafts 13 its statutes as carefully as we craft our judicial 14 opinions."</p> <p>15 MR. WASSERMAN: One other thing I should 16 mention. Back immediately after, later in 1985, the 17 Commission realized that actually we didn't have an "s" 18 in our Rule 120 bid. And the Commission specifically 19 changed it to add that "s" because they felt that without 20 that "s" there was a danger that the clearing house would 21 be looked as having different views. 22 And so arguably there is Commission precedent</p>

<p style="text-align: right;">70</p> <p>1 that the presence or the absence of little "s" does make 2 that kind of a difference. 3 COMMISSIONER O'MALIA: I think we've done 4 this "s" thing. I want to move on to moral hazard. 5 You mentioned that you've asked the questions 6 in the your advanced notice of proposed rulemaking. Of 7 the four proposals that you've outlined, which of those 8 offers, at least, avoid any moral hazard, therefore the 9 reduction the risk at the FCM level? 10 Clearly, Dodd-Frank was clear about 11 increasing our oversight management risk. And I wondered 12 of the four proposals you have, which raise the risk 13 management standards at the FCM level? 14 MR. WASSERMAN: I would say that you can look 15 at this two ways because I think arguably from one 16 perspective, none of them changes our duty, as you 17 mentioned, to look at FCMs who are our registrants. 18 One could argue, that to the extent one 19 reduces customer risk, that customers are less likely to 20 apply market discipline by themselves in choosing FCMs. 21 One of the things that I tried to do is ask some 22 questions saying: Okay. What's the cost of examining</p>	<p style="text-align: right;">72</p> <p>1 together. 2 The clearing houses who are fewer in number, 3 they have been in the business of risk management, they 4 have professional, you know, very excellent staffs. And 5 so, essentially, I would argue they are the best place to 6 do this. 7 And to extent that a number of these 8 alternatives would increase the risks, would put the 9 clearing house own money closer to the front line, that 10 would only incentivize the clearing houses to do an even 11 better job than they are already doing in terms of risk 12 management. 13 MR. RADHAKISHNAN: I guess the issue is who 14 will do risk management, the clearing house or the FCM. 15 COMMISSIONER O'MALIA: Well, shouldn't they 16 all be doing it? 17 MR. RADHAKISHNAN: They should. The question 18 is there going to be a shift. Because one of arguments 19 that we heard, if you have individual say, then the 20 clearing house takes on a bigger responsibility to manage 21 the risk of the customer itself, as opposed to leaving it 22 to the FCM.</p>
<p style="text-align: right;">71</p> <p>1 that? 2 I would note also that right now, today, 3 clearing houses risk manage their member FCMs because, 4 essentially, it is a requirement under our core 5 principles. And it's in the commercial self-interest of 6 a DCO to risk manage its members because a member default 7 would hurt the DCO. 8 I would suggest, in my personal opinion, 9 that the clearing houses who are already doing this, are 10 structurally much better placed to do risk management. 11 For instance, if a customer goes and asks 12 questions about his fellow customers, he's likely to be 13 told, very politely, there's little information we will 14 give you because we will only tell you about you. Your 15 fellow customers are, among other things, they have 16 privacy interests. 17 When the clearing house, which has a 18 supervisory relationship to its members, goes in and asks 19 questions about their risk management and about the risk 20 posed by fellow customers, a clearing house has the 21 authority to demand that information. And, indeed, the 22 answer they would get: Let me get that information</p>	<p style="text-align: right;">73</p> <p>1 So I don't know whether it's true or not, but 2 that's one of the arguments made. I think the firms made 3 an argument, if you have individual SEG and a DCO, then 4 you remove, you remove the incentive for the FCM to do a 5 good job. And there is some truth to that, so. 6 COMMISSIONER O'MALIA: Bob, you mentioned -- 7 CHAIRMAN GENSLER: As long as Bob keeps his 8 answers a little shorter. 9 COMMISSIONER O'MALIA: Bob, you mentioned the 10 customer relationship to the FCM and their desire to seek 11 better risk management or asked about that or what we can 12 ask of them. 13 If we kept the omnibus account structure, how 14 could the FCM swap customer evaluate fellow customers, or 15 at least have a better understanding of where the risk 16 resides at the FCM level? 17 Are there different recording structures that 18 we could see transparency measures that we could impose 19 that would improve, just the overall understanding of how 20 diversive clearing or a FCM might be or what risk 21 management procedures are using that might give customers 22 greater confidence?</p>

<p style="text-align: right;">74</p> <p>1 MR. RADHAKISHNAN: I think it's very 2 difficult for a customer to truly evaluate the risk that 3 other customers pose. Because as Bob pointed out, no FCM 4 will disclose information with other customers. 5 As with now, the FCM -- the customer is only 6 left with finding out from the FCM what its risk 7 management practices are. 8 I don't know of a way in which we can make it 9 easier short of the FCM saying: Well, this is risk 10 profile without giving specific information on its other 11 customers, saying that is the risk profile that I have, 12 and this is risk management technique that I have. But, 13 short of that, I don't see how we can enforce it. 14 COMMISSIONER O'MALIA: Can you elaborate what 15 can be done in this rulemaking to improve the 16 transparency of FCM management, if anything? 17 MR. RADHAKISHNAN: The advanced notice, no. 18 CHAIRMAN GENSLER: I did say I have a 19 question I'm going to ask Ananda. In the futures world, 20 what does somebody do, a pension fund, asset manager, 21 maybe hedge fund do if they're concerned about this 22 fellows customer risk? And does that sometimes include</p>	<p style="text-align: right;">76</p> <p>1 helping in writing them -- on participate eligibility. 2 It strikes me in the futures world, it's very 3 inclusive, all 120 or so futures commission merchants 4 participate. And I think that that gives them the buy 5 side more opportunity to sort of -- you know, they can 6 pick amongst 120 futures commission merchants. 7 The swaps world today has been more 8 concentrated, fewer members. So I think there's a 9 related issue here when we take up those proposed rules. 10 MR. RADHAKISHNAN: Not all FCMs are clearing 11 members. But you're right, there 60-70 clearing FCMs, so 12 customer have the opportunity to decide where they want 13 to go. 14 The other thing is the Commission publishes a 15 monthly report on the capital FCMs, both the requirement 16 and how much they have, and how much fund that have in 17 segregation. So people have an opportunity to look at 18 that report, as well. 19 CHAIRMAN GENSLER: Part of the reason I 20 raised this, I'm trying to speak to those who really want 21 segregation there's other ways that they might be able to 22 seek those protection. I think we have to think through</p>
<p style="text-align: right;">75</p> <p>1 becoming a clear method, themselves, directly? 2 MR. RADHAKISHNAN: That's certainly possible. 3 That's one option. The challenge then would be to one, 4 assemble an infrastructure to be able to clear. 5 CHAIRMAN GENSLER: Do some large hedge funds 6 or assets manager self clear in futures world? 7 MR. RADHAKISHNAN: No. They may describe 8 themselves as a clearing member. 9 CHAIRMAN GENSLER: As a clearing member? 10 MR. RADHAKISHNAN: Not as a clearing member. 11 CHAIRMAN GENSLER: As a clearing member? 12 MR. RADHAKISHNAN: I may be wrong. There are 13 some hedge funds which are a clearing member. I'm not 14 sure if they directly clear. They may go through 15 somebody else to directly clear. I'm not sure. I need 16 to check on that. There may be one or two. That is 17 certainly one option. 18 CHAIRMAN GENSLER: It just strikes me -- and 19 then I'll be done -- it strikes me that another important 20 component of this in the rules we will take up in mid 21 December on the risk management in clearing houses, which 22 will include rules -- John Lawton, I see there will be</p>	<p style="text-align: right;">77</p> <p>1 that participant eligibility because that may be that way 2 to get more competition and broaden the participation of 3 clearing houses on the swap side. I think the futures 4 side has benefited from that. 5 COMMISSIONER O'MALIA: Let me just note you 6 did raise the issue that we do publish monthly a table in 7 which -- 8 MR. RADHAKISHNAN: Yes. 9 COMMISSIONER O'MALIA: But it doesn't make 10 sense. It doesn't give customers the granular that they 11 are looking for in terms of where risk management 12 resides. You and I have talked a little about it. It's 13 a difficult thing. 14 CHAIRMAN GENSLER: Another thing on the 15 to-do list, Ananda. 16 MR. RADHAKISHNAN: Yes. The issue is how 17 much information you can disclose. 18 CHAIRMAN GENSLER: Why don't we just say 19 another after thing to do on the to-do list. 20 Not hearing any further questions, I thought 21 I would call a vote. All those in favor, please say 22 "Aye".</p>

<p style="text-align: right;">78</p> <p>1 (Chorus of ayes.)</p> <p>2 CHAIRMAN GENSLER: All those opposed say</p> <p>3 "No." The ayes appear to have it. They ayes have it.</p> <p>4 Thank you very much for your position it these.</p> <p>5 I think next we will have -- is Jeff going</p> <p>6 to come up? This must be --</p> <p>7 MR. BURNS: Swap data repositories.</p> <p>8 CHAIRMAN GENSLER: -- swap data repositories.</p> <p>9 Susan, you're going to come up, too, I hope.</p> <p>10 Jeff Burns and Susan Nathan. Susan is in the</p> <p>11 Division of Marketing Oversight. Jeff Burns is the</p> <p>12 Office of General Counsel. I've been -- if I'm allowed</p> <p>13 to say -- co-leading this. And they will be presenting</p> <p>14 rules on swap data repositories.</p> <p>15 Jeff, you've got a colleague from the Office</p> <p>16 of General Counsel.</p> <p>17 MR. BURNS: A colleague from the Office of</p> <p>18 General Counsel. This is Bill Bagwell from the office of</p> <p>19 General Counsel. He's been my deputy team lead</p> <p>20 throughout this rulemaking.</p> <p>21 CHAIRMAN GENSLER: All right. Susan, Jeff,</p> <p>22 Bill, the floor is yours.</p>	<p style="text-align: right;">80</p> <p>1 all parties to the extent possible within our statutory</p> <p>2 framework.</p> <p>3 Proposed Part 49 is consistent with various</p> <p>4 international standards that have been published for</p> <p>5 trade repositories.</p> <p>6 In particular, we have sought to conform our</p> <p>7 regulations with guidelines identified in the</p> <p>8 Consultative Report entitled "Considerations for Trade</p> <p>9 Repositories in the OTC Derivatives Market." We believe</p> <p>10 proposed 49 is consistent with the goals of this report.</p> <p>11 We would also note that Part 49 is consistent</p> <p>12 with the European Commission's recent proposal related to</p> <p>13 trade repositories.</p> <p>14 To enhance transparency, promote</p> <p>15 standardization, and reduce systemic risk, Section 728 of</p> <p>16 the Dodd-Frank Wall Street Reform and Consumer Protection</p> <p>17 Act establishes SDRs to collect and maintain data and</p> <p>18 income related to swap transactions, and to make such</p> <p>19 data and information available to a variety of</p> <p>20 regulators.</p> <p>21 All swap data, whether cleared or uncleared</p> <p>22 will not be respected to an SDR.</p>
<p style="text-align: right;">79</p> <p>1 MR. BURNS: Thank you, Mr. Chairman and</p> <p>2 Commissioners. Before I begin, I would like to thank my</p> <p>3 deputy team lead, Bill Bagwell. As well as Susan Nathan</p> <p>4 and the rest of the team members who worked tirelessly in</p> <p>5 their efforts to get the rulemaking done for today.</p> <p>6 Today the staff is recommending that the</p> <p>7 Commission approve a notice of proposed rulemaking to</p> <p>8 implement new regulations set forth in proposed Part 49</p> <p>9 of the Commission's regulations regarding the</p> <p>10 registration, end regulation of swap data repositories,</p> <p>11 or SDRs for short. SDRs are entities that collect and</p> <p>12 maintain swap data.</p> <p>13 The core function of SDRs is to ensure the</p> <p>14 storage accurate data in order to facilitate the</p> <p>15 transparency of reporting in a swaps market.</p> <p>16 The staff, in connection with the proposal,</p> <p>17 has consulted and coordinated with staff from various</p> <p>18 agencies, such as the SEC, the Federal Reserve, the Bank</p> <p>19 of New York, the Office of the Comptroller Currency, the</p> <p>20 FDIC, Department of Treasury, the European Commission,</p> <p>21 and the Committee of European Securities</p> <p>22 Regulators. We have attempted to incorporate input from</p>	<p style="text-align: right;">81</p> <p>1 The proposal sets forth, or our proposal</p> <p>2 specifies a number of requirements.</p> <p>3 First, is the registration requirement and</p> <p>4 the adoption of new Form SDR.</p> <p>5 The second -- I'll call it "bucket" is the</p> <p>6 statutory duties set forth in new Section 21c of the</p> <p>7 Commodity Exchange Act, as well as the core principles</p> <p>8 applicable to SDRs outline Second 21f of the Commodities</p> <p>9 Exchange Act.</p> <p>10 Additional duties are also permitted by</p> <p>11 Section 21f(4) of the Commodities Exchange Act. As well</p> <p>12 as we also provide, which is provided in Dodd-Frank,</p> <p>13 designation of a chief compliance officer, as well as,</p> <p>14 lastly, real-time public reporting obligations. I will</p> <p>15 briefly describe each of these requirements.</p> <p>16 First, is registration. Applicants are</p> <p>17 required under the proposal to file electronically the</p> <p>18 registration on new Form SDR, which consists of</p> <p>19 instructions, general questions, and a list of exhibits</p> <p>20 necessary for determination by the Commission of whether</p> <p>21 or not an applicant is able to demonstrate compliance</p> <p>22 with core principles statutory duties, as well as other</p>

<p style="text-align: right;">82</p> <p>1 requirements in proposed Part 49. There will be a 2 180-day review period that may be extended by the 3 Commission for good cause. 4 Upon request by an applicant, the Commission 5 may grant a provisional registration to an SDR applicant 6 as an interim implementation provision. 7 Part 49 Rules also prescribe procedures for 8 revocation of an SDR registration, and for the 9 registration of the successor entities. 10 But, particularly now, I think also are those 11 SDRs located outside of the United States, for those 12 SDRs, they will be required to certify on the Form SDR 13 and provide an opinion of counsel that the SDR is able, 14 as a matter of law, to provide the Commission with prompt 15 access to its books and records. And can submit to an 16 onsite inspection and examination by the Commission. 17 Turning next to the statutory duties 18 requirement SDR. These are minimum duties in order to 19 become registered and to maintain registration. 20 They include -- and these are all listed and 21 set forth in Dodd-Frank itself. And we're just providing 22 a little more flavor and implementing into the propose</p>	<p style="text-align: right;">84</p> <p>1 Thereafter, the swap data is thereon to be archived. We 2 have not determined the length of time yet regarding the 3 archived data, but we put it out for comment on how long 4 that should be. 5 Also, an SDR that accepts and disseminates 6 swap data for real-time reporting purposes would also 7 need to meet the real-time public recording recordkeeping 8 requirements that are going to be proposed under Part 43. 9 The next duty, which I think is one of the 10 most essential ones, is providing Commission direct 11 access to the data maintained by the SDR. 12 This will consist of real-time access via 13 web-based protocol, as well as information pushed out to 14 the Commission at specified intervals. 15 Next, also is that the SDR will also be 16 required to establish automated systems for monitoring, 17 screening, and analyzing of swap data. This would 18 include via user exception, as well. 19 And, as part of this regulation, the SDR is 20 required to maintain sufficient IT staff, other staff and 21 resources so that it is able to fill these requirements. 22 The sixth of what I'll call "statutory duty"</p>
<p style="text-align: right;">83</p> <p>1 Part 49. 2 First, is the acceptance of data. As a 3 result of the statute duty, if an SDR accepts the swap 4 data of a particular asset class, it will be required to 5 accept the data for all swaps of that asset class. So, 6 in other words, you couldn't pick or choose your swaps 7 that you will accept. 8 As part of this requirement, as well, an SDR 9 will not be permitted to alter, modify, or otherwise 10 amend an executed, fully executed swap agreement. 11 The second duty is confirmation with both 12 counterparties to a swap of the accuracy of the data. 13 This requires a registered SDR to establish policies and 14 procedures to ensure the accuracy of the data and other 15 regulatory information required be reported. 16 We've been in compliance with this 17 requirement through either electronic matching or 18 confirmation or by actual direction communication with 19 counterparties. 20 Going on to recordkeeping. The SDR is 21 required to keep books and records for the life of the 22 swap, plus five years in a readily, accessible manner.</p>	<p style="text-align: right;">85</p> <p>1 is the maintenance of privacy or confidentiality of swap 2 data that the SDR receives. 3 Each SDR will be required to adopt policies 4 and procedures that would keep the data private. Since 5 the SDR is actually holding the data, they have to be 6 reasonably adopted to protect the confidentiality of all 7 data except for that data that is subject to real-time 8 reporting. 9 The way I think we even agreed to this 10 working is there are two, like two pipes: The real-time 11 pipe, as well as the statutory reporting pipe; obviously, 12 since the real-time reporting could not be subject to 13 privacy. 14 Another of what I think is a very important 15 regulation is the SDR access for other regulators to both 16 domestically, as well as foreign regulators, the 17 requirement really attracts Dodd-Frank. 18 But one of the things that is required under 19 the SDR is that upon request, they would have to notify 20 the Commission of the access. But before they could 21 provide access, they would have to have an executed 22 confidentiality and indemnification agreement with the</p>

<p style="text-align: right;">86</p> <p>1 SDR for any litigation expenses that might occur due to 2 the accessing of the data. 3 Lastly, in terms of statutory duties concerns 4 emergency procedures. The SDR would have to have 5 procedures so that we would have contact information or 6 actual staff contact at the SDR, as well as the standard 7 for declaring emergency. And all these statutory duties 8 are set forth in proposed regulations in 49.9 through 9 49.18. 10 Turning next to the core principles. There 11 were three core principles versus antitrust 12 considerations. Our proposed regulation 49.19 implements 13 core principle-related antitrust. And it requires the 14 SDR to avoid rules that provide unreasonable train of 15 trade or proposing any material anti-competitive burden. 16 Next is governance arrangements. Proposed 17 regulation 49.20 provides for transparent governance 18 arrangements to fulfill public interest requirements and 19 to support the objectives of the federal government owner 20 and participates. 21 Governance rules also impose certain minimum 22 standards for the transparency of SDR governance</p>	<p style="text-align: right;">88</p> <p>1 reporting entities, or unfair or anticompetitive 2 disclosure by a controlled group. 3 Core principle 4, which provides the 4 Commission with the authority to adopt additional duties. 5 We've listed 4 additional duties. 6 The first one is disaster recovery and 7 business continuity plan; the second is for SDR to 8 maintain sufficient financial resources; third, is to 9 provide disclosure document setting forth the risks and 10 costs associated with the using the services of the SDR; 11 and lastly, the SDR would be required to provide fair and 12 open access in fees that are equitable and 13 nondiscriminatory. 14 The proposal, as Mr. Chairman indicated, 15 will be out for 60 days. During that time, we are 16 requesting comment, specifically on whether there should 17 be an implementation of phase-in period under the 18 proposal. And that ends my remarks. I'm happy take any 19 questions. 20 CHAIRMAN GENSLER: Thank you, Jeff and the 21 team. Do I hear a motion on the staff recommendation on 22 swap data repositories and proposed rules?</p>
<p style="text-align: right;">87</p> <p>1 arrangements. These include a statement in the Charter 2 regarding transparency of the governance arrangements, 3 making certain information available to the public such 4 as mission statement, Charter, nomination process, 5 ensuring available information is accurate, and summaries 6 of significant governance decisions. 7 The governance rules also requires -- 8 CHAIRMAN GENSLER: I keep seeing lots of 9 pages. 10 MR. BURNS: No, not too much. Two more, 11 actually, but they're big. I will speed it up. 12 The governance rules require policy to ensure 13 that the Board adequately considers perspectives 14 independent of competitive, commercial, or industry in 15 its deliberations. And also sets forth expertise 16 requirements, removal procedures, and rules and 17 responsibilities and guidelines for directors. 18 Moving to conflicts of interest. Proposed 19 regulation 49.21 requires that SDRs to establish and 20 enforce rules in its decision-making process. And to 21 establish a process for resolving these conflicts. These 22 include, but are not limited to discrimination, certain</p>	<p style="text-align: right;">89</p> <p>1 COMMISSIONER DUNN: So moved. 2 COMMISSIONER SOMMERS: Second. 3 CHAIRMAN GENSLER: I support the proposed 4 rulemaking. I think that the proposal does implement 5 Congress mandate that swaps data repositories be 6 regulated, that we write rules for them. 7 I think it importantly includes provisions 8 for the maintaining of that data, but also that we, as 9 regulators, get direct access to that data that is so 10 critical. And also has provisions such that in another 11 set of this statute, it talks about commercial end users 12 being exempted from the clearing requirement. And there 13 is a notice provision there. I believe the role includes 14 that this swap data repositories as Congress has 15 provided. 16 MR. BURNS: It does. 17 CHAIRMAN GENSLER: And I have received those 18 notices. And that the swap data repositories will play a 19 role in the real-time reporting, as well as collecting 20 data and maintaining data over the whole life cycle of 21 the swap. I think this is critical to enhance the 22 transparency.</p>

90	<p>1 I do have a couple of questions. It</p> <p>2 relates to the relationship between this rule and the</p> <p>3 real-time rule. But I just want to make sure I</p> <p>4 understand how they relate to each other. And I might be</p> <p>5 asking for a question to be added because I'm just a</p> <p>6 little confused about one thing.</p> <p>7 In real-time reporting rule which were just</p> <p>8 discussed, there is some provision that the swap data</p> <p>9 repositories will facilitate real-time reporting. And I</p> <p>10 think you have that here, as well; is that correct, Jeff?</p> <p>11 MR. BURNS: That's correct. We have included</p> <p>12 that in the proposal.</p> <p>13 CHAIRMAN GENSLER: What, I'm less certain</p> <p>14 about is a third-party data providers. I think the</p> <p>15 real-time reporting requirement also provide that maybe</p> <p>16 there would be third-party data aggregators as well; is</p> <p>17 that right?</p> <p>18 MR. BURNS: That's my understanding, yes.</p> <p>19 CHAIRMAN GENSLER: So my question is: Under</p> <p>20 the statute, 728 of the statute, might it no be those</p> <p>21 third-party data providers should also register a swap</p> <p>22 data repositories? And, if so, shouldn't we at least in</p>	92	<p>1 asking the public should they have to be required to</p> <p>2 register.</p> <p>3 COMMISSIONER O'MALIA: I just want to make</p> <p>4 sure we are talking about the same people.</p> <p>5 CHAIRMAN GENSLER: I think it would be a data</p> <p>6 aggregator like the company that you mentioned.</p> <p>7 COMMISSIONER O'MALIA: Okay.</p> <p>8 CHAIRMAN GENSLER: It's basically the</p> <p>9 intersection -- swap data repositories are going to be</p> <p>10 having regulatory data, a lot of data that's going to</p> <p>11 regulators. And then they have this stream real-time</p> <p>12 data.</p> <p>13 And what if somebody is only in the second</p> <p>14 pipe? If they're only in the real-time pipe, don't they</p> <p>15 have to register as a swap data repository? Shouldn't we</p> <p>16 at least ask the public that question so there's a final</p> <p>17 rule that could address that?</p> <p>18 MR. BURNS: I think that makes a lot of sense</p> <p>19 to put that in the proposal and ask that question.</p> <p>20 CHAIRMAN GENSLER: Maybe I will ask unanimous</p> <p>21 consent to include such a question? Not hearing an</p> <p>22 objection. No objection. That was my main question.</p>
91	<p>1 this role ask that question of the public so that if we</p> <p>2 think that they should also register swap data</p> <p>3 repositories?</p> <p>4 MR. BURNS: I think that's a very good</p> <p>5 question to put in the proposal and ask for public</p> <p>6 comment.</p> <p>7 COMMISSIONER O'MALIA: Mr. Chairman?</p> <p>8 CHAIRMAN GENSLER: Sure. Please.</p> <p>9 COMMISSIONER O'MALIA: Who are these</p> <p>10 third-party aggregators we're talking about?</p> <p>11 MR. BURNS: They are market data vendors,</p> <p>12 primarily.</p> <p>13 COMMISSIONER O'MALIA: Like Bloomberg?</p> <p>14 MR. BURNS: Like Bloomberg.</p> <p>15 COMMISSIONER O'MALIA: Make Bloomberg</p> <p>16 register as a SEF, is that what that question is?</p> <p>17 MR. BURNS: No.</p> <p>18 CHAIRMAN GENSLER: I don't think it does</p> <p>19 require it right now as it's written.</p> <p>20 MR. BURNS: As it's written right now, it</p> <p>21 does not require it.</p> <p>22 CHAIRMAN GENSLER: But I had the question of</p>	93	<p>1 Commissioner Dunn?</p> <p>2 COMMISSIONER DUNN: Thank you, Mr. Chairman.</p> <p>3 I have a great deal of concern about the resources that</p> <p>4 we have implemented. And 180 days for us to review</p> <p>5 requests, do we have sufficient staff?</p> <p>6 First of all, how many do we anticipate</p> <p>7 receiving? And do we have sufficient staff to do that</p> <p>8 review within that 180-day time period?</p> <p>9 MR. BURNS: I think we believe we will have</p> <p>10 15 or so, maybe, applicants.</p> <p>11 COMMISSIONER DUNN: Before the ones the</p> <p>12 Chairman just added?</p> <p>13 MR. BURNS: Well, the world could get a lot</p> <p>14 larger. But that's what we're expecting, somewhere</p> <p>15 around 15 or so.</p> <p>16 MR. SHILTS: In terms of staff, we have not</p> <p>17 got the staff at the moment to do this.</p> <p>18 But as part of the request, the budget</p> <p>19 request to implement Dodd-Frank, we estimated that, with</p> <p>20 respect to the initial number of the SDRs in the ongoing</p> <p>21 oversight, that it would take about maybe five to 10</p> <p>22 people, depending on what the final rule looks like in</p>

<p style="text-align: right;">94</p> <p>1 the overall scope of our oversight. But that's something 2 that was built into the budget request so that we could 3 accomplish that.</p> <p>4 COMMISSIONER DUNN: I would imagine that we 5 will probably receive requests for more repositories and 6 a single asset class than one in some occasions. And 7 we're requesting them to do a certain amount of the 8 analysis and overview of what they have.</p> <p>9 Where we have repositories that have more 10 than one asset class, then is it going to fall back on 11 the Commission to be able to get that information and do 12 the types of analysis that we've got? And do we have the 13 technical ability to do that at this time?</p> <p>14 MR. SHILTS: Well, John Rogers will do the 15 next rulemaking for the actual SDR data requirements. I 16 think he might be able to address that.</p> <p>17 But I think ultimately now it's something 18 that we in this Division, as well as out IT folks are 19 looking at. It's not that we have the capability at the 20 moment. It's something that would be part of the budget 21 request to upgrade or IT resources and staff to actually 22 carry out these to be able to get the data analyzed and</p>	<p style="text-align: right;">96</p> <p>1 through the due diligence of actually registering as an 2 SDR. So if somebody could walk me through that.</p> <p>3 MR. BURNS: I believe this really has to deal 4 with -- Rick had mentioned staffing issues going forward, 5 initially. There is provision on the provisional 6 application one-year period.</p> <p>7 But I think initially we get 15 maybe more 8 applicants in terms of the staff able to review and then 9 approve the applicants in time. This would give us the 10 ability to provisionally approve the applicant who is 11 already operating as a trade repository and who we 12 believe is in substantial compliance. But we just have 13 not had the time to go ahead and get into a full review.</p> <p>14 COMMISSIONER SOMMERS: So are we required by 15 to statute to have these people register, so that's why 16 we're doing this provisionally? And how do we decide if 17 they are substantially compliant if we have not even 18 looked at them?</p> <p>19 MR. BURNS: Well, in terms of timing, we 20 wouldn't be able to have an entity to accept any of the 21 swap data unless an SDR is registered. So we would have 22 this vast data that has not been reported anywhere.</p>
<p style="text-align: right;">95</p> <p>1 incorporate it into our budget responsibilities looking 2 at the exchange trade market.</p> <p>3 CHAIRMAN GENSLER: Commissioner Dunn raises a 4 very good point. I think the President's budget for 2011 5 included 45 million dollars for implementation, of which 6 18 million was for technology.</p> <p>7 When we look at 2012, we think that even 8 grows. But that 18 million dollars is very important to 9 be able to basically have the pipes.</p> <p>10 We need direct feeds into these swap data 11 repositories. We need to be able to do all of the things 12 Commissioner O'Malia has been suggesting. And all of 13 those good things out of this technical advisory 14 committee and so forth. Commissioner Sommers?</p> <p>15 COMMISSIONER SOMMERS: Thank you, Mr. 16 Chairman. I have a number different concerns and 17 questions with this release. I will start with the 18 provisional registration, which I raised questions on a 19 previous release on this exact same issue.</p> <p>20 If you could walk through for me what benefit 21 there is in us provisionally registering these SDRs that 22 are already up and running right now without having gone</p>	<p style="text-align: right;">97</p> <p>1 COMMISSIONER SOMMERS: These people are 2 already reporting these places, right?</p> <p>3 MR. BURNS: There are interest rates, CDS, 4 credit.</p> <p>5 COMMISSIONER SOMMERS: I guess what I'm 6 trying to get at is what we envision as entities eligible 7 for provisional registration, are these same entities 8 that are already up and running and already accepting all 9 of this data, right?</p> <p>10 MR. SHILTS: I would think that, presumably, 11 that would be true. But it could be possibly a existing 12 clearing house or someone that some capability to perform 13 his duties.</p> <p>14 But I think the goal is to try to get 15 something up and running. If we don't have the ability 16 to immediately review and process all of these 17 applications, it's a away to not create more legal 18 uncertainty for the industry, to get something up and 19 going, and then come back a due a full due diligence 20 review and presumably set out some criteria.</p> <p>21 COMMISSIONER SOMMERS: Criteria for 22 substantial compliance?</p>

<p style="text-align: right;">98</p> <p>1 MR. SHILTS: Correct.</p> <p>2 COMMISSIONER SOMMERS: Because I think that's</p> <p>3 also where I have questions. How do we decide what</p> <p>4 substantially compliant is. And is it only for those</p> <p>5 people who are already acting as these data repositories?</p> <p>6 What if we have other people who believe they can be</p> <p>7 substantially compliant?</p> <p>8 MR. SHILTS: That might be something, if</p> <p>9 Commission decides to go through with that, that would be</p> <p>10 something we can provide more guidance on.</p> <p>11 MR. BURNS: And, also, the provisional would</p> <p>12 give the Commission the ability to access the data.</p> <p>13 COMMISSIONER SOMMERS: Another line of</p> <p>14 questioning for me relates to foreign SDRs and how we</p> <p>15 decide. I think there are a couple of concerns that you</p> <p>16 outlined when you were giving your summary with regard to</p> <p>17 indemnity and foreign regulators having access to</p> <p>18 information that U.S. registry SDR.</p> <p>19 What about foreign SDRs? I think one of the</p> <p>20 provisions in the Act says specifically that it excludes</p> <p>21 from U.S. jurisdictional swap activity that does not have</p> <p>22 a direct and significant connection with activities in or</p>	<p style="text-align: right;">100</p> <p>1 overseas.</p> <p>2 But I think in working with these</p> <p>3 international regulators, when I asked them to have</p> <p>4 single, what may end up with single or multiple per asset</p> <p>5 class, that will be where all of the regulators will have</p> <p>6 access to that information and will comply with generally</p> <p>7 accepted and may be registered here and there may be</p> <p>8 meeting requirement overseas.</p> <p>9 But I think the goal is -- and again, I</p> <p>10 don't how to this will work out, that where you have the</p> <p>11 foreign versus the domestic, that isn't what we're</p> <p>12 striving for.</p> <p>13 COMMISSIONER SOMMERS: I couldn't agree more</p> <p>14 that that's not what this release contemplates or lays</p> <p>15 out. So it's a little bit confusing.</p> <p>16 MR. BURNS: I think part of it has to do with</p> <p>17 Dodd-Frank. It doesn't give us the ability to exempt.</p> <p>18 So if you're a foreign SDR, you have to register.</p> <p>19 Now, maybe that can be done in lighter way,</p> <p>20 but the way this would work, they would have to file the</p> <p>21 Form SDR and provide that opinion of counsel that would</p> <p>22 allow us to get books and records, as well as on-site</p>
<p style="text-align: right;">99</p> <p>1 affect on commerce in the United States.</p> <p>2 How do we decide what kind of swap activity</p> <p>3 has a direct or significant connection? So is it if one</p> <p>4 of the counterparties -- are we defining that?</p> <p>5 MR. BURNS: I notice that this has not be</p> <p>6 defined yet in any capacity. It's a pretty broad</p> <p>7 definition, and it could have various permutations. But</p> <p>8 we have not decided, nor do I believe anybody in any</p> <p>9 other rulemaking team, at least today has.</p> <p>10 If a foreign SDR is engage in U.S. activity</p> <p>11 in terms of coming here to the U.S., that would obviously</p> <p>12 have an effect on U.S. commerce.</p> <p>13 COMMISSIONER SOMMERS: With regard to the</p> <p>14 foreign SDRs, and we have a part in here that explains</p> <p>15 how we would contemplate registering foreign SDRs. If</p> <p>16 you could walk me through that and kind of what concerns</p> <p>17 we have. Why isn't just information sharing agreements</p> <p>18 sufficient?</p> <p>19 MR. SHILTS: Can I just add something first?</p> <p>20 I think the goal -- and I don't know how this will end up</p> <p>21 -- to have foreign SDRs and U.S. SDRs, there may be SDRs</p> <p>22 that will come in seeking registration that are located</p>	<p style="text-align: right;">101</p> <p>1 inspections so that we are able to do our regular</p> <p>2 repository duties because of the fact that we don't have</p> <p>3 any exemplary privilege for it.</p> <p>4 COMMISSIONER SOMMERS: I think I will stop</p> <p>5 there. I have a number of other questions.</p> <p>6 CHAIRMAN GENSLER: Thank you, Commissioner</p> <p>7 Sommers. But please don't stop there in our bilateral</p> <p>8 discussions because we benefit from these comments.</p> <p>9 I think the foreign and domestic issues here,</p> <p>10 we have to find a way of working with international</p> <p>11 regulators that we all have access. And it doesn't</p> <p>12 matter where they are located.</p> <p>13 MR. BURNS: I believe that's the goal. These</p> <p>14 are difficult issues in the current form of Dodd-Frank.</p> <p>15 CHAIRMAN GENSLER: Commissioner Chilton?</p> <p>16 COMMISSIONER CHILTON: I was interested in</p> <p>17 Commissioner Sommers' question. I was trying to look at</p> <p>18 the Act, not Dodd-Frank, but the CEA. And so you have to</p> <p>19 read them together.</p> <p>20 And in Section 3, 10-31-3: "The transaction</p> <p>21 subject to this Act are entered into regularly interstate</p> <p>22 commerce and international commerce. And are affected</p>

<p style="text-align: right;">102</p> <p>1 with a national, public interest by providing a means for 2 management and assuming price risk discover prices, and 3 disseminating the pricing information through the trading 4 liquid, fair, and financial secured trading facilities." 5 Does that definition add to the 6 conversation you're having with Commissioner Sommers? 7 MR. BURNS: I think it's consistent with 8 Commissioner Sommers' comments. 9 COMMISSIONER CHILTON: Mr. Burns, are SDRs 10 established under Dodd-Frank, are they intended to be 11 sort of public utilities like PUCO with the SEC for the 12 aggregation of swaps data? 13 MR. BURNS: Although SDRs provide what I will 14 call a "vital regulatory foundation," I don't think that 15 the intention to make them a public utility. 16 The statute doesn't provide that. And I 17 wouldn't assume that these are a public utility; although 18 they may have some aspects of a public utility in the 19 sense that the data will be maintained in one place or 20 regulate both as domestic and foreign to have access. 21 But I would resist in any indication that 22 these are a public utility. I don't think the statute</p>	<p style="text-align: right;">104</p> <p>1 says, "Swap data repository," and some say "Each." 2 So my question is: Given that these things 3 do mean things in law, does that indicate some 4 requirement for morality of SDRs? 5 MR. BURNS: That would seem to be case. But 6 I also think that the presumption of Congress, that there 7 would be multiple "Ss." 8 COMMISSIONER CHILTON: Okay. And the final 9 question. ICE sent a letter. And they talked about how 10 the national place for SDRs to be in existing clearing 11 house. Is there anything that would prohibit that from 12 taking being place in what we're considering? 13 MR. BURNS: No. In fact, the statute 14 presumes that clearing houses would register as SDRs. 15 COMMISSIONER CHILTON: Thank you. 16 CHAIRMAN GENSLER: Thank you, Commissioner 17 Chilton. Commissioner O'Malia? 18 COMMISSIONER O'MALIA: I have one question: 19 In all of the data and how we move it, and 20 send it from the staff and real-time report and send it 21 to SDR, who owns the data, and does it change through the 22 process?</p>
<p style="text-align: right;">103</p> <p>1 calls for it. 2 COMMISSIONER CHILTON: Thank you. And to 3 sort of follow up with the international question. 4 Do other regulators in Europe and the UK, do 5 they require that there's a single data repository, or 6 are they intending on doing that? 7 MR. BURNS: Currently, we know of no 8 legislation in Europe that would require that. That may 9 happen, I think just over time with the market, but not 10 from a regulatory mandate. 11 COMMISSIONER CHILTON: We talked earlier. I 12 know it sounded like we were probably dancing on the head 13 of a pin. But words are important and even letters are 14 important. So just like Sesame Street in like they have 15 the letter of the day, so my question is brought to you 16 also by the letter "s." 17 If you look at Section 720, and if you go 18 through it, there are multiple references to the swaps 19 data repositories. It's actually an "I" "E" and an "S." 20 It's not swap data repository. And I count at least 11. 21 I won't go though them all, but there's 11. It's not 22 "S." Some of them say "Each swap data repository." It</p>	<p style="text-align: right;">105</p> <p>1 CHAIRMAN GENSLER: Can I just add? And do we 2 do anything to change this rule? His question, I just 3 want to add to Commissioner O'Malia's, do we do anything 4 to effect that? 5 MR. BURNS: We don't believe that the SDR 6 owns the data. The data is from the property of the 7 counterparties, the data reporting to the SDR. The SDR 8 is the warehouse that maintains the data. And from that 9 they then go manufacture property rights in the data just 10 from maintaining it. 11 Now, they will have a license to use the data 12 through their user agreements, and they'll have the 13 counterparties. But the data is the counterparty. We 14 don't change that in the proposal at all. 15 CHAIRMAN GENSLER: I think it's an 16 excellent question. You said "the counterparties." But 17 if it's done on a matching engine, might it not be the 18 matching engine or what we call "sups data." Again, we 19 don't change that? 20 MR. BURNS: We don't change that. And I 21 would hate to get into a property rights discussion. 22 CHAIRMAN GENSLER: And I'm not a lawyer. I</p>

<p style="text-align: right;">106</p> <p>1 was most interested that we're neutral on it. We don't 2 say in the regulation at all and the preamble of who the 3 owners of the data are.</p> <p>4 CHAIRMAN GENSLER: If there are no further 5 questions, the motion in front of us as amended with the 6 unanimous consent is on the proposed swap data repository 7 rules, if I could hear by voice the "Ayes." 8 (Chorus of Ayes.) 9 CHAIRMAN GENSLER: Any opposed? 10 COMMISSIONER SOMMERS: No. 11 CHAIRMAN GENSLER: The ayes appear to have 12 it. The ayes have it. And so we thank you swap data 13 repository rulemaking team. 14 I think we will move on to -- I can't see 15 Dave here. He's in the back -- data recordkeeping and 16 alike. I'm conscious that we're moving along here. If 17 the Commission wants me to break at any time, I'm glad to 18 do so. Thank you all. 19 David Taylor, who is from the Division of 20 Market Oversight, and has been heading up a team on data. 21 And this is data for swap dears, data for 22 major swap participates, data for clearing houses, swap</p>	<p style="text-align: right;">108</p> <p>1 Commissioners. My script says "good morning." I took a 2 look, and I can still say that. 3 I do want to thank, before I begin, my fellow 4 team members. In particular, my multitalented, 5 indispensable team members for their hard work in 6 preparing the proposal I'm about to present. 7 Today staff is recommending that the 8 Commission approve a notice of proposed rulemaking to 9 implement new regulation regarding swap data 10 recordkeeping. These regulations would govern swap data 11 to swap data repositories or as I will say later, SDRs. 12 The fundamental goal regulation is to ensure 13 that complete data concerning all swaps subject to the 14 Commission's jurisdiction is maintained in SDRs where we 15 not cannot be disclosed publically, but would be 16 available to the Commission and other financial 17 regulators for fulfillment of their various regulatory 18 mandate. 19 In preparing these regulations, staff has 20 engaged in extensive consultations with other U.S. 21 financial regulators, and with international financial 22 regulators and organizations. And has reviewed and</p>
<p style="text-align: right;">107</p> <p>1 execution facilities, designated contract markets, 2 possibly for futures commission merchants, not only how 3 they maintain data, but also what they have send to swap 4 data. 5 I would just say for public's benefit, we 6 chose earlier, since there are so many data requirements 7 on each of these registrants, and the best way to provide 8 consistency, which the statute says there should be 9 consistency, is to have one team to data element for all 10 of the different registrants. So this actually has an 11 effect on all of them. 12 Irina Leonova, who has been Dave's deputy, 13 and seems to be in all of the meetings and on these very 14 important matters. Anne Schubert, who is on the team 15 also from the Division of Market Oversight. And John 16 Rogers, who is here in the Commission, is our chief 17 information officer, and deals with all of what we do in 18 terms of information. 19 And we felt it was critical to have this 20 coordinate, not just with market oversight, but our over 21 data elements requirements. With that, David. 22 MR. TAYLOR: Good morning, Mr. Chairman and</p>	<p style="text-align: right;">109</p> <p>1 considered the work that's already been done 2 internationally in regard to derivatives reporting. 3 The regulations are designed to take into 4 account the difference between various swap asset classes 5 with respect to product type and associate data, as well 6 as their mark structures and trading processes. 7 The regulations are also designed to minimize 8 the extent possible the regulatory burden on the 9 industry, especially for end users and other swap 10 counterparties who are not swap dealer or major swap 11 participates. 12 The swap recordkeeping provisions we are 13 proposing are based on the Commission's existing 14 recordkeeping regulations that generally call for 15 registered entities and counterparties to keep records 16 related to swaps throughout the existence of the swap, 17 and for five years following final termination or 18 exploration of this fund. 19 The records would need to readily accessible 20 through the life of the swap and years thereafter, and 21 retrievable from storage within three business days 22 during are remainder of the retention period.</p>

<p style="text-align: right;">110</p> <p>1 In order to ensure the complete data 2 concerning swaps maintained in SDRs and available to the 3 Commission and other regulators, the swap data reporting 4 rule calls for reporting of swap data from each of the 5 two important stages of the existence of a swap: The 6 creation of the swap, and the continuation of a swap over 7 its existence until its final termination or expiration. 8 For both creation and continuation of data 9 involving credit swaps and equity swaps where we will 10 share jurisdiction with the SEC, the Rule is aligned with 11 the approach taken in the SEC data rules in order to 12 avoid the regulatory burden and regulatory outward cries 13 that could come from having two dissimilar reporting 14 regimes. 15 To ensure timeliness, accuracy, and 16 completeness with respect to data, the proposal requires 17 recording of two types of data relating to the creation 18 of the swap: The primary economic terms of the swap 19 verifying their match by their counterparty shortly or 20 after the time of execution, and then all the terms of 21 the swap included in legal confirmation. 22 To ensure inclusion of primary economic turns</p>	<p style="text-align: right;">112</p> <p>1 Counterparty reporting, when following the 2 hierarchy outlined in the statute in parallel with the 3 SEC reporting rule giving dealers and major swap 4 participants the duty to report when possible and 5 reporting by non-swap dealers and major swap participate 6 counterparties, including end users to situations where 7 there is no dealer or MSP counterparty, the Rule also 8 explicitly permits third-party facilitation of data 9 reporting without removing the responsibility involved 10 from the appropriate registered entity or counterparty. 11 The proposed rule also calls for the use of 12 three unique identifier in connections with swap 13 reporting: A unique swap identifier. A unique 14 counterparty identifier. A unique product identifier. 15 These unique identifiers will be crucial 16 regulatory tools for linking data together and enabling 17 data aggregation by regulator across counterparties asset 18 classes and transactions. 19 This will enhance regulators the ability to 20 mitigate systemic risk, prevent market manipulation, 21 conduct effective market and trade practice surveillance, 22 enforce positions, and exercise resolution authority.</p>
<p style="text-align: right;">111</p> <p>1 necessary for regulatory purposes, the Rule specifies 2 minimal data elements or data categories that must be 3 reported for swaps in each asset class, and seeks comment 4 on whether additional data elements should be required to 5 be reported. 6 Continuation data reporting for credit and 7 equity swap follows the life-cycle approach, and requires 8 reporting of all life-cycle events affecting the terms of 9 the swap. 10 Reporting continuation data for interest 11 rate, currency, and other commodity swaps follows the 12 state or snapshot approach in requiring the reporting of 13 the daily snapshot of all the primary economic terms of 14 the swaps, including any changes that have occurred. And 15 for all asset classes, a continuation of data reporting 16 also includes specified valuation data. 17 The proposed rule calls for reporting by the 18 registered entity or counterparty that has the easiest, 19 fastest, and the cheapest access to the data in question. 20 Such entities and counterparties are also the most likely 21 to have automated systems that are suitable for 22 reporting.</p>	<p style="text-align: right;">113</p> <p>1 Such identifiers will also have great benefits 2 for internal recordkeeping and risk management by 3 financial entities themselves. The staff has consulted 4 with the SEC concerning these unique identifiers. 5 The USI or the swap identifier would be 6 created at the time the swap was executed and shared by 7 all registered entities involved with the swap and used 8 to track that particular swap over its entire existence. 9 The UCI or counterparty identifier would 10 identify the legal entity that is a counterparty to a 11 swap. 12 The Rules provide that the Commission will 13 require use of USIs in all swap data reporting. 14 Selecting an international developed identification 15 system for this purpose is one meeting the Commission's 16 requirement that's available prior to the implementation 17 of data for Rule, or imposing a system created by the 18 Commission if that is needed. 19 Confidential data concerning the corporate 20 affiliations of the legal entity involved would allow 21 regulators to monitor swap exposures. 22 The product identifier would categorize swaps</p>

<p style="text-align: right;">114</p> <p>1 with respect to the underlying products referenced in 2 them. This will allow regulators to aggregate, analyze, 3 and report the swap transaction by product type, and will 4 also enhance position under the enforcement. 5 To avoid fragmentation of data for a given 6 swap across multiple SDRs, the Rules require that all 7 data for a particular swap must be reported to the same 8 SDR. 9 Finally, regarding data standards, the 10 computer language used in swap data reporting, the 11 proposed regulation requires SDRs to maintain data and 12 transmitted to the Commission in the format required by 13 the Commission. 14 It prevents an SDR to allow use of reporting 15 data to use any data standard acceptable to the SDR, so 16 long as the SDR remains able to provide data to the 17 Commission and the Commission's required to form. 18 The proposed regulation will be open to a 19 60-day public comment period. That concludes my remarks. 20 I'm happy to answer any questions. 21 CHAIRMAN GENSLER: Do I hear a motion on 22 staff recommendation on data?</p>	<p style="text-align: right;">116</p> <p>1 arbitrage data elements. 2 I think it's -- also, the proposal and why 3 I'm supporting it, and as I have learned more about data 4 is that a swap exists over sometimes a period of days, or 5 many, many years. And so what the Rule includes is that 6 there's data at the day of a transaction or even the 7 moment of the transaction, but it has this continued data 8 or life cycle data over the course of the life of the 9 swap, and I think that's very important. 10 And I think that the third element and why I 11 support it and compliment the team because I must admit, 12 before July 21st, I had not been familiar with this whole 13 concepts in terms of unique identifiers. 14 The team that identified it, the industry 15 market participates, many people came in the meetings and 16 said this will be big help if some regulatory body or 17 swap data repositories for somebody had unique 18 identifiers. 19 And many people in the industry, in the 20 financial industry, usually not end users, but in the 21 financial industry have said they, too, would benefit if 22 there was a unique identifier for their counterparties.</p>
<p style="text-align: right;">115</p> <p>1 COMMISSIONER DUNN: So moved. 2 COMMISSIONER SOMMERS: Second. 3 CHAIRMAN GENSLER: Thank you, David and 4 everybody on that team. I know you coordinated not only 5 in this building, because you have to coordinate with 29 6 other rule teams because this is data for all of the 7 public with the SEC and the Federal Reserve, bank 8 regulators, treasuries, Office of Financial Reserve, and 9 international regulators. 10 I know you've gotten comments on your term 11 sheets and your draft rule from all of them. I don't 12 really know how you do it, but I thank you. This may be 13 one of those areas that's had the broadest consultation. 14 I do support the proposed rulemaking. As I 15 said earlier, it covers the data for all of the different 16 registrants, whether it's the swap dealer, trading 17 platforms, clearing houses, that which needs to be 18 maintained and sent over to the swap data repository in 19 some circumstances. And I think it's important that that 20 be consistent. So however the public comment on it, I 21 think it's really important. That statute says these are 22 consistent across. And we don't have even regulatory</p>	<p style="text-align: right;">117</p> <p>1 The Europeans and the U.S. regulators also 2 seek to chime. And you have included, I think a 3 thoughtful proposal on that record. 4 I think the 60-day public comment period is 5 warranted. But I also think the Administrative 6 Procedures Act allows and hopefully -- General Counsel 7 Berkovitz is poking out -- but that we could possibly, 8 even as we go forward on this -- have roundtables. 9 If we get the 60 days of public comment, I 10 think it would be appropriate, if it's allowed under the 11 Administrative Procedures Act, to have roundtables, then 12 since we have these thousands of comments, and then staff 13 will be trying to help do a recommendation, whether it's 14 finalizing a unique ID, which is a really an important 15 component, or of any other component. 16 So I guess my first question is: Is that 17 allowed under the Administrative Procedures Act to do the 18 roundtables post those 60-day comment period? 19 MR. TAYLOR: My general impression about that 20 is yes. I will defer to the general counsel. 21 MR. BERKOVITZ: Yes, we could. The 22 Commission could do that.</p>

<p style="text-align: right;">118</p> <p>1 CHAIRMAN GENSLER: I think General Counsel 2 Berkovitz said yes. So I think that will be very helpful 3 because these are really important concepts. We want to 4 get them as close to right as we possibly can, and I 5 think you put together a strong proposal. 6 With that I thank you. I'm going to keep you 7 to that we can do that. Commissioner Dunn? 8 COMMISSIONER DUNN: Thank you, Mr. Chairman. 9 Again, my concerns are the wherewithal to fulfill this, 10 especially in the IT area. And perhaps 11 Mr. Rogers could amplify on where we are in that. 12 MR. ROGERS: Certainly. Well, as Chairman 13 Gensler has mentioned, before we put in a bunch of 14 requests of 18 million dollars in 2011, and then an 15 additional amount in 2012 to support the implementation 16 of these particular rules, in preparation for that, in 17 advance of that, we have been for the last two years 18 refreshing our technology infrastructure so that we have 19 the network band width with the storage capacity and 20 things like that to accommodate the receipt of additional 21 information. 22 We'll need to have, make an additional</p>	<p style="text-align: right;">120</p> <p>1 consultation we can do and still sleep, and we're going 2 to keep doing that. 3 CHAIRMAN DUNN: You still have time to sleep? 4 MR. TAYLOR. A little. We're participating 5 in the Commission's participation on the AOSCA task 6 force. And that helps us to do this consultation. 7 Our intention in drafting the Rule was to 8 allow international consensus to develop especially the 9 counterparty identifier. We've laid out principles that 10 we think will get us there. And we hope this provides 11 impetus for the world to come together on this solution. 12 COMMISSIONER DUNN: I know that some of the 13 entities that I visited, they have already built in their 14 own identifiers. What happens to those, and how will 15 measure with what we're proposing? 16 MR. TAYLOR: The rule explicitly says it's 17 perfectly all right to have your own identifiers. And 18 John can tell you pretty much any system will create its 19 identifier for something that it handles. We just want 20 to add one that will be universal. 21 CHAIRMAN GENSLER: Thank you, Commissioner 22 Dunn. Commissioner Sommers?</p>
<p style="text-align: right;">119</p> <p>1 investment, obviously as mentioned, to first and 2 foremost, I guess, understand the business requirements 3 that we have within the Commission to build up 4 surveillance capabilities and tie those to existing 5 capabilities that we have as we oversee the futures 6 market and continue to enhance the infrastructure to 7 support that. 8 So, in essence, we have additional requests 9 that we need to make, but we've established an 10 infrastructure foundation that we think allows us to make 11 that investment moving forward. 12 COMMISSIONER DUNN: Any idea of developing 13 USI, UPIs, I think serves a great deal of merit. But I 14 also understand there are a lot other players out there 15 that have ideas of how that could be developed, 16 especially on the international scene, whether it's going 17 to be an ISO type of piece put together. 18 How are we to out reach to all of those other 19 players out there? And at the end of day, to make sure 20 we've got something that is, in fact, truly universal? 21 MR. TAYLOR: That is our intention, 22 Commissioner Dunn. We've already done all of the</p>	<p style="text-align: right;">121</p> <p>1 COMMISSIONER SOMMERS: Thank you, Mr. 2 Chairman. I want to thank this team. This is really 3 complicated stuff. I think you've done a great job 4 putting this all together. 5 I have questions with regard to specific 6 language that we're using, and how this overlaps with 7 real-time reporting. 8 So in the statute, the language 9 "technologically practicable" is used. But in other 10 places and in this rulemaking we use "promptly." 11 So is there a difference between those two, 12 and is there meant to be a difference? 13 MR. TAYLOR: I think the answer is yes, there 14 is; because I think we used the word "promptly" when 15 we're dealing with end users and non-dealer and non-MSB 16 counterparties. We try to take great care in not to lay 17 more burden on them than was required. 18 We have basically asked for comment every 19 time we're asking them to do something on what their 20 appropriate burden should be. 21 COMMISSIONER SOMMERS: When we have been 22 consulting with the SEC on these rulemakings, do you know</p>

<p style="text-align: right;">122</p> <p>1 if the time frames that are included in our proposal 2 today, if they're identical to what the SEC is doing? 3 MR. TAYLOR: Yes. We did consult closely 4 about that. They are with one exception for situations 5 where reported where no technology was involved, 6 something not executed on a platform and not affirmed or 7 mapped electronically. 8 We're asking for comment on the length of the 9 time. They're saying 24 hours. We're not opposed to 10 that, we just wanted more input. 11 COMMISSIONER SOMMERS: Okay. Thank you very 12 much. 13 CHAIRMAN GENSLER: And, thank you. And thank 14 you for taking great care that when it's an end user to 15 an end user, and there's no swap dealer. I think it's a 16 very small part of the market, but I thank you for taking 17 care in that regard. And the use of the word "promptly" 18 rather than some other words. Commissioner Chilton? 19 COMMISSIONER CHILTON: I just had a quick 20 comment. I support the ruling. You've done a good job 21 with the proposal. I've got a big, long letter from a 22 not-for-profit energy end user. They said it was on data</p>	<p style="text-align: right;">124</p> <p>1 guess I've got to rip this Band-Aid. 2 But the entity definition rule where 3 calendared for our next meeting, which is December 1st. 4 Yes. Yes. If it's this Commission, or if it's another 5 Commission, it's everybody edits, you all do have a 6 draft. I know there's Commissioners there and wonderful 7 individuals I know of each they have it. So it's trying 8 to get this all aligned and everybody's edits and 9 comments. 10 Our next meeting is December 1st. And the 11 entity definition one is, you know, that's what we're 12 trying to do. I will try to speak about the overall 13 calendar at the end. Commissioner O'Malia? 14 COMMISSIONER O'MALIA: You talked about and 15 we've all talked about balancing the international. 16 Commissioner Dunn mentioned it, as well. And you 17 mentioned you were going to lead the world. 18 Proposed reg 45.4 (b)(3) provides that the 19 identification system must be maintained by a voluntary 20 consensus standards by an associated registration 21 authority on a non-profit basis. 22 Do we have a sense of whether that will be</p>
<p style="text-align: right;">123</p> <p>1 recordkeeping reporting task. And, you know, it's really 2 too much. I will not ask a question on it. It's 47 3 pages long, so I'd be rushing to find the part, anyway. 4 But it makes this, has this concern, which is 5 a concern much of what Commissioner Sommers raised in how 6 do you do these things about definitions. 7 They are also special, but don't want to be 8 included here, but they're not special enough to be 9 excluded, you know. They want a transition time. 10 Essentially, they're saying we don't even know because 11 you have not done the definition. 12 But sort of like I said earlier, this is 13 becoming clearer and clearer as we go forward. I 14 understand it's a little tenuous now, but I think 15 ultimately this is going to be very good. We'll let 16 people know we're getting a visual. It's going to be 17 increased transparency. It's going to be good for 18 consumers, including not-for-profit energy users. Thank 19 you. 20 CHAIRMAN GENSLER: I know the public would as 21 much want to know as the Commissioners. 22 I said I was going to hold on this, but I</p>	<p style="text-align: right;">125</p> <p>1 here or abroad? And when we lead the world, the 2 voluntary consensus part, leading the world, that doesn't 3 seem to be, you know -- how are we developing consensus 4 without dictating it? 5 MR. TAYLOR: Well, our intention is not to 6 dictate. That's why we sent out our principles that we 7 thought the Commission would want to follow this 8 identifier. But the way it's going to work best is if 9 the world does come together and agree on a standard for 10 these legal identifiers. 11 We think it's possible through an 12 international, voluntary consensus body that that can be 13 done. We are advised by the people we consulted with 14 it's sitting there almost ready to go. 15 It's isn't so much that we want to lead the 16 world, we just want to finally actually provide the 17 impetus that everybody can kick the ball into the net. 18 Everybody wants this. They have been 19 working on this for 10 years. It needs a push. 20 Dodd-Frank makes the push. 21 COMMISSIONER O'MALIA: Do you believe that 22 this -- you said it's on the doorstep. Is that push, is</p>

<p style="text-align: right;">126</p> <p>1 that going to come in consistent with our rulemaking 2 timetables?</p> <p>3 MR. TAYLOR: I think the push is really our 4 rulemaking, our calling for these identifiers. But yes, 5 our understanding is that is possible, even likely that a 6 international consensus can develop for such an 7 identifier in advance of the implementation date for the 8 Rule, and that's the optimum amount. That's what we hope 9 for. The Rule provides for us to do it our own way if we 10 have to.</p> <p>11 COMMISSIONER O'MALIA: This registration 12 authority, do you have an opinion whether it should here 13 or abroad and who would regulate it?</p> <p>14 MS. LEONOVA: The way of the instruction, it 15 is an international protocol system, and has 16 international organizations for this.</p> <p>17 It's more less government organization and 18 associations that implement those protocols. It's not 19 quite finished.</p> <p>20 So the way we are trying to approach it is to 21 create a system that you for individual jurisdictions in 22 particular to move ahead in some kind of structure.</p>	<p style="text-align: right;">128</p> <p>1 accounts. It would be retrospective in some extent to 2 come up with data. And it would require people to reach 3 for data in multiple places.</p> <p>4 This is just about identifying the legal 5 entity that's a counterparty to the swap. It's really a 6 very separate thing. In some ways, a simpler thing. It 7 would be done going forward. You go get an identifier, 8 and then you don't have to hunt for data anywhere else.</p> <p>9 COMMISSIONER O'MALIA: This does seem as 10 simple as having my Arlington library card. But I 11 suspect it's a little more difficult and a little more 12 costly, correct?</p> <p>13 MR. TAYLOR: One of the principles we laid 14 out is this ought to be a royalty fee or on a reasonable, 15 royalty basis, which is language in an OMB release of 16 this sort of thing.</p> <p>17 There would need to be a reasonable fee to an 18 entity that comes and says I want an identifier because 19 the registration authority has to come and verify they 20 are who they say they are. And that verification would 21 have to be maintained over time.</p> <p>22 The principles call for this not to be</p>
<p style="text-align: right;">127</p> <p>1 And we've had negotiations, reservations in 2 the European bank and European Commission, and we're 3 trying to move to facilitate and adopt it.</p> <p>4 And the way we see it right now, it's not a 5 matter of regulators describing it, but more largely an 6 industry development and putting in some unified 7 consensus so everyone can use it.</p> <p>8 COMMISSIONER O'MALIA: One of the issues 9 we've had I think in the two rulemakings thus far is the 10 ownership and control rule of future space. And we put 11 out proposals that come back. We've shifted them 12 republished them, proposals,, and we received a lot of 13 feedback about the cost of this and concern now.</p> <p>14 Ananda, our director of Clearing and 15 Intermediary Oversight, did say it was his view that we 16 can't have a bifurcated system for margining.</p> <p>17 Can we have a bifurcated system for futures 18 and swaps in terms of the universal identifier?</p> <p>19 MR. TAYLOR: Well, I think we added some 20 language to the preamble, to the Rule precisely to 21 address this issue. This is really separate from the 22 whole ownership and control issue. That's about</p>	<p style="text-align: right;">129</p> <p>1 monitized, for the small costs to be involved not to be a 2 barrier.</p> <p>3 COMMISSIONER O'MALIA: Thank you.</p> <p>4 CHAIRMAN GENSLER: If there are no further 5 questions, then I will call the question on the proposal, 6 staff proposal on data. All that's in favor, indicate by 7 saying "Aye."</p> <p>8 (Chorus of ayes.)</p> <p>9 CHAIRMAN GENSLER: All those opposed indicate 10 by saying "No." The ayes appear to have it. The ayes 11 have it. Thank you very much.</p> <p>12 We're going to move on to the third of the 13 data trio, public reporting house trade what Congress 14 laid out in the statute for real-time reporting, but is 15 related to the reporting of transactions, price, volume, 16 and futures after the transaction occurred. Sometimes we 17 call it "post-trade transparency."</p> <p>18 And Tom Leahy from the Division of Market 19 Oversight has been our team leader. Jeff Steiner, also 20 from the Division of Market Oversight. Tom Quickly, I 21 think volunteered for this job. I've got a deputy. And 22 Rick Shilts, the head of our Power Division.</p>

<p style="text-align: right;">130</p> <p>1 MR. LEAHY: Thank you, Mr. Chairman. Thank 2 you, Commissioners. Before I begin, I'd like to thank 3 Jeff, and my fellow team members for their dedicated and 4 tireless efforts in preparing the proposal that I'm about 5 to present. 6 Today's staff is recommending that the 7 Commission approve a notice of proposed rulemaking to 8 implement new regulations regarding real-time public 9 reporting, swap transaction, and pricing data. And new 10 regulations regarding size of public reporting 11 requirements for block trades and large notional swap 12 transactions. 13 This notice of proposed rulemaking reflects 14 consultation with SEC staff, and the staff of the Board 15 of Governors of the Federal Reserve, as well as meeting 16 with and comments from market participants. 17 The proposed regulation specify who is 18 responsible for reporting and publically disseminating 19 swap transactions and pricing data and how such reporting 20 and public dissemination may be accomplished, and the 21 data fields to be reported. 22 In addition, the proposed regurgitations</p>	<p style="text-align: right;">132</p> <p>1 that accepts and publically disseminates such swap and 2 transaction pricing data in real time as soon as 3 technologically practicable. 4 The proposed rules establish an order of 5 precedence to determine which party to the swap is 6 responsible for reporting. That order is swap dealer, 7 major swap participant, and then end user. 8 If the parties to the swap are of equal rank 9 in this order, then the participates must choose which 10 party would report the data. 11 Swap dealers may make swap transaction and 12 pricing data available to their customers, but must not 13 do so before the transmission of such data to the 14 real-time disseminator. 15 With respect to the real-time public 16 dissemination of swap transaction and pricing data, the 17 proposed regulations specify that registered entities 18 will be responsible for publically disseminating swap 19 transaction and pricing data in real time. 20 Swap execution facilities and designated 21 contract markets may satisfy the public dissemination 22 requirement by providing such data to A swap data</p>
<p style="text-align: right;">131</p> <p>1 established methodology for determining an appropriate 2 minimum block size and established time delay for 3 publically disseminating block trade and large notional 4 swap transaction for pricing data. 5 In drafting these proposed rules, staff took 6 into account possible effects on liquidity, the public 7 disclosure of swap transaction and pricing data. 8 With respect to the real-time public 9 reporting of swap transaction and pricing data, the 10 proposed regulation specify the timing and manner in 11 which parties to a swap should report such data to 12 registered entities. 13 Swap dealers, major swap participants, and 14 end users could satisfy their requirements by transacting 15 on a SEF or DCM. SEFs and DCMs must send such swap 16 transaction and pricing data to a real-time disseminator 17 as soon as technologically practicable. 18 If the swap is transacted in an 19 off-facility, meaning that it is executed bilaterally 20 between the two counterparties in default or in exchange 21 of the SEF, then one party to that swap must report the 22 swap transaction and pricing data to a registered SDR</p>	<p style="text-align: right;">133</p> <p>1 repository that accepts and publically disseminates such 2 data as soon as technologically practicable. 3 Alternatively, a SEF or DSM may publically 4 disseminate such data through a third-party service 5 provider. However, the SEF or DCM would not have 6 satisfied his public dissemination requirement until the 7 third-party service provider publically disseminates es 8 such data. 9 SEFs and DCMs may make swap transaction and 10 pricing data available to their market participates, but 11 must not do so before the transmission of such data to 12 the real-time disseminator. 13 Swap transaction of pricing and data for all 14 facility swaps must be provided to a swap data repository 15 that accepts and publically disseminates such swap 16 transaction and pricing data in real time so that the SDR 17 can disseminate such data to the public. 18 The proposed regulations also specify data 19 fields for the purpose of reporting swap transaction and 20 pricing data to the public. In this regard, the 21 Dodd-Frank Act specifies that price and volume data must 22 be reported.</p>

<p style="text-align: right;">134</p> <p>1 In order to give meaning to price, certain 2 data fields must be respected. These data fields 3 include, for example: Contract type, subtype, underlying 4 asset or assets, notional size, currency or currencies, 5 start date, payment date, payment frequency, et cetera. 6 Additionally, the proposed regulations 7 provide guides and examples relating to the format and 8 manner that such data fields may be publically 9 disseminated. 10 With respect with block trades and large 11 notional swap transactions, the proposed regulations 12 specify the transaction size that qualifies as block 13 trade large trading or a large notional swap and the time 14 delay in publically disseminating the swap and 15 transaction pricing data. 16 The proposed regulations define a block trade 17 as a "swap" and has the following criteria: It is made 18 available for trading on a SEF or a DCM; it occurs off 19 the SEF or DCM trading system or a platform pursuant to 20 the SEF or DCM rules; it has a size that is consistent 21 with the appropriate minimum block size requirements of 22 proposed regulations; and it is reported to the SEF or</p>	<p style="text-align: right;">136</p> <p>1 based on the calculations published by the SDR. 2 The proposed regulations also specify a delay 3 of 15 minutes in publically disseminating swap 4 transaction of pricing data for block trades and large 5 notional transactions of standardized contracts. 6 The proposal seek comments from the public 7 regarding appropriate time delays for large notional, 8 customized swap transaction. 9 The proposed regulation will be open for a 10 60-day public comment period. That concludes my 11 remarks. My colleagues and I are happy to answer any 12 questions. 13 CHAIRMAN GENSLER: Tom and your team, I thank 14 you. I would entertain a motion for staff recommendation 15 on real-time reporting. 16 COMMISSIONER DUNN: So moved. 17 COMMISSIONER O'MALIA: Second. 18 CHAIRMAN GENSLER: I support the proposed 19 rulemaking to implement real-time public reporting as 20 Congressional directed us to. I think that rule does 21 fulfill Congress' direction to bring public transparency 22 to the entire swaps market. This is both the</p>
<p style="text-align: right;">135</p> <p>1 DCM in accordance with the SEF or DCM rules and 2 procedures; and is subject to the appropriate time delay 3 in the proposed regulations. 4 Similarly, the proposed regulations define a 5 large notional swap as a swap that has the following 6 criteria: It is not available for trading or execution 7 on a SEF or DCM; and has a notional or principal amount 8 that is consistent with the appropriate minimum size 9 requirements for proposed regulations; and it is reported 10 in accordance with the appropriate time delay in proposed 11 regulations. 12 To qualify as a block trade or a large 13 notional swap, the transaction size must be at least as 14 large as the greater of either, five times the greatest 15 of the mean, median, and mode of transaction sizes for 16 similar swaps, or among the largest five percent of 17 transaction sizes in similar swaps. 18 Under the proposed regulations, SDRs would 19 make this calculation and publish it on their website 20 using transaction data from the prior calendar year. 21 SEFs and DCMs would then set the minimum 22 block trade size per particular contracts that they list</p>	<p style="text-align: right;">137</p> <p>1 standardized market and the customized swap market, and 2 that's what Congress has directed us to do. 3 This proposed trade transparency will enhance 4 price discovery and liquidity. I know that many market 5 users might take the other side of that, but I truly 6 believe that post-trade transparency and the economic 7 studies over many markets shows that it enhances both 8 price discovery and liquidity while, as Congress has 9 asked us to do, ensuring anonymity of participates and 10 protections for large trade in appropriate cases for 11 what's often known as "block trades." 12 Per Congress' direction, the proposed rule 13 requires real-time reporting for swap transactions and 14 pricing data to occur as soon as technologically 15 practicable -- those are the words of the statute. We're 16 not making them up in a rule. Those are the words in the 17 statute. 18 For trades that are under the size of a block 19 trade or other than trades that are of large notional 20 size or block trades, Congress mandated that these 21 trades be reported without delays. Or, in their words, 22 as soon as technologically practicable, regardless of</p>

<p style="text-align: right;">138</p> <p>1 whether they are standardized or customized. So we've 2 used the statute provisions and recommended that. 3 With regard to block trades or trades of 4 large notional size, the proposed rule include two 5 important features: And I just want to chat about each 6 of them and why I support the rule. 7 The first is a time delay. A time delay. 8 And the second is a method on how to report large trades. 9 Let me start with the time delay. For 10 standard transactions, those that might be, in essence, 11 or on a swap execution facility or on a designated 12 contract market, the proposal includes a one-minute delay 13 on standardized blocks. 14 This compares to the futures market place, 15 which is currently a five-minute delay. And an equities 16 marketplace, which is actually even shorter than a 17 five-minute delay. 18 With regard to customized trades of large 19 notional size, I think of the ones that are not 20 clearable, they're not at a clearing house, they're not 21 at a SEF or a DCM. For those, what I'll call "customized 22 trades," the proposal takes, really just asks a series of</p>	<p style="text-align: right;">140</p> <p>1 if it gets over \$250 dollars of notional math, the only 2 thing the report would say is \$250 million plus. This 3 could be on a \$260 million dollar trade. A billion 4 dollar trade. A \$3 billion dollar trade. It would just 5 say \$250 million and have a little plus. 6 This, I think, both helps protect anonymity, 7 but also helps to promote liquidity in these large 8 trades, whether there to be customized or on a standard 9 marketplace. 10 The proposal in real-time reporting includes 11 the methods by which the calculate what block trade is -- 12 and I look forward to lot of public comment on this -- 13 but they are a methodology that is across markets with 14 the thought being that they not be regularly arbitrage. 15 It will be one swap execution facility that have 16 different block sizes. And another swap execution 17 facility and that, in essence, trading market platform 18 might complete in an arbitrage of darkness. 19 Darkness is when you don't have to report 20 something. So the thinking here, and this will relate to 21 ultimately what we have in the swap execution facility 22 area, but that there's computation done by the swap data</p>
<p style="text-align: right;">139</p> <p>1 questions: Whether a 15-minute delay would be 2 appropriate for the interest rate, currency, and other 3 financial swaps, markets. And what delays may be 4 appropriate for customized, large trades in physical 5 commodities. 6 So there's, in essence, four different 7 categories one might think of. The non-block 8 standardized trades. Congress has said that's as soon as 9 technologically practicable. We're just following 10 statute; the customized non-block trades. We're 11 following the statute. That, too, is just as soon as 12 technologically practicable. But on the two categories 13 of larger trades, block trades, which are standardized 14 enough to be a SEF or DCM and so forth, we're 15 recommending a 15-minute delay. 16 And this then on a truly customized blocks, 17 we're asking a series of questions, starting with should 18 it be the 15 minutes on the financials, but just a series 19 of questions. 20 The second important feature with regard to 21 block trades or trades of large notional size is a 22 reporting methodology that says regardless of the size,</p>	<p style="text-align: right;">141</p> <p>1 repository once a year based on the data across the 2 entire market place. And there are various formulas, as 3 Tom Leahy, he laid out with regard to that. 4 The proposal includes an initial 5 implementation date of January of 2012 so that the swap 6 data repositories can do those initial calculations, and 7 then in each January thereafter would do the 8 calculations. 9 But it also provides market participants, 10 whether that swap execution facilities or swap dealers 11 time to adjust; and although the statute ultimately takes 12 effect next July 15th, give additional for everybody to 13 move forward. 14 Real-time post-trade reporting is critical 15 to promoting market integrity. And, yes, Commissioner 16 O'Malia, you are right. I'm passionate about it because 17 I think it helps the economy. And I think it helps all 18 investors, hedgers, and end users. 19 It does shift some of the information 20 advantage from Wall Street, which I proudly served in for 21 18 years. But I will tell you, if I might, Wall Street 22 benefits by information advantages.</p>

<p style="text-align: right;">142</p> <p>1 And they will send us hundreds, if not 2 thousands of comments that we're hurting liquidity. And 3 I feel in my core we're helping liquidity. We're helping 4 the small municipal governments, the small companies that 5 will get a chance to see where the pricing is for these 6 swaps. 7 So I think Congress is set on the smaller 8 trades as soon as technologically practicable. And I 9 think Tom and his team have put those in his Rule. For 10 larger trades, there will be a time delay of 15 minutes. 11 Wall Street can hedge their first order risk 12 when there are standard trades, and probably their second 13 and third order risk. But they will tell us why they 14 can't and why they might need days or weeks. And that 15 information advantage, if we let it be days or weeks, 16 will stay with Wall Street. 17 And I think they should absolutely should 18 comment on this. But I think that we balance the 19 considerations here also with saying anything over \$250 20 million will just have a plus sign next to it. 21 On the customized blocks, we ask a series of 22 questions because I think that is more challenging,</p>	<p style="text-align: right;">144</p> <p>1 see a nice, crisp pop out and not a blurb of many 2 different colors. So I am looking really forward to 3 seeing the comments that we receive on this particular 4 one. 5 CHAIRMAN GENSLER: Thank you, Commissioner 6 Dunn. Commissioner Sommers? 7 COMMISSIONER SOMMERS: Thank you, Mr. 8 Chairman. And thank this team for all of your hard work 9 on this issue area. Again, I think all of these 10 different rulemakings on data kind of intersect with each 11 other. So I have a number of different concerns, but I 12 will start with the one that sort of intersects with the 13 SDR proposal in regard to the real-time disseminator. 14 So we define our real-time disseminators 15 either an SDR or third-party vendor. And we talk about 16 if the SDR is not going to be the entity to report to the 17 public in real time, that the third-party vendor is able 18 to do that or if the SDR does not exist. 19 What if there's not a third-party vendor that 20 is willing to take data, is there any sort of 21 contemplation like the statute says that the data would 22 then come to the Commission?</p>
<p style="text-align: right;">143</p> <p>1 particularly in a physical commodity area. If it's a 2 customized block trade of natural gas or jet fuel -- I 3 don't know if there are large trades like this in the 4 agricultural place, but I think it's appropriate to 5 consider what time delays on those customized blocks are 6 appropriate. And I look forward to comments from the 7 public. 8 So I don't have any questions for you today, 9 Tom. I just thought I would say why I'm so passionate to 10 help the American public to get lightness when we've had 11 so much darkness to date. 12 Commissioner Dunn? 13 COMMISSIONER DUNN: Thank you, Mr. Chairman. 14 In the course of this meeting today, you referred to the 15 three data regulations. And I think 3D is an appropriate 16 analogy here. I think getting these together, things 17 should pop out to us. They should pop out to the public 18 as to what's taking place. 19 I associate myself with your comments on 20 getting that information out. I am hopeful that we have 21 coordinated this well enough with our sister agency of 22 the SEC and our agencies internationally so that we do</p>	<p style="text-align: right;">145</p> <p>1 MR. LEAHY: I think that would be the 2 default. But we do ask questions on that topic in this 3 proposed rulemaking. 4 COMMISSIONER SOMMERS: And do you think that 5 the third-party vendors should have obligations with 6 regard, you know -- an SDR has obligations, but we don't 7 really talk about what kind of obligations or 8 registration of a third-party vendor would have. 9 MR. LEAHY: At this time, the hook would be 10 on either the registered entity or the registrant to 11 ensure that the data is reported in real time if they 12 choose to report through a third-party service provider. 13 COMMISSIONER SOMMERS: How does that happen? 14 If you think about that, and I tried to think through 15 that. If you're a counterparty, and you're sending your 16 data, but you're responsible for making sure the 17 third-party vendor reports it in real time, how do you do 18 that? 19 MR. LEAHY: What I would expect is that would 20 be a contractual arrangement that the owner of the data 21 would, in essence, enter into a contract with the 22 third-party data, perhaps selling that data to a third</p>

<p style="text-align: right;">146</p> <p>1 party who would package up with others, perhaps, and sell 2 to market participates. But that's one potential model. 3 But again, the registered entity of the 4 registrants would be on the hook to ensure that it 5 happens. 6 MR. SHILTS: I don't know if that's 7 fundamentally different from when a DCM, for example, 8 contracts out with another party or a surveillance or 9 some regulatory function. The DCM ultimately is 10 responsible for core principles that are carried out. 11 COMMISSIONER SOMMERS: Another part of the 12 SDR proposal that I think intersects with this one is 13 where the SDR talks about the time delays that are 14 required for reporting the DSR reports. And they have 15 these 15-30 minutes. 16 And then depending on whether or not the 17 trade is electronically executed or electronically 18 confirmed, why wouldn't those time frames in that frame 19 work be relevant to what we're doing with real time? Why 20 are they different? 21 MR. LEAHY: Well, I think they are relevant 22 to some extent. I think they provide backstops.</p>	<p style="text-align: right;">148</p> <p>1 COMMISSIONER SOMMERS: Can you also walk 2 through on the difference between what we're looking at 3 in large notional swaps in customized versus standardized 4 in how we have taken into account the liquidity in those 5 markets because we do draw this line in this proposal? 6 Although we talk about, you know, the 7 difference between customized and standardized, if we 8 don't actually define those in the Rule, we'll keep 9 drawing this line and how those may be different. Or, if 10 there is difference that exists, if we consider the 11 liquidity in those different markets. 12 MR. LEAHY: I think the easiest way to 13 differentiate is whether or not the contract is available 14 for trading on the SEF or the DCM. Those contracts will 15 are going to the standardized contracts. If they're not 16 available for trading on a separate DCM, it's most likely 17 that those are going to be the customized contracts. 18 We do differentiate. And again, so that 19 standardized contracts have that 15 minute time delay for 20 blocks. It's 15 minutes because, as the Chairman said, 21 we believe market participants should be able to lay off 22 any risks that they, markets would take in assuming that</p>
<p style="text-align: right;">147</p> <p>1 There are two different data sets; although 2 the real time data set may be a subset of the broader 3 data set that is provided for recordkeeping purposes. 4 But our feeling that if a registered entity 5 or registrant can provide data to the SDR within those 6 time frames, they can certainly provide the real time for 7 what is what we need to be disseminated to the public 8 certainly within that time frame. 9 We did not specify backstop for these because 10 we recognize different entities may have different 11 abilities to report. So we took -- we decided not to 12 include those. But we do have, like I said, we do have 13 those other backstops. 14 We can look, since all of these 15 transactions will be time stamped, we can -- the 16 Commission can go in and see how long it is taking. From 17 the time of execution to the time of reporting, we can 18 compare with other entities of similar size, of similar 19 or of similar prestige, whatever variables we decide are 20 appropriate, to determine whether or not reporting is 21 occurring in a timely fashion as soon as technologically 22 practicable.</p>	<p style="text-align: right;">149</p> <p>1 risk from others. It's the highly customized ones where 2 there may be other forms of risk that are associated with 3 those. There may be imbedded options, for example. 4 There may be a more specialized or a more specific 5 commodity definition. 6 The risk associated with those might be more 7 difficult to lay off, so that's why we're asking 8 questions to determine what is an property time delay for 9 those. 10 COMMISSIONER SOMMERS: My last line of 11 questioning is again on the consistency with other 12 regulators. Do we know what the SEC is proposing today? 13 Would you walk through that with us. 14 MR. STEINER: I don't know exactly where 15 they're ending up today, if there were any changes. But 16 like us, they say that it's as soon as technologically 17 practicable. I believe that they have a backstop of 15 18 minutes for all trades regardless of the counterparty. 19 And as far as block trades, their reporting 20 for block trades. The last that I heard was that they 21 will report everything as soon as technologically 22 practicable with the exception of the notional amount of</p>

<p style="text-align: right;">150</p> <p>1 the trade, which will then be reported at the end of the 2 day. Again, their markets are different, so you have to 3 take that into account.</p> <p>4 COMMISSIONER SOMMERS: Thank you. I think 5 that one of the issues that I know we added a number of 6 questions is with regard to the asset class and how we 7 consider the difference in potentially the liquidity in 8 each of the different asset classes. I think that's one 9 of the areas that the European commission certainly has 10 differentiated their recommendations on, is depending on 11 the asset class.</p> <p>12 So I guess I would suggest that I would hope 13 that we would continue to try to be consistent with them 14 on if they're going to make differentiations based on 15 asset class, that we would consider that, as well.</p> <p>16 CHAIRMAN GENSLER: I'm sure there will be 17 reporting on what we do and SEC does and so forth. But 18 we both have the same statutory provisions, as soon as 19 technologically practicable, right?</p> <p>20 MR. LEAHY: That's correct.</p> <p>21 CHAIRMAN GENSLER: To determine what blocks 22 are.</p>	<p style="text-align: right;">152</p> <p>1 telephone, and it's customized, some very customized, I 2 don't know, the electricity market or something, as soon 3 as technologically practicable may mean something very 4 different?</p> <p>5 MR. LEAHY: Yes, that's right.</p> <p>6 CHAIRMAN GENSLER: Commissioner Chilton?</p> <p>7 COMMISSIONER CHILTON: I'm just reading one 8 of the comment letters that came in October. A Bank of 9 America article. And they're sort of getting at this 10 whole issue of block trades. That's one of the things 11 they get to. And whether or not they do have inadequate 12 time to lay off risk.</p> <p>13 I'm looking forward to the comment letters 14 because if they can't, ultimately the consumers pay for 15 it, so that doesn't make me very happy.</p> <p>16 So I think it's a balancing act that we need 17 to get in here. They need to be able to lay off their 18 risk and effectively hedge. I look forward to seeing 19 what they have to say. I think you all have done a good 20 job in putting this forward.</p> <p>21 CHAIRMAN GENSLER: Thank you, Commissioner 22 Chilton. I think maybe this might disagree with Tom. It</p>
<p style="text-align: right;">151</p> <p>1 MR. LEAHY: That's correct.</p> <p>2 MR. CHAIRMAN: Although we don't have what 3 you all a "backstop," we're both saying you have to do 4 the small trades as soon as technologically practicable? 5 MR. LEAHY: That's correct. The backstop. I 6 mean, you have to report your trade as soon as 7 technologically practicable.</p> <p>8 CHAIRMAN GENSLER: So they might be more 9 restrictive because they have a deadline.</p> <p>10 And isn't it right that if it's electrotonic 11 on a swap execution facility, that's probably pretty darn 12 fast as soon as technological practicable? In both 13 regimes, whether it's the SEC or ours, if it's 14 electronic, it's on a executed platform, it's probably, 15 it's pretty darn fast?</p> <p>16 MR. LEAHY: That's correct. From market 17 participates and our roundtable discussion, that's the 18 case.</p> <p>19 CHAIRMAN GENSLER: And then, obviously, if we 20 go all the way to the other spectrum, if it's a end user 21 to end user -- and again, we think that's a very small 22 part of the market, and they're just doing it on the</p>	<p style="text-align: right;">153</p> <p>1 might not lay off every single risk because you may 2 either have a basis risk. You could do a billion dollar, 3 14-year interest rate swap and decide to hedge it with 5, 4 10, and 30 year. You might still have some basis risk 5 during a 14 year point in the curve and 5, 10, and 30. 6 Or even in a very liquid oil markets, you might have a 7 locational basis risk, it might be crude oil, but 8 delivered to a different place. So it's that debate.</p> <p>9 At most risk management of Wall Street, this 10 would want to try to hedge their first order, and maybe 11 their second and third order risk. So basis risk, they 12 can be managed for some time.</p> <p>13 Commissioner O'Malia?</p> <p>14 COMMISSIONER O'MALIA: Mr. Chairman, you 15 indicated that the Wall Street dealers would use this 16 liquidity argument to their advantage.</p> <p>17 CHAIRMAN GENSLER: They might or might not.</p> <p>18 COMMISSIONER O'MALIA: Well, all I can say is 19 we've been inundated already. Commission Chilton 20 mentioned buy side is also mentioned. And, ostensibly, 21 we're here to, you know, transparency is argued to be for 22 protecting and advantaging the buy side, so they have</p>

<p style="text-align: right;">154</p> <p>1 mentioned liquidity here.</p> <p>2 Tom, you mentioned in your opening</p> <p>3 statement you've looked at liquidity, but in this</p> <p>4 rulemaking I cannot find that a economic analysis or any</p> <p>5 analysis of the liquidity issue. Do you want to</p> <p>6 elaborate on that?</p> <p>7 In fact, in my opening statement, I</p> <p>8 referenced footnote 7472 that said we have not really</p> <p>9 looked at it. It could change. The more we know, then</p> <p>10 we'll adjust our rules.</p> <p>11 MR. LEAHY: This rulemaking, Dodd-Frank Act</p> <p>12 fundamentally changes how the over-the-counter market</p> <p>13 works. We don't have data specifically --</p> <p>14 COMMISSIONER O'MALIA: Let me ask you about</p> <p>15 that. Do you think it will change the way it works, or</p> <p>16 change the way we regulate? There is still going to be</p> <p>17 ill-liquid. There's still going to be thinly traded.</p> <p>18 How does it change that?</p> <p>19 MR. LEAHY: It will move more contracts, more</p> <p>20 of these swaps onto SEFs and DCMs. It will change it in</p> <p>21 that respect. That's actually an argument for a</p> <p>22 different rulemaking.</p>	<p style="text-align: right;">156</p> <p>1 MR. LEAHY: Going forward, we have that data.</p> <p>2 And we can analyze that data and determine whether or not</p> <p>3 we're better off having post-trade transparency. But</p> <p>4 until we have the data, until we tried, we can't. There</p> <p>5 is no laboratory.</p> <p>6 COMMISSIONER O'MALIA: We established on a</p> <p>7 previous panel a swap is owned by the parties that</p> <p>8 transacts on it. Do we limit swap owners, therefore, the</p> <p>9 ability to sell and to distribute information regarding a</p> <p>10 trade prior to sending it to a SDR?</p> <p>11 MR. LEAHY: We are mostly silent on that. We</p> <p>12 have implicitly and stated that this -- and I want to</p> <p>13 emphasize "implicitly" -- that the owners of the data</p> <p>14 would be the market participates of the swap facility or</p> <p>15 the facility itself by allowing them to provide that data</p> <p>16 to, if it's a swap dealer, to its customer base. Or if</p> <p>17 it's a SEF or DCM, provide that data to its own market</p> <p>18 participates. Whether that's a bonus for working with</p> <p>19 us, or whether its sold, that would be up to owner of</p> <p>20 that data.</p> <p>21 COMMISSIONER O'MALIA: But there's no</p> <p>22 limitation on when they send it? How they send? If they</p>
<p style="text-align: right;">155</p> <p>1 COMMISSIONER O'MALIA: I thought they should</p> <p>2 all be brought together.</p> <p>3 MR. LEAHY: But that will bring the pre-trade</p> <p>4 transparency, this is the post-trade. But where I was</p> <p>5 going with this is we don't have the data that has not</p> <p>6 been tried before specifically for swaps.</p> <p>7 At our roundtable and in conversations with</p> <p>8 certain market participates, academics, the argument was</p> <p>9 made with respect to the trace. That trace, if you</p> <p>10 require reporting of over-the-counter fixed income</p> <p>11 transactions, that's going to harm liquidity.</p> <p>12 And one of our roundtable participants, a</p> <p>13 former chief economist at the SEC, flat-out stated there</p> <p>14 is no evidence that it will harmed liquidity. And, in</p> <p>15 fact, the evidence points to the opposite.</p> <p>16 So we had to use analogs like that. We don't</p> <p>17 have -- there is no specific data with respect to swaps</p> <p>18 and post-trade transparency. It doesn't exist at this</p> <p>19 time.</p> <p>20 COMMISSIONER O'MALIA: So the statute says we</p> <p>21 have to consider it. Going forward how will we consider</p> <p>22 it?</p>	<p style="text-align: right;">157</p> <p>1 sell it at all?</p> <p>2 MR. LEAHY: The limitation is that they</p> <p>3 cannot do that earlier than they reported to the SDR. We</p> <p>4 expect there would be some delay from the time it's sent</p> <p>5 to the SDR until the SDR is able to publically</p> <p>6 disseminate that data.</p> <p>7 MR. STEINER: That's sending it to the SDR</p> <p>8 for purposes of real-time dissemination. Or, in case of</p> <p>9 a swap market, a SEF or a DCM and to a third-party</p> <p>10 service provider real-time disseminator.</p> <p>11 COMMISSIONER O'MALIA: When does it count</p> <p>12 that you've complied with the Act to report, when it</p> <p>13 transacts on a screen, or when it's actually disseminated</p> <p>14 by a SDR?</p> <p>15 MR. LEAHY: You've complied when you've sent</p> <p>16 it to the real-time disseminator. Whether it's the SDR</p> <p>17 or a third party, that's the point in which we believe</p> <p>18 you have complied.</p> <p>19 COMMISSIONER O'MALIA: What if it's on a SEF</p> <p>20 that's a transparent mechanism we've talked about?</p> <p>21 MR. LEAHY: That may not qualify. It depends</p> <p>22 on how open it is. It would seem to me that that should</p>

<p style="text-align: right;">158</p> <p>1 be a way to comply. Perhaps we can receive comments on 2 that. If it is a fully public, publically available 3 website where you have data out there, that should be 4 consistent with the Act.</p> <p>5 COMMISSIONER O'MALIA: We have a couple of 6 new terms introduced in the latest provision: The 7 standard swap trading, and customized large notional 8 trade. They're not defined. They're discussed in the 9 preamble, but they're not defined.</p> <p>10 Do you want to elaborate on them?</p> <p>11 MR. LEAHY: The standardized are those that 12 are available for trading on a SEF or a DCM. Whether 13 they are traded on a SEF or DCM, is not a term. Those 14 contracts could be traded off of the SEF or DCM pursuant 15 to the end-user exception.</p> <p>16 COMMISSIONER O'MALIA: Okay. So on SEF or 17 DCM, or off an exchange or DCM?</p> <p>18 MR. LEAHY: Well, again, if it's eligible to 19 be traded on a SEF or DCM, in that respect, you could 20 have an end-user exception, transaction pursuant to the 21 end-use exception, which the contract that they're 22 trading felt that the trading is essentially</p>	<p style="text-align: right;">160</p> <p>1 markets. We might have a little difference. The public 2 will help us out tremendously.</p> <p>3 If there are no further questions, the motion 4 having been seconded, all those in favor indicate by 5 saying "Aye." 6 (Chorus of ayes.) 7 CHAIRMAN GENSLER: All those opposed indicate 8 by saying "Nay." 9 COMMISSIONER SOMMERS: Nay. 10 COMMISSIONER O'MALIA: Nay. 11 CHAIRMAN GENSLER: The ayes appear to have 12 it. They ayes have it, and the motion carries. 13 I'm also going to ask at the point for a 14 unanimous consent to allow staff to make minor technical 15 corrections to the documents voted on today prior to 16 sending them to the Federal Register, including some 17 numerical corrections in the P.R.A -- P.R.A. means 18 Paperwork Reduction Act -- estimates. 19 And I guess I could make that motion. So, I 20 will make that motion for a unanimous consent. Are there 21 any objections? Not hearing any objections, that 22 carries.</p>
<p style="text-align: right;">159</p> <p>1 standardized, it could have been traded on a SEF or DCM.</p> <p>2 COMMISSIONER O'MALIA: Does it have to be 3 identical, or does have to be close?</p> <p>4 MR. LEAHY: I would say it has to be close. 5 I don't think it needs to be identical. There are ways 6 you can make it difficult. We include those in the data 7 field.</p> <p>8 For example, if an entity wanted to include a 9 worthless, embedded option, we would have visibility of 10 that. That would not be a sufficient reason for it to be 11 non-standardized, at least in my opinion.</p> <p>12 So if it's eligible to traded on a SEF or 13 DCM, we would view that as standardized. If not, it 14 would be customized.</p> <p>15 MR. SHILTS: Just some of statutory language 16 behind it. The standardized ones, we're looking at 17 Section 2(a)13(c) I and IV. And, as far as the 18 customized transactions, it would be II and III.</p> <p>19 COMMISSIONER O'MALIA: That's all.</p> <p>20 CHAIRMAN GENSLER: I thank the staff, and I 21 thank fellow Commissioners. This one is a very important 22 one. I think we do all share the view great transparency</p>	<p style="text-align: right;">161</p> <p>1 I had said that I would just say a few words 2 on the scheduling. I think Commissioner O'Malia raised 3 this, so it's a good question.</p> <p>4 We've identified 30 topic areas with the SEC. 5 And it's been a tremendous partnership collaboration 6 partnership with them. We've laid out a internal 7 schedule through the middle of December and always 8 recognizing flexibility.</p> <p>9 I say, publically, that we're all human, with 10 flexibility with some taken up in January. But at least 11 we've kept our feet to the fire through December.</p> <p>12 We currently have a meeting for December 1st 13 schedule. I'm losing track if we put it in the Federal 14 Register, but we do have two dates in December that we 15 will all come together on.</p> <p>16 I won't try to make news here and say the 17 dates, but they are calendared, two very specific dates, 18 and some things were moved to January.</p> <p>19 In terms of the topics, themselves, on 20 definitions, there are two major rules: Entity 21 definitions and product definitions. And Cyrus keeps 22 telling me that we're in good coordination with the SEC.</p>

<p style="text-align: right;">162</p> <p>1 We're looking to do the entity definition December 1st. 2 I suspect product definition will be one of 3 those other two dates. I think the last date in December 4 we have December 16th. And then, thankfully, people can 5 go on their holidays and everything. So that product 6 definition one will probably be later. 7 In terms of other things that we have in the 8 -- I'm just thinking by division. But in Division Market 9 Oversight, we have a number of rules. But the main two 10 pieces are designated contract markets and swap execution 11 facilities. 12 And the designated contract market, I think 13 is our next meeting. I think that's December 1st. And 14 the swap execution facility, I believe is in that next 15 one. I can't remember the date. What's that, David? 16 MR. TAYLOR: The 9th? 17 CHAIRMAN GENSLER: The 9th of December, so 18 it's almost. But I think the swap execution is on the 19 9th. So those are two main things from the Division of 20 Market Oversight. 21 In the Division of Clearing, we have what is 22 the second batch of both the internal business conduct</p>	<p style="text-align: right;">164</p> <p>1 But that will be one of these December meetings, this 2 position limits. I'm trying to think what have I left 3 out. 4 So the things that are probably going to be 5 later are if we do a roundtable on capital margin, which 6 I am committed to. I think it's a good idea. We'll do 7 that as soon as staff can do it early December. 8 I think that meeting on capital margin will 9 be in January rulemaking. I think that's just 10 appropriate. I know the public would like to know where 11 we're coming out, I think will add a little more time. 12 We have a joint rule with SEC, which is not 13 related to derivatives, which is related to hedge funds, 14 disclosure on hedge funds, that has to be joint. I think 15 that will be calendared for the middle of January. 16 We're really mostly working with the SEC. 17 They are taking the lead on that. I think it's probably 18 not specifically related to the derivatives, so I don't 19 feel we've slipped on that one. 20 And then we also put out an advanced notice 21 for proposed rulemaking on another topic, agricultural 22 swaps. And we've just been getting the public comments</p>
<p style="text-align: right;">163</p> <p>1 standards, and the designated contract market. The DCO 2 standards, and those are calendared for December 1st. 3 So the second batch, which is largely about 4 recordkeeping reporting and administration matters and so 5 forth. The risk management batch of both internal 6 business conduct and the risk management batch for the 7 clearing houses, I think is that December 16th meeting. 8 Again, all of this can move and change. We 9 have lots of moving parts, but those are the main pieces 10 that risk management piece being the latter one. And the 11 more administrative recordkeeping piece being December 12 1st on both internal business conduct and the clearing 13 houses. 14 The end user exception, the commercial 15 end-user exception, i think that's George's team. And 16 that in the Office of General Counsel. I think that's in 17 that middle meeting in December. But whether it's 18 actually ends up December 9th or December 16th, that's a 19 very important one. And that's what we've been looking 20 at trying to do. 21 And then position limits. Rick will tell us 22 when he's going to be able to have it in front of us.</p>	<p style="text-align: right;">165</p> <p>1 in. So, inevitably, the actual proposal there, whether 2 staff can get that together to us by mid January, which 3 will be terrific if they can. 4 So I think the hedge fund work, the capital 5 margin is a good suggestion to have a roundtable. And 6 because we did an ANPR on the agricultural area, it was 7 not a mandated rule, but a discretionary rule. 8 Disruptive trading practices, we planned and 9 we put out an ANPR. Of course, when those comments come 10 back in, the staff will work with those comments. We'll 11 see when we can calendar that. 12 Dan, am I missing any of the big ones? 13 MR. BERKOVITZ: External business. 14 CHAIRMAN GENSLER: Thank you. The rule for 15 external business, which is very important. It's being 16 run out of the Division of Enforcement, will be either -- 17 I can't remember if its the second or third meeting in 18 December. It's not December 1st, but in December. 19 I think December 1st is a full meeting, so 20 that one might be the second or third meeting or at least 21 tentatively. 22 These are not fixed dates. I say that to</p>

166

1 our friends on the Fourth Estate. We're not only human,
2 but we're trying to coordinate and do this right and all
3 of the comments. Commissioner O'Malia?

4 COMMISSIONER O'MALIA: The other question
5 that I just asked the staff was portfolio margining.

6 CHAIRMAN GENSLER: Thank you. Portfolio
7 margining, some of which we've taken up even today in
8 midst of proposed rulemaking for non-cleared swaps.

9 There are some technical parts of the
10 portfolio margin that will be taken up in risk management
11 rules for clearing houses, but there's still the big
12 issue with the SEC that has to be done jointly. I don't
13 think we'll be able to do that in December.

14 So we'll take up the things that we can and
15 need to do in clearing. I believe, as you do,
16 Commissioner O'Malia, we really need to do this, but it's
17 not calendared for December. But I'm associating my
18 remarks with you.

19 COMMISSIONER O'MALIA: Yes. I know. I know.
20 Thank you.

21 CHAIRMAN GENSLER: If there's no other
22 further business -- I've just probably got our press

167

1 secretary Scott Schneider upset with me in doing all of
2 that transparently, but it's there -- then I will
3 entertain a motion to adjourn the meeting.

4 COMMISSIONER DUNN: So moved.

5 COMMISSIONER SOMMERS: Second.

6 CHAIRMAN GENSLER: All in favor?

7 (Chorus of ayes.)

8 CHAIRMAN GENSLER: Any opposed? The ayes
9 appear to have it. The meeting is adjourned.

10 (The meeting adjourned at 1:15 p.m.)

11

12 * * * *

13

14

15

16

17

18

19

20

21

22

A				
abilities 147:11	acceptable 114:15	42:17 53:2,3,22	addressed 32:3	affiliations 113:20
ability 94:13 96:10	acceptance 83:2	54:9 80:17 81:7,9	48:15 66:1	affirmed 122:6
97:15 98:12	accepted 100:7	81:11 98:20	addresses 30:19	after 25:19 28:18
100:17 112:19	accepting 10:15	101:18,21 117:6	41:19	29:4 30:22 32:16
156:9	97:8	117:11,17 133:21	addressing 44:19	35:2 36:4 58:21
able 56:7 61:11	accepts 83:3 84:5	152:16 154:11	adequately 87:13	63:22 69:16 77:19
75:4 76:21 81:21	132:1 133:1,15	157:12 158:4	adjourn 167:3	110:20 129:16
82:13 84:21 94:11	access 4:10 82:15	160:18	adjourned 167:9	again 9:13,21 12:3
94:16,22 95:9,11	84:11,12 85:15,20	acting 98:5	167:10	17:21 28:17 47:14
96:8,20 101:1	85:21 88:12 89:9	activities 48:21	adjust 141:11	100:9 105:18
114:16 144:17	98:12,17 100:6	49:1,8 98:22	154:10	118:9 144:9 146:3
148:21 152:17	101:11 102:20	activity 15:8 49:5	administration	148:18 149:11
157:5 163:22	111:19	98:21 99:2,10	163:4	150:2 151:21
166:13	accessible 83:22	actual 83:18 86:6	administrative	158:18 163:8
aborad 125:1	109:19	94:15 165:1	27:5,12 44:13	agencies 79:18
about 3:14 6:1	accessing 86:2	actually 7:18 12:16	47:12 55:6,7	143:22
11:19 14:22 15:1	accommodate 13:2	12:19 15:4 17:11	62:22 117:5,11,17	agency 7:8 66:4
15:22 16:12,20	49:21 118:20	38:22 39:7 65:18	163:11	143:21
18:5 20:5 23:12	accomplish 94:3	67:4 69:17 85:5	admit 18:22 116:11	agenda 10:18 28:19
36:16 38:9 41:2	accomplished	87:11 94:21 96:1	admits 20:7	aggregate 114:2
41:14 44:11 46:7	130:20	103:19 107:10	adopt 21:19 85:3	aggregation 102:12
48:18,20 49:1,3,7	accordance 33:22	125:16 138:16	88:4 127:3	112:17
49:10,22 50:20	135:1,10	148:8 154:21	adopted 9:7 85:6	aggregator 92:6
54:14 56:6,11	accordingly 32:19	157:13 163:18	adoption 81:4	aggregators 90:16
60:12 61:2 62:6	46:11	add 6:1 17:21	advance 118:17	91:10
66:3 68:7 70:10	account 19:15	24:15 51:1 65:20	126:7	aggressive 56:19
71:12,14,19,19	23:18 24:4 35:8,8	68:22 69:7,19	advanced 3:9,15	agree 11:14 13:15
73:11 74:21 77:12	39:21 42:14 44:20	99:19 102:5 105:1	5:22 6:16 22:18	13:22 14:2 62:5
89:11 90:6,14	53:8 66:5 73:13	105:3 120:20	29:7,17 30:20	100:13 125:9
91:10 92:4 93:3	109:4 131:6 148:4	164:11	36:1 37:15 41:14	agreed 85:9
93:21 98:19 104:9	150:3	added 46:3 53:17	46:12 50:15 51:12	agreement 33:17
108:6 116:3	accounting 55:7	53:21 54:8 90:5	52:8 54:19 70:6	33:17,21,22 39:13
117:19 122:4	accounts 35:9	93:12 127:19	74:17 164:20	83:10 85:22
123:6 124:12,14	53:14 128:1	150:5	advantage 141:20	agreements 38:10
124:15 127:13,22	accuracy 83:12,14	adding 65:15	142:15 153:16	38:17 40:15,21
128:4 130:4 138:5	110:15	addition 21:22	advantages 141:22	99:17 105:12
141:16 144:15	accurate 64:6	68:14 130:22	advantaging	agricultural 22:22
145:7,14 146:13	79:14 87:5	additional 6:8	153:22	143:4 164:21
148:6 154:14	achieve 9:5,18	81:10 88:4,5	advice 8:18	165:6
157:20 163:3	across 64:20	111:4 118:15,20	advised 125:13	ahead 24:18 69:6
abroad 126:13	112:17 114:6	118:22 119:8	advisory 1:10 26:8	96:13 126:22
absence 70:1	115:22 140:13	141:12	95:13	AIG 15:20
absolutely 58:3	141:1	Additionally 8:11	advocated 19:13	aligned 29:2
59:19 60:5 142:17	act 3:7 4:7 7:1	134:6	affect 99:1	110:10 124:8
academics 155:8	19:16 20:12 26:15	address 7:2 35:4	affected 101:22	alike 106:16
accept 83:5,7 96:20	26:17 27:5,12	49:18 92:17 94:16	affecting 111:8	allocate 65:6
	31:6 35:17 41:17	127:21	affiliate 33:9	allocation 34:22

<p>allow 37:1 40:14 41:7 100:22 113:20 114:2,14 120:8 160:14 allowed 26:18 78:12 117:10,17 allowing 51:7 156:15 allows 117:6 119:10 almost 8:4 11:21 52:15 60:10 125:14 162:18 along 106:16 already 6:12 16:1,1 16:4 62:9 71:9 72:11 95:22 96:11 97:2,8,8 98:5 109:1 119:22 120:13 153:19 alter 83:9 alternative 45:22 46:21 47:5,17 48:16 50:5 62:21 Alternatively 133:3 alternatives 46:18 68:16,19,20 72:8 although 33:8 37:22 58:1 60:16 102:13,17 141:11 147:1 148:6 151:2 always 52:1,4 161:7 amazed 7:20 ambition 8:3 amend 83:10 amended 106:5 amendments 35:13 35:17 53:3 58:9 America 1:3 152:9 American 143:10 among 23:6 35:18 71:15 135:16 amongst 76:6 amount 94:7 118:15 126:8 135:7 149:22</p>	<p>amplify 118:11 analog 155:16 analogy 143:16 analysis 22:6,12 46:10 94:8,12 154:4,5 analyze 46:14 114:2 156:2 analyzed 48:22 94:22 analyzing 84:17 Ananda 29:19 59:18 60:2 74:19 77:15 127:14 angel 56:10 Anne 107:14 annualized 15:17 anonymity 137:9 140:6 another 4:16 14:7 43:2 61:19 69:9 75:19 77:14,19 85:14 89:10 98:13 124:4 140:16 146:8,11 164:21 ANPR 55:14 60:17 61:7 165:6,9 answer 34:4 41:4 65:8 71:22 114:20 121:13 136:11 answers 50:12 73:8 anticipate 93:6 anticipation 33:2 anticompetitive 88:1 antitrust 86:11,13 anti-competitive 86:15 anybody 99:8 anyone 46:9 52:13 anything 27:11 38:20,22 65:20 74:16 104:11 105:2,3 142:19 anytime 40:22 anyway 123:3 anywhere 96:22</p>	<p>128:8 AOSCA 120:5 apologize 5:4 appear 78:3 106:11 129:10 160:11 167:9 appearing 41:13 appendix 31:21 applicable 81:8 applicant 81:21 82:4,5 96:10 applicants 81:16 93:10 96:8,9 application 96:6 applications 97:17 applied 33:15 34:12 49:2,6 applies 39:16,16 apply 32:19 48:2 70:20 appointed 13:5 appreciate 10:6,13 11:8 25:12 51:6 65:15 appreciation 30:10 approach 20:17 21:3 45:22 49:20 63:11,18 110:11 111:7,12 126:20 approaches 63:8,8 63:15 appropriate 8:16 12:11 21:3 32:3 51:19 112:10 117:10 121:20 131:1 134:21 135:2,8,10 136:7 137:10 139:2,4 143:4,6,15 147:20 164:10 approve 79:7 96:9 96:10 108:8 130:7 approximately 45:16 arbitrage 116:1 140:14,18 archived 84:1,3</p>	<p>61:13 67:14 118:10 140:22 143:1 144:9 165:6 areas 115:13 150:9 161:4 arguably 69:22 70:15 argue 70:18 72:5 argued 153:21 argument 73:3 153:16 154:21 155:8 arguments 72:18 73:2 arising 32:22 44:20 arithmetic 5:20 Arlington 128:10 around 4:16 8:19 14:21 93:15 arrangement 34:20 38:13 145:20 arrangements 86:16,18 87:1,2 article 152:9 Asia 12:14 asked 26:8 40:6 48:18,20 49:3,7 49:10,13,22 62:14 70:5 73:11 100:3 121:18 137:9 166:5 asking 22:22 29:16 55:15 62:20 90:5 92:1 121:19 122:8 139:17 149:7 asks 71:11,18 138:22 aspects 102:18 aspirational 63:10 assemble 75:4 asset 37:7 52:1 74:20 83:4,5 94:6 94:10 100:4 109:4 111:3,15 112:17 134:4 150:6,8,11 150:15 assets 42:9,9 75:6</p>	<p>134:4 assistants 5:12 associate 60:20 109:5 143:19 associated 23:1 88:10 124:20 149:2,6 associating 166:17 associations 126:18 assume 58:11 68:3 68:4 102:17 assuming 54:18 58:5,10 102:2 148:22 assure 60:7 attached 42:10 attempt 18:22 attempted 79:22 attracts 85:17 attributable 43:9 attributed 47:8 49:16 authority 35:7 71:21 88:4 112:22 124:21 126:12 128:19 authorized 34:7 automated 84:16 111:21 available 43:6 45:7 48:12 67:6 80:19 87:3,5 108:16 110:2 113:16 132:12 133:10 134:18 135:6 148:13,16 158:2 158:12 avoid 34:1 43:1 70:8 86:14 110:12 114:5 avoidable 49:19 aware 24:11 away 24:5 97:17 Aye 41:10 77:22 129:7 160:5 eyes 41:11,13,13 78:1,3,3 106:7,8</p>
---	---	--	--	--

106:11,12 129:8 129:10,10 160:6 160:11,12 167:7,8 a.m 3:2	basic 66:1 basically 53:4 57:11 66:9,13 92:8 95:9 121:18 basis 42:8,13,17,18 47:8 67:2,8 124:21 128:15 153:2,4,7,11 batch 162:22 163:3 163:5,6 bears 68:9,11 become 82:19 becoming 10:9 75:1 123:13 beehive 14:5 15:8 before 4:18,19 6:18 13:22 30:22 36:3 58:15 61:12 64:2 66:22 79:2 85:20 93:11 108:3 116:12 118:13 130:2 132:13 133:11 155:6 begin 29:5 79:2 108:3 130:2 beginning 21:21 32:9 begs 22:6 behalf 43:8 45:1 behind 8:15 159:16 being 29:11 43:2 57:20 89:12 104:12 140:14 163:10,11 165:15 believe 18:19 21:3 21:15,22 59:5 64:13 80:9 89:13 93:9 96:3,12 98:6 99:8 101:13 105:5 125:21 137:6 148:21 149:17 157:17 162:14 166:15 believes 18:20 47:11,14 belonging 53:9,14 54:4	benefit 19:5 22:19 65:16 95:20 101:8 107:5 116:21 benefited 77:4 benefits 48:19 113:1 141:22 Berkovitz 16:11 30:4 52:20 53:19 53:21 54:17 55:4 55:11 66:1 69:7 117:7,21 118:2 165:13 best 18:10,11,14 24:19 27:6 72:5 107:7 125:8 better 21:20 59:14 59:21 71:10 72:11 73:11,15 156:3 between 3:13,17 8:14 18:16 20:2,4 32:16,21 33:12 34:1 39:13 52:17 54:10 64:14 65:7 69:2 90:2 109:4 121:11 131:20 148:2,7 bid 69:18 bifurcated 23:2 127:16,17 big 7:21 87:11 116:16 122:21 165:12 166:11 bigger 72:20 bilateral 3:12 29:13 36:21 38:12 41:5,6 43:20 101:7 bilaterally 131:19 Bill 78:18,22 79:3 billion 140:3,4 153:2 bit 36:16 67:22 100:15 Black 57:9 blanket 17:13 block 130:11 131:2 131:3 134:10,12	134:16,21 135:12 135:22 136:4 137:11,18,20 138:3 139:13,21 140:11,16 143:2 149:19,20 152:10 blocks 18:15 138:13 139:16 142:21 143:5 148:20 150:21 Bloomberg 91:13 91:14,15 blurb 144:1 Board 87:13 130:14 Bob 17:22 29:20 30:7 37:9 41:14 50:14 66:2 69:7 73:6,7,9 74:3 body 116:16 125:12 bonus 156:18 books 82:15 83:21 100:22 both 4:8 10:19 29:8 32:20 33:7,13 37:15,18 41:3 57:19 61:19 65:5 67:4 69:3 76:15 83:11 85:15 102:20 110:8 136:22 137:7 140:6 150:18 151:3,12 162:22 163:5,12 boundary 19:1 Bower 30:13 break 106:17 briefly 81:15 bring 4:8,13 18:6 136:21 155:3 bringing 4:17 broad 51:21 99:6 broaden 77:2 broader 147:2 broadest 115:13 broker 31:1 35:19	36:4 43:11 brokers 35:10 brought 26:1 103:15 155:2 bucket 81:5 budget 93:18 94:2 94:20 95:1,4 build 119:3 building 115:5 built 94:2 120:13 bunch 62:10 118:13 burden 21:17 86:15 109:8 110:12 121:17,20 Burns 2:12 18:1 30:15 78:7,10,11 78:17 79:1 87:10 89:16 90:11,18 91:4,11,14,17,20 92:18 93:9,13 96:3,19 97:3 98:11 99:5 100:16 101:13 102:7,9,13 103:7 104:5,13 105:5,20 business 14:18 19:2 26:7 27:18 35:19 50:4 61:3 72:3 88:7 109:21 119:2 162:22 163:6,12 165:13,15 166:22 businesses 16:2 buy 76:4 153:20,22
				<hr/> C <hr/> C 3:1 calculate 140:11 calculation 135:19 calculations 136:1 141:6,8 calendar 8:9 32:12 35:20 124:13 135:20 165:11 calendared 6:6 124:3 161:17 163:2 164:15

<p>166:17 call 3:19 24:1,2 36:22 41:10 51:4 64:10 77:21 81:5 84:22 102:14 105:18 109:14 128:22 129:5,17 138:21 called 3:15 calling 126:4 calls 8:3 103:1 110:4 111:17 112:11 came 58:4 116:15 152:8 Canada 12:14 capabilities 21:5 119:4,5 capability 94:19 97:12 capacity 99:6 118:19 capital 25:10 38:2 43:1,6 45:2 46:3 76:15 164:5,8 165:4 card 128:10 care 121:16 122:14 122:17 carefully 7:7 69:13 carried 35:8 146:10 carries 160:12,22 carry 94:22 case 57:5 68:1,6 104:5 151:18 157:8 cases 65:12 137:10 categories 111:2 139:7,12 categorize 113:22 cats 26:4 caught 15:7 cause 20:14 45:15 82:3 CDS 97:3 CEA 101:18</p>	<p>central 8:9 12:21 CEO 32:6 certain 44:12 63:15 63:15 86:21 87:3 87:22 90:13 94:7 134:1 155:8 certainly 22:19 38:21 58:5 67:1 68:17 75:2,17 118:12 147:6,8 150:9 certainty 18:19 26:14 27:16 certify 82:12 cetera 134:5 CFTC 9:19,22 21:8 26:19 CFTC's 8:21 Chairman 2:3 3:3 6:20 7:10,12 10:2 10:5 12:5 16:12 17:14,18,21 18:4 20:19 22:9 24:17 25:15,20,21 28:16 30:6 36:5,9,15 37:13,22 38:6 41:4,8,12 42:4 50:14,19 51:8 52:20 53:16,20 54:12,18 55:8 58:15 59:20 60:1 60:7,16 62:3,12 63:20 65:14,20 69:6 73:7 74:18 75:5,9,11,18 76:19 77:14,18 78:2,8,21 79:1 87:8 88:14,20 89:3,17 90:13,19 91:7,8,18,22 92:5 92:8,20 93:2,12 95:3,16 101:6,15 104:16 105:1,15 105:22 106:4,9,11 107:22 114:21 115:3 118:1,8,12 120:3,21 121:2</p>	<p>122:13 123:20 129:4,9 130:1 136:13,18 143:13 144:5,8 148:20 150:16,21 151:2,8 151:19 152:6,21 153:14,17 159:20 160:7,11 162:17 165:14 166:6,21 167:6,8 Chairman's 25:14 challenge 46:1 75:3 challenging 14:11 14:14 142:22 chance 142:5 change 26:21,22 27:13 32:13,15 35:22 45:8 57:17 57:19,19 67:17 104:21 105:2,14 105:19,20 154:9 154:15,16,18,20 163:8 changed 35:17 69:19 changes 10:15 17:11 28:9,15 32:22 33:3 35:20 44:15 49:3,9,10 49:12,20 58:12 70:16 111:14 149:15 154:12 changing 17:16 charged 49:16 Charter 87:1,4 chat 41:14 138:5 chatted 29:1 chatting 50:19 cheapest 111:19 check 75:16 chief 30:14 81:13 107:16 155:13 Chilton 2:4 4:21 14:1,2 17:19 38:6 38:7 39:2,4 40:1 41:3,9 62:4,5 63:2 63:21 101:15,16</p>	<p>102:9 103:2,11 104:8,15,17 122:18,19 152:6,7 152:22 153:19 chime 117:2 choice 33:11,14 37:2 choose 31:20 49:14 83:6 132:9 145:12 choosing 61:18 70:20 chorus 17:21 41:11 78:1 106:8 129:8 160:6 167:7 chose 107:6 church 15:2 circumstances 8:17 48:9 115:19 claim 65:7,7 claims 64:20 65:1 clarify 22:12 clarity 33:20 56:2 class 83:4,5 94:6,10 100:5 111:3 150:6 150:11,15 classes 109:4 111:15 112:18 150:8 clause 54:2 clear 8:1 9:11 19:1 23:6 29:18 31:15 34:4 39:15 40:15 44:6 70:10 75:1,4 75:6,14,15 clearable 138:20 cleared 3:17 8:9 24:6 30:22 36:3 38:15 41:19 43:13 44:4 50:16 80:21 clearer 123:13,13 clearing 2:10 3:18 23:17 29:20 30:2 30:7 41:1,18 42:12,13,15 43:6 43:7,14,19 44:9 44:10,18 45:3,5,8 45:12,21 46:1</p>	<p>47:3,9,21 48:1 49:7,12 52:3,15 52:16,21 53:6 56:18,19 59:6 64:13,17,19,21 65:2,10 66:3,4 67:1,4,12 69:20 71:3,9,17,20 72:2 72:9,10,14,20 73:20 75:8,9,10 75:11,13,21 76:10 76:11 77:3 89:12 97:12 104:10,14 106:22 115:17 127:14 138:20 162:21 163:7,12 166:11,15 clearly 19:21 20:1 67:22 70:10 climate 15:13 close 118:4 159:3,4 closely 122:3 closer 72:9 closing 24:17 CME 65:5,7 code 35:11,19 58:10,12 63:19 codes 63:13,14 codified 31:5 cognizant 23:8 coined 7:22 collaboration 161:5 collateral 3:11 30:18 31:3 34:10 34:13,16 36:18 43:8,9 44:2 45:6 45:14,16 47:7,9 47:22 48:7 49:15 49:15 51:13 65:7 67:2 colleague 78:15,17 colleagues 30:13 136:11 collect 45:20 79:11 80:17 collecting 89:19</p>
---	--	---	--	---

collection 20:22 22:12 collective 24:4 collectively 23:18 27:2 66:11,14,16 collects 45:21 college 16:3 colors 144:2 come 3:4 12:18 20:13 27:11 40:10 46:6 65:3 78:6,9 97:19 99:22 110:13 120:11 125:9 126:1 127:11 128:2,19 144:22 161:15 165:9 comes 51:21 64:22 128:18 coming 5:5,6 14:12 15:6 40:5 55:18 99:11 164:11 comment 6:17 18:8 21:14 22:2,3,22 28:19 30:21 33:13 35:3 36:2 38:9 46:13 48:15 51:20 55:16 56:3 59:1 62:12 84:3 88:16 91:6 111:3 114:19 115:20 117:4,9,18 121:18 122:8,20 136:10 140:12 142:18 152:8,13 commentator 51:2 commentators 49:13 50:11 commented 13:1 17:15 commenting 17:12 comments 5:6 6:11 7:8 10:15 11:8 12:18 13:2,6,19 13:20 17:7,9 21:3 22:3 23:3 24:12 25:17 47:15 49:13 54:19 55:22 56:3	57:1 60:21 61:8 101:8 102:8 115:10 117:12 124:9 130:16 136:6 142:2 143:6 143:19 144:3 158:1 164:22 165:9,10 166:3 commerce 99:1,12 101:22,22 commercial 31:12 34:20 71:5 87:14 89:11 163:14 commingle 63:3 commingled 55:1 commingling 47:6 commission 1:4 2:2 3:5,17 5:16 12:20 13:9 18:20,21 20:11 22:7,17 23:14,20 24:7 26:11 28:4 34:12 35:6 38:11 40:2 41:20 43:18 46:12 46:14 52:3 53:10 53:11 54:4,6 55:4 69:17,18,22 76:3 76:6,14 79:7,20 81:20 82:3,4,14 82:16 84:10,14 85:20 88:4 94:11 98:9,12 106:17 107:2,16 108:8,16 110:3 113:12,18 114:12,13,17 117:22 119:3 124:4,5 125:7 127:2 130:7 144:22 147:16 150:9 153:19 Commissioner 2:4 2:5,6,7 4:20,20,21 5:18 6:19,20 7:15 7:22 10:2,3,4 11:1 12:5,6,7 14:1,2 16:20 17:18,19,20 25:16,20,22 28:16	28:21 36:13,14 37:12,13,20 38:3 38:4,6,7 39:2,4 40:1 41:3,8 50:17 50:18,21 51:6 52:11 55:8,9,13 56:10,21 57:20 58:14,16 60:14,15 60:20 62:3,4,5 63:2,20,21,22 64:1 65:14 66:20 67:20 70:3 72:15 73:6,9 74:14 77:5 77:9 89:1,2 91:7,9 91:13,15 92:3,7 93:1,2,11 94:4 95:3,12,14,15 96:14 97:1,5,21 98:2,13 99:13 100:13 101:4,6,15 101:16,17 102:6,8 102:9 103:2,11 104:8,15,16,17,18 105:3 106:10 115:1,2 118:7,8 119:12,22 120:12 120:21,22 121:1 121:21 122:11,18 122:19 123:5 124:13,14,16 125:21 126:11 127:8 128:9 129:3 136:16,17 141:15 143:12,13 144:5,6 144:7 145:4,13 146:11 148:1 149:10 150:4 152:6,7,21 153:13 153:14,18 154:14 155:1,20 156:6,21 157:11,19 158:5 158:16 159:2,19 160:9,10 161:2 166:3,4,16,19 167:4,5 Commissioners 5:4 12:9 17:10 25:17	37:17 79:2 108:1 123:21 124:6 130:2 159:21 Commissioner's 5:6,12 43:21 commissions 26:19 28:4 Commission's 21:5 22:13 24:11 35:13 35:21 79:9 80:12 108:14 109:13 113:15 114:17 120:5 committed 164:6 committee 1:10 12:22 79:21 95:14 commodities 35:10 53:1,22 54:9 81:8 81:11 139:5 commodity 1:4 3:5 31:1,5 35:18 36:4 43:11 53:3 81:7 111:11 143:1 149:5 common 38:17 communication 83:18 communities 21:19 companies 142:4 company 92:6 compare 25:7 147:18 compared 19:20 48:16 62:21,22 compares 13:12 138:14 compelled 9:13 competition 77:2 competitive 87:14 complete 8:4 108:13 110:1 140:18 completeness 110:16 complex 22:1,18 compliance 44:14 81:13,21 83:16	96:12 97:22 compliant 96:17 98:4,7 complicated 10:10 52:6 121:3 complied 157:12 157:15,18 compliment 116:11 comply 100:6 158:1 component 75:20 117:15,15 components 45:10 comprehensive 10:10 comprised 19:19 Comptroller 79:19 computation 140:22 computer 114:10 concentrated 76:8 concept 21:20 concepts 116:13 118:3 concern 8:1 19:14 20:5 40:15,22 93:3 123:4,5 127:13 concerned 17:6 44:4 74:21 concerning 30:17 30:21 31:2 33:21 35:14 36:3,17 51:13 108:13 110:2 113:4,19 concerns 10:17,19 22:16 23:12 44:11 44:17 46:7 50:6 86:3 95:16 98:15 99:16 118:9 144:11 concluded 66:8 concludes 114:19 136:10 conditions 19:4 conduct 19:2 25:9 50:9 112:21
---	---	---	---	--

<p>162:22 163:6,12 confidence 45:14 73:22 confident 17:16 18:13 45:15 Confidential 113:19 confidentiality 85:1,22 confidentially 85:6 confirmation 83:11 83:18 110:21 confirmed 146:18 conflict 58:10,11 conflicts 87:18,21 conform 35:21 80:6 confused 90:6 confusing 100:15 Congress 20:1 26:2 26:18 27:4,7 31:6 31:13 39:18 61:22 67:21 68:2 69:12 89:5,14 104:6 129:13 136:21 137:2,8,12,20 139:8 142:7 congressional 37:1 136:20 connection 68:11 79:16 98:22 99:3 connections 112:12 conscious 106:16 consensus 23:6 120:8 124:20 125:2,3,12 126:6 127:7 consent 50:21 51:8 51:11 92:21 106:6 160:14,20 consider 3:5 7:16 23:11 24:8,15 25:13 58:7 61:12 143:5 148:10 150:7,15 155:21 155:21 considerable 19:16</p>	<p>considerations 80:8 86:12 142:19 considered 57:13 61:16 109:1 considering 3:8 11:17 104:12 considers 87:13 consist 11:22 84:12 consistency 107:8,9 149:11 consistent 11:18 13:7 80:3,10,11 102:7 115:20,22 126:1 134:20 135:8 150:13 158:4 consistently 5:2 consists 81:18 consult 122:3 consultation 115:13 120:1,6 130:14 consultations 43:17 43:20 108:20 Consultative 80:8 consulted 79:17 113:3 125:13 consulting 121:22 Consumer 80:16 consumers 123:18 152:14 consumes 48:10 consuming 34:2 contact 86:5,6 contained 23:20 contemplate 99:15 contemplates 100:14 contemplation 144:21 context 6:13 20:12 40:15 continuation 110:6 110:8 111:6,10,15 continue 6:13 9:2 10:8 11:9 27:18 47:21 119:6</p>	<p>150:13 continued 116:7 continuity 88:7 contract 52:22 107:1 132:21 134:3 138:12 145:21 148:13 158:21 162:10,12 163:1 contracts 8:9,12 42:21 43:3,13 135:22 136:5 146:8 148:14,15 148:17,19 154:19 158:14 contractual 145:20 contribution 48:2 contributions 45:4 46:2,4 48:3,11 control 33:22 34:5 34:7 44:8 127:10 127:22 controlled 88:2 convenience 55:1,2 55:5,6,7,10,11 convenient 15:3 conversation 102:6 conversations 155:7 convinced 18:14 26:13 cooperating 8:22 cooperation 9:5 coordinate 107:20 115:5 166:2 coordinated 79:17 115:4 143:21 coordination 11:15 12:7 161:22 copy 24:12 core 71:4 79:13 81:7,22 86:10,11 86:13 88:3 142:3 146:10 corporate 113:19 corporations 37:6 correct 52:20 53:19</p>	<p>54:17 59:20 60:6 90:10,11 98:1 128:12 150:20 151:1,5,16 corrected 28:5 corrections 160:15 160:17 cost 21:16 22:22 44:14 48:16 62:7 62:10,10,16,17 68:14,20 69:1 70:22 127:13 costly 8:1 57:13 128:12 costs 44:11,15,16 46:4,7,8,15,19 47:12,13,16 48:13 48:18,22 49:3,4,8 49:9,11,16,18,18 50:8,9 63:1 88:10 129:1 counsel 30:1,4,12 52:13 78:12,16,18 78:19 82:13 100:21 117:6,20 118:1 163:16 counsel's 60:8,11 count 13:10 103:20 157:11 counter 38:17 counterparties 3:11,13,17 30:18 31:3,8,10 36:18 83:12,19 99:4 105:7,13,16 109:10,15 111:20 112:6,17 116:22 121:16 131:20 counterparty 31:15 31:19,22 32:5,7 32:10,13 33:5,8 34:16,19 39:10,13 105:13 110:19 111:18 112:1,7,10 112:14 113:9,10 120:9 128:5 145:15 149:18</p>	<p>couple 5:7,14 10:18 26:15 27:21 51:14 66:21 90:1 98:15 158:5 course 6:10 116:8 143:14 165:9 covers 32:22 115:15 co-leading 78:13 craft 69:13 crafts 69:12 create 44:15 97:17 120:18 126:21 created 21:10 113:6,17 creation 23:2 110:6 110:8,17 credit 97:4 110:9 111:6 creditor 42:10 cries 110:12 CRIG 8:12 crisp 144:1 criteria 33:14 97:20,21 134:17 135:6 critical 4:6,10 59:17 89:10,21 107:19 141:14 crucial 112:15 crude 153:7 currencies 134:4 currency 79:19 111:11 134:4 139:2 current 7:6 32:22 53:17 101:14 currently 44:3 59:12 63:7 64:17 103:7 138:15 161:12 curve 153:5 custodian 33:7,18 34:3 37:4 39:14 custody 33:17 38:12,16 40:15 customer 23:17,22</p>
--	--	--	---	---

<p>24:4,6 29:12 34:12 35:8,14,15 39:9 40:16 41:1 41:18 42:1,3,4,7,8 42:9,11,16,20 43:2,4,5 44:1,13 44:20 45:16,20 46:17 47:2,8 49:14 50:6,8 51:14 53:13,15 54:5,7,11,15 55:10 63:11,12 64:11,12,15 65:1 65:4 66:6 67:2,9,9 67:9 68:8 70:19 71:11 72:21 73:10 73:14 74:2,5,22 76:12 156:16 customers 23:19 30:22 35:10 36:3 42:14 43:8,10,12 43:14,18 44:6,11 44:17 45:2,7,19 46:5,6 47:7,18,19 47:22 48:4,8,11 48:18 49:17,22 50:2,8 53:11 54:10,15 64:11,18 64:19 65:5,10,10 65:12 66:7,11,12 66:13 67:5,12 68:8 69:2 70:19 71:12,15,20 73:14 73:21 74:3,4,11 77:10 132:12 customer's 24:2 43:2 46:22 47:10 customized 29:13 36:22 136:8 137:1 138:1,18,21 139:4 139:10,16 140:8 142:21 143:2,5 148:3,7,17 149:1 152:1,1 158:7 159:14,18 cycle 89:20 116:8 Cyrus 161:21</p>	<p style="text-align: center;">D</p> <p>D 2:6 3:1 daily 67:8 111:13 Dan 16:11 30:4 60:12 65:16 165:12 dancing 103:12 danger 69:20 darkness 140:18,19 143:11 darn 151:11,15 data 2:13 3:20,22 4:1,1,3,9,9 5:9 7:3 7:4 20:13,19 21:17 22:11 78:7 78:8,14 79:10,12 79:14 80:17,19,21 83:2,4,5,12,14 84:1,3,6,11,17 85:2,4,5,7,7 86:2 88:22 89:5,8,9,14 89:18,20,20 90:8 90:14,16,21,22 91:2,11 92:5,9,10 92:10,12,15 94:15 94:22 95:10 96:21 96:22 97:9 98:5 98:12 102:12,19 103:5,19,20,22 104:1,19,21 105:6 105:6,7,8,9,11,13 105:18 106:3,6,12 106:15,20,21,21 106:22 107:3,4,6 107:9,21 108:9,10 108:11,13 109:5 110:1,3,4,8,11,16 110:17 111:2,2,4 111:6,10,15,16,19 112:8,16,17 113:13,17,19 114:5,7,9,10,11 114:15,15,16,22 115:6,15,18 116:1 116:3,6,7,8,17 122:22 128:2,3,8 129:6,13 130:9,19</p>	<p>130:21 131:4,7,9 131:11,16,22 132:2,10,12,13,16 132:19,22,22 133:2,4,8,10,11 133:13,14,16,17 133:18,20,21 134:2,2,8,15 135:20 136:4 137:14 140:22 141:1,6 143:15 144:10,20,21 145:11,16,20,22 145:22 147:1,2,3 147:5 154:13 155:5,17 156:1,2 156:4,13,15,17,20 157:6 158:3 159:6 date 6:9,9 24:8 25:13 35:1 126:7 134:5,5 141:5 143:11 162:3,15 dates 6:8,10 10:22 161:14,17,17 162:3 165:22 Dave 18:1 30:14 106:15 Dave's 107:12 David 2:15 106:19 107:21 115:3 162:15 day 28:1,10 43:3 55:20 57:15 103:15 116:6 119:19 150:2 days 5:7 6:15,17 35:19,20 55:15 61:9 88:15 93:4 109:21 116:4 117:9 142:14,15 day-to-day 44:14 DCIO 30:12 DCM 131:15 133:5 134:18,19,20 135:1,1,7 138:21 139:14 146:7,9 148:14,16 156:17</p>	<p>157:9 158:12,13 158:14,17,17,19 159:1,13 DCMs 131:15 133:9 135:21 154:20 DCO 24:3 71:6,7 73:3 163:1 DCOs 23:19 57:6 de 60:13 65:21 deadline 22:2 25:4 151:9 deadlines 8:3 10:21 13:16 deal 24:18 93:3 96:3 119:13 dealer 29:14 32:11 33:7 34:19 39:14 109:10 112:7 115:16 122:15 132:6 156:16 dealers 3:13 4:2 12:22 18:16 31:6 112:3,5 131:13 132:11 141:10 153:15 dealing 43:13 121:15 deals 31:18 107:17 dears 106:21 debate 24:21 59:9 153:8 DeBorg 30:13 decades 42:7 December 4:15 6:5 6:6,7 75:21 124:3 124:10 161:7,11 161:12,14 162:1,3 162:4,13,17 163:2 163:7,11,17,18,18 164:1,7 165:18,18 165:18,19 166:13 166:17 decide 37:2 39:19 59:11 76:12 96:16 98:3,15 99:2 147:19 153:3</p>	<p>decided 39:18 40:2 99:8 147:11 decides 98:9 decision 18:9 32:3 69:3 decisions 26:20 87:6 decision-maker 32:7 decision-making 87:20 declared 8:8 declaring 86:7 dedicated 130:3 default 24:3 43:6 45:3,7,9,10 46:1,3 47:22 48:2,9 49:10 66:5,6,7 71:6 131:20 145:2 defaulting 45:1 defaults 24:1 42:20 43:3 defer 16:14 117:20 define 19:4 134:16 135:4 144:14 148:8 defined 99:6 158:8 158:9 defines 32:20 defining 99:4 definition 19:9 25:2 35:14 99:7 102:5 123:11 124:2,11 149:5 162:1,2,6 definitions 24:22 123:6 161:20,21 161:21 delay 16:14 131:2 134:14 135:2,10 136:2 138:7,7,9 138:12,15,17 139:1,15 142:10 148:19 149:8 157:4 delays 136:7 137:21 139:3</p>
---	---	---	--	---

<p>143:5 146:13 deliberating 11:19 deliberations 87:15 delineated 32:21 delivered 32:5 153:8 delivery 32:14,16 demand 21:18 71:21 demanding 13:16 demonstrate 81:21 Department 12:12 79:20 depending 31:22 56:2,3 58:8 93:22 146:16 150:10 depends 157:21 deposited 53:13 depositing 53:10 54:4 depository 47:4 deputy 78:19 79:3 107:12 129:21 derivatives 8:8,12 43:19 45:3,4 66:3 80:9 109:2 164:13 164:18 describe 30:20 31:11 50:13 52:17 75:7 81:15 described 8:17 31:8 42:1 46:21 63:9 describing 127:5 designated 23:16 107:1 132:20 138:11 162:10,12 163:1 designation 81:13 designed 109:3,7 desire 18:6 22:10 73:10 detailed 46:9,18 47:15 48:14 50:12 62:15 details 37:9 46:19 deter 16:14</p>	<p>determination 81:20 determine 132:5 147:20 149:8 150:21 156:2 determined 84:2 determining 131:1 develop 24:12 26:21 63:7 120:8 126:6 developed 12:16 27:5 113:14 119:15 developing 119:12 125:3 development 127:6 dictate 125:6 dictating 125:4 difference 52:16,17 54:10 60:3 69:10 70:2 109:4 121:11 121:12 148:2,7,10 150:7 160:1 differences 13:8 20:2 48:20 64:8 different 15:1 23:13 31:22 39:2 39:5,5,6 47:20 55:15 57:2 63:16 63:17 65:10 67:11 68:3,3,5 69:21 73:17 95:16 107:10 115:15 139:6 140:16 144:2,10,11 146:7 146:20 147:1,10 147:10 148:9,11 150:2,8 152:4 153:8 154:22 differentiate 62:17 148:13,18 differentiated 150:10 differentiations 150:14 differently 24:7 difficult 14:3 17:16</p>	<p>19:4 26:1 63:18 65:9 67:7,20 74:2 77:13 101:14 128:11 149:7 159:6 difficulties 64:16 diligence 96:1 97:19 diligently 56:1 direct 4:10 62:1 84:10 89:9 95:10 98:22 99:3 directed 136:20 137:2 direction 18:17 57:4 59:13 83:18 136:21 137:12 directions 37:1 directly 75:1,14,15 director 127:14 directors 87:17 disagree 152:22 disaster 88:6 discipline 50:3 70:20 disclose 74:4 77:17 disclosed 108:15 disclosure 88:2,9 131:7 164:14 disconcerting 16:21 discover 102:2 discovery 137:4,8 discretionary 165:7 discrimination 87:22 discuss 29:8 38:18 discussed 29:11 43:16 90:8 158:8 discussing 34:14 discussion 20:13 22:5 29:6 68:12 105:21 151:17 discussions 101:8 dispose 53:8 Disruptive 165:8</p>	<p>disseminate 133:4 133:17 157:6 disseminated 134:9 147:7 157:13 disseminates 84:5 132:1 133:1,7,15 disseminating 102:3 130:18 131:3 132:18 134:14 136:3 dissemination 130:20 132:16,21 133:6 157:8 disseminator 131:16 132:14 133:12 144:13 157:10,16 disseminators 144:14 dissimilar 110:13 distribute 156:9 diverse 19:19 23:8 diversive 73:20 divided 65:1 division 2:10,16,19 22:13 29:19 30:7 66:22 78:11 94:18 106:19 107:15 129:18,20,22 162:8,8,19,21 165:16 Divisions 31:6 doable 14:3 17:17 document 20:21 88:9 documents 5:3 30:16 160:15 Dodd-Frank 3:6 4:7 7:1,17 8:4,17 19:16 20:12 26:15 31:4 35:6,16 41:17 53:21 54:8 70:10 80:16 81:12 82:21 85:17 93:19 100:17 101:14,18 102:10 125:20 133:21 154:11</p>	<p>dog 57:3 doing 11:2,3,13,17 11:19,22 15:22 18:13,14 24:9 26:9 50:3 56:14 56:14 64:12,16 71:9 72:11,16 96:16 103:6 120:2 122:2 146:19 151:22 167:1 dollar 140:3,4,4 153:2 dollars 15:17 95:5 95:8 118:14 140:1 domestic 21:19 100:11 101:9 102:20 domestically 85:16 done 10:6,14,22 14:22 16:1,4 27:7 60:8 70:3 74:15 75:19 79:5 100:19 105:17 109:1 119:22 121:3 122:20 123:11 125:13 128:7 140:22 152:19 166:12 door 14:20 doorstep 125:22 doubt 14:15 down 15:21 28:12 61:14 draft 115:11 124:6 drafting 9:9 120:7 131:5 draw 148:5 drawing 148:9 DSM 133:3 DSR 146:14 due 44:15 86:1 96:1 97:19,19 Dunn 2:5 4:20 6:19 6:20 7:15 10:3 11:1 12:6 25:20 25:22 28:17 36:13 37:12,13 50:17</p>
--	---	--	--	---

55:8,9,13 56:10 56:21 57:20 58:14 89:1 93:1,2,11 94:4 95:3 115:1 118:7,8 119:12,22 120:3,12,22 124:16 136:16 143:12,13 144:6 167:4 Dunn's 60:20 during 57:21 88:15 109:22 153:5 duties 81:6,10,22 82:17,18 86:3,7 88:4,5 97:13 101:2 duty 70:16 83:3,11 84:9,22 112:4 dynamic 27:8 D.C 1:18	155:13 economists 60:22 economy 15:21 141:17 editing 5:3 edits 5:5,8,10 124:5 124:8 effect 38:14 99:12 105:4 107:11 141:12 effective 32:15 35:1 112:21 effectively 9:15 50:7 152:18 effects 131:6 efforts 79:5 130:4 either 18:15 33:9 33:21 83:17 135:14 144:15 145:10 153:2 165:16 elaborate 74:14 154:6 158:10 elect 31:15,16 33:5 39:11,12 election 32:13 electricity 152:2 electronic 19:10 83:17 151:14 electronically 81:17 122:7 146:17,17 electronic 151:10 elects 32:1 element 21:11 107:9 116:10 elements 4:1,9 107:21 111:2,4 116:1 eligibility 76:1 77:1 eligible 33:9 34:17 97:6 158:18 159:12 embedded 159:9 emergency 86:4,7 empathize 7:16 emphasize 9:8	156:13 enable 19:9 22:2 enabling 112:16 enacted 31:6 end 8:10 12:2 18:17 28:1,9 29:3 36:21 37:1 55:19,19 57:15 59:11 61:12 79:10 89:11 99:20 100:4 109:9 112:6 116:20 119:19 121:15 122:14,15 122:22 124:13 131:14 132:7 141:18 150:1 151:20,21 163:14 endeavoring 46:19 ending 149:15 ends 88:18 163:18 end-of-the-line 48:6 end-use 158:21 end-user 22:21 158:15,20 163:15 energy 22:21 122:22 123:18 enforce 74:13 87:20 112:22 enforcement 114:4 165:16 engage 99:10 engaged 108:20 engine 105:17,18 enhance 32:2 80:14 89:21 112:19 114:4 119:6 137:3 enhances 137:7 enough 40:4 61:10 61:11 123:8 139:14 143:21 ensure 4:11 35:7 79:13 83:14 87:12 108:12 110:1,15 110:22 145:11 146:4 ensuring 87:5 137:9	enter 34:19 145:21 entered 32:16 101:21 entering 36:21 entertain 36:9 136:14 167:3 entire 48:3,10 62:18 113:8 136:22 141:2 entities 57:2 79:11 82:9 88:1 97:6,7 109:15 111:20 113:3,7 120:13 131:12 132:17 147:10,18 entitled 80:8 entity 22:12 24:22 96:20 111:18 112:10 113:10,20 124:2,11 128:5,18 144:16 145:10 146:3 147:4 159:8 161:20 162:1 environment 15:12 28:8 41:18 44:4 44:16 49:4 envision 55:17 56:13 58:22 97:6 equal 132:8 equitable 88:12 equities 138:15 equity 110:9 111:7 es 133:7 especially 65:11 109:9 118:10 119:16 120:8 essence 119:8 138:10 139:6 140:17 145:21 essential 84:10 essentially 47:16 48:5 56:7,8,9 64:11,18,19 68:7 71:4 72:5 123:10 158:22 establish 21:12 22:11 83:13 84:16	87:19,21 132:4 established 102:10 119:9 131:1,2 156:6 establishes 80:17 Estate 166:1 estimated 45:13 93:19 estimates 46:8 48:22 49:1,6 160:18 et 134:5 Europe 12:13,22 103:4,8 European 12:20,21 63:7,9 79:20,21 80:12 127:2,2 150:9 Europeans 117:1 evaluate 73:14 74:2 even 13:8 16:15 28:13 58:21 67:8 72:10 85:9 95:7 96:17 103:13 115:22 116:6 117:8 123:10 126:5 138:16 153:6 166:7 event 66:5 events 111:8 ever 27:7 29:21 every 8:4 21:12 43:3 47:1 121:18 153:1 everybody 11:8 16:7 17:13,14 28:17 58:1 59:21 64:2 65:16 115:4 124:5 125:17,18 141:12 everybody's 124:8 everyone 6:21 127:7 everything 10:14 29:4 149:21 162:5 evidence 155:14,15 exact 11:17 95:19
E				
E 2:7 3:1,1 103:19 each 5:2,8,11 12:1 28:18 32:9 38:1 45:16 46:19,22 47:2,3,8 48:15,16 48:21 49:5 50:5,6 62:20 63:13 65:1 68:16 81:15 85:3 90:4 103:22 104:1 107:7 110:4 111:3 124:7 138:5 141:7 144:10 150:8 eager 21:14,19 earlier 5:9 38:1 59:20 103:11 107:6 115:15 123:12 157:3 early 164:7 easier 27:4 74:9 easiest 111:18 148:12 economic 15:12 110:18,22 111:13 137:6 154:4 economist 30:14				

<p>exactly 59:11 149:14 examination 82:16 examining 70:22 example 31:18 134:3 146:7 149:3 159:8 examples 134:7 exceeds 43:5 excellent 72:4 105:16 except 55:1 85:7 exception 29:2 84:18 122:4 149:22 158:15,20 158:21 163:14,15 exchange 13:9 31:5 34:13 53:1,3,22 54:9 81:7,9,11 95:2 131:20 158:17 excluded 123:9 excludes 98:20 excuse 39:10 executed 19:7 83:10,10 85:21 113:6 122:6 131:19 146:17 151:14 execution 4:16 107:1 110:20 132:20 135:6 138:11 140:15,16 140:21 141:10 147:17 151:11 162:10,14,18 exemplary 101:3 exempt 100:17 exempted 89:12 exercise 35:6 112:22 exhibits 81:19 exist 144:18 155:18 existence 109:16 110:5,7 113:8 existing 46:17,20 54:9 97:11 104:10</p>	<p>109:13 119:4 exists 116:4 148:10 expanded 22:8 expect 55:21 56:1,5 145:19 157:4 expectation 9:1 expected 62:1 expecting 93:14 expects 20:2,11 expense 9:14,14 34:1 expenses 86:1 expensive 68:18 expertise 87:15 expiration 110:7 explain 64:8 explains 99:14 explicitly 33:13 39:22 112:8 120:16 exploration 109:18 exposed 44:5,7 exposure 32:22 33:2 48:6,6 exposures 113:21 express 30:10 44:10 60:2 expressed 44:17 46:6 extended 82:2 extending 22:2 25:4 extends 62:18 extensive 43:17 108:20 extent 50:5 70:18 72:7 80:1 109:8 128:1 146:22 external 165:13,15 extreme 48:9 extremely 27:19 44:13</p> <hr/> <p style="text-align: center;">F</p> <hr/> <p>faced 34:3 facilitate 79:14 90:9 127:3</p>	<p>facilitation 112:8 facilities 4:16 102:4 107:1 132:20 141:10 162:11 facility 133:14 138:11 140:15,17 140:21 151:11 156:14,15 162:14 fact 20:21 43:3,9 66:15 67:15 101:2 104:13 119:20 154:7 155:15 fail 7:22 fails 19:15 fair 41:10 88:11 102:4 fairly 46:8 fall 59:7 94:10 familiar 116:12 families 16:2 far 19:21 20:20 68:10 127:9 149:19 159:17 fashion 147:21 fast 8:2 151:12,15 fastest 111:19 favor 77:21 129:6 160:4 167:6 favorable 20:20 58:2 FCM 23:17,22 24:1 40:16,22 42:20,22 43:4,6,8 45:7 47:3 53:14 55:12 64:10 66:5 70:9,13 72:14,22 73:4,10 73:14,16,20 74:3 74:5,6,9,16 FCMs 23:19 42:12 42:14 43:4,12 44:20 50:3,4 70:17,20 71:3 76:10,11,15 FCM's 24:3 42:9 43:5 45:19 46:2 FDIC 79:20 feasibility 61:1</p>	<p>feature 4:17 139:20 features 4:7,13 138:5 February 59:5 Fed 26:19 federal 12:10 24:14 58:19,21 59:1 79:18 86:19 115:7 130:15 160:16 161:13 fee 128:14,17 feedback 9:10 127:13 feeds 95:10 feel 9:13 142:3 164:19 feeling 147:4 fees 88:12 feet 161:11 fellow 5:4 9:2 12:19 17:10 42:1,4 44:5 50:7 71:12,15,20 73:14 108:3 130:3 159:21 fellows 74:22 felt 17:8 69:19 107:19 158:22 few 161:1 fewer 19:22 72:2 76:8 field 159:7 fields 130:21 133:19 134:2,2,8 fifth 7:10,16 fight 57:3 figure 16:5 65:6 file 51:20 81:17 100:20 fill 21:9 84:21 final 5:21 7:7,9 9:6 13:22 28:12,13,13 35:2 54:2 92:16 93:22 104:8 109:17 110:7 finalize 11:10 59:8 finalizing 11:6 61:12 117:14</p>	<p>finally 5:18 25:11 114:9 125:16 financial 8:14 26:13 27:1,20 28:8 88:8 102:4 108:16,21,21 113:3 115:8 116:20,21 139:3 financials 139:18 find 20:16 61:15 101:10 123:3 154:4 finding 74:6 fine 8:13 27:15 finished 126:19 fire 161:11 firm 57:22 firms 44:10 48:20 57:6 69:2 73:2 first 3:10 20:16 35:5 46:21 48:2 48:18 50:20 81:3 81:16 83:2 88:6 93:6 99:19 117:16 119:1 138:7 142:11 153:10 five 13:3 15:16 35:19 59:10,15 83:22 93:21 109:17 135:14,16 five-minute 138:15 138:17 fixed 155:10 165:22 flat-out 155:13 flavor 82:22 flexibility 16:11,13 40:8 161:8,10 floor 78:22 focus 22:5 folks 14:12 16:21 17:11 47:15 55:16 59:1 94:18 follow 8:2 43:12 56:2,7 58:16 63:13 103:3 125:7 following 11:2,3</p>
---	---	--	--	--

<p>109:17 112:1 134:17 135:5 139:9,11 follows 36:22 111:7 111:11 follow-up 63:22 footnote 20:5,10 154:8 force 60:13 65:21 120:6 foreign 11:15 85:16 98:14,17,19 99:10 99:14,15,21 100:11,18 101:9 102:20 foremost 119:2 forestall 38:19,22 forestalled 40:3 forestalling 40:12 40:14 form 7:6 81:4,18 82:12 100:21 101:14 114:17 formal 6:13 formalized 51:19 format 114:12 134:7 former 155:13 forms 149:2 formulas 141:2 forth 33:4,16 79:8 81:1,6 82:21 86:8 87:15 88:9 95:14 139:14 150:17 163:5 forward 5:17,22 7:20 12:3 28:10 52:7 61:5,8 96:4 117:8 119:11 123:13 128:7 140:12 141:13 143:6 144:2 152:13,18,20 155:21 156:1 foundation 102:14 119:10 four 3:8,10 5:22</p>	<p>46:16 55:15 70:7 70:12 139:6 fourth 4:22 7:11 166:1 fragmentation 114:5 frame 146:18 147:8 frames 122:1 146:18 147:6 framework 80:2 France 63:16 freaked 16:7 17:6 frequency 134:5 frequently 44:21 Friday 1:19 friends 166:1 from 3:10 4:19 7:8 7:9 8:18 12:19 14:7 17:11 20:21 21:21 23:4 24:3,5 30:1,14 32:22 34:22 35:19 38:8 38:10 40:11 42:9 42:22 44:20 45:14 45:20,21 46:9 47:1,15 48:5,19 48:21 51:21,22 52:3,8 54:22 61:14,18 70:15 74:6 77:4 78:15 78:17,18 79:17,22 89:12 98:21 101:8 103:10 104:11,20 105:6,8,10 106:19 107:15 109:21 110:4,13 112:10 115:11 122:21 127:21 129:18,20 130:16 135:20 136:6 141:20 143:6 146:7 147:16 149:1 151:16 157:4 162:19 front 10:11 25:6 29:8 72:9 106:5 163:22</p>	<p>front-line 48:5 FSA 12:20 fuel 143:2 fulfill 86:18 118:9 136:21 fulfillment 108:17 full 46:22 68:19 96:13 97:19 165:19 fully 24:8 83:10 158:2 function 49:5 79:13 146:9 fund 41:18 42:7 45:3 46:2,4 48:3 48:10 74:20,21 76:16 109:18 165:4 fundamental 108:12 fundamentally 146:7 154:12 funding 9:19 funds 16:3 23:17 24:6,8 29:12,14 34:12 37:7 42:8 42:11 43:1 51:14 51:22 53:7 54:3 54:22 55:7 57:10 66:4,16 75:5,13 164:13,14 further 29:16 41:9 58:9 77:20 106:4 129:4 160:3 166:22 future 9:18 17:3,5 33:2 38:20 61:14 61:18 127:10 futures 1:4 3:5,17 15:13 19:18,21 23:14 24:7 28:4 34:13 35:8 42:2,3 42:6,7,14,16,21 43:2,12,18 46:17 48:16 52:3,15,22 53:10,11,15,18 54:1,4,6,13 57:17</p>	<p>59:12 61:17,19 64:18 74:19 75:6 76:2,3,6 77:3 107:2 119:5 127:17 129:16 138:14</p> <hr/> <p style="text-align: center;">G</p> <hr/> <p>G 3:1 gained 33:21 gains 34:22 GARY 2:3 gas 143:2 general 30:1,4,12 52:12 60:8,11 78:12,16,18,19 81:19 117:6,19,20 118:1 163:16 generally 52:1,2,4 55:4,5 100:6 109:14 Gensler 2:3 3:3 7:12 10:2 12:5 17:18 25:15,21 28:16 36:5,9,15 37:22 38:6 41:4,8 41:12 42:4 50:14 50:19 51:8 53:16 53:20 54:12,18 55:8 58:15 60:1,7 62:3,12 63:20 65:20 69:6 73:7 74:18 75:5,9,11 75:18 76:19 77:14 77:18 78:2,8,21 87:8 88:20 89:3 89:17 90:13,19 91:8,18,22 92:5,8 92:20 95:3 101:6 101:15 104:16 105:1,15,22 106:4 106:9,11 114:21 115:3 118:1,13 120:21 122:13 123:20 129:4,9 136:13,18 144:5 150:16,21 151:8</p>	<p>151:19 152:6,21 153:17 159:20 160:7,11 162:17 165:14 166:6,21 167:6,8 George's 163:15 Germany 63:16 gets 140:1 getting 5:8 9:22 15:7 27:16 56:11 123:16 143:16,20 152:9 164:22 give 58:1 59:6 71:14 73:21 77:10 96:9 98:12 100:17 134:1 141:12 given 21:7 39:10 67:6 104:2 114:5 gives 76:4 give-and-take 26:16 giving 57:3 74:10 98:16 112:3 glad 52:11 60:9 106:17 globe 8:19 go 6:13 13:22 15:21 16:8,15 25:19 27:19,22 28:18 47:14 57:3 69:5,6 75:14 76:13 96:13 98:9 103:17,21 105:9 117:8 123:13 125:14 128:7 147:16 151:20 162:5 goal 6:4 9:18 97:14 99:20 100:9 101:13 108:12 goals 80:10 goes 71:11,18 going 14:17,18 15:9 16:22 17:2 23:10 25:8 26:15,22 27:10 28:10,14,17 29:16,18 36:6 37:11 38:10 50:20</p>
---	---	--	--	---

55:22 57:4,13,18 59:6,10 61:14 62:7,10,10,16,17 65:9 67:21 72:18 74:19 78:5,9 83:20 84:8 92:9 92:10 94:10 96:4 97:19 118:6 119:16 120:1 123:15,16,17,22 124:17 125:8 126:1 128:7 129:12 144:16 148:15,17 150:14 154:16,17 155:5 155:11,21 156:1 160:13 163:22 164:4 gone 28:5 64:2 95:22 good 3:3 15:5 40:6 42:22 43:4 51:18 59:15 69:5 73:5 82:3 91:4 95:4,13 107:22 108:1 122:20 123:15,17 152:19 161:3,22 164:6 165:5 gosh 68:10 gotten 115:10 govern 34:16 108:10 governance 86:16 86:17,21,22 87:2 87:6,7,12 governing 52:21 government 14:18 86:19 126:17 governments 142:4 Governors 130:15 governs 34:9,14 grant 39:17 82:5 granted 33:14 granular 77:10 grateful 12:2 great 22:16 24:18 36:8 93:3 113:1	119:13 121:3,16 122:14 159:22 greater 18:6 73:22 135:14 greatest 135:14 greatly 22:8 Griffin 30:14 group 26:8 48:15 57:11 68:8 88:2 groups 14:6,6 22:21 57:21 grows 95:8 guarantee 48:3,10 guess 12:2 41:10 56:6,13 57:15 60:16 61:9,21 65:8,16 68:17 72:13 97:5 117:16 119:2 124:1 150:12 160:19 guidance 23:20 24:6,11,15 59:6 98:10 guidelines 80:7 87:17 guides 134:7 G20 8:7 <hr/> H half 16:3 halfway 5:19 6:2 hand 30:5 68:1,13 handle 22:7 23:14 handled 24:8 handles 120:19 happen 14:17 16:22 17:2 34:3,6 58:20 103:9 145:13 happening 67:15 happens 120:14 146:5 happy 88:18 114:20 136:11 152:15 harbor 19:2 hard 5:11 9:22 18:3	25:12 64:1 108:5 144:8 hard-and-fast 28:12 harm 15:9,22 16:1 16:4 155:11 harmed 155:14 harmonization 63:19 harmonize 63:4 harmonized 63:18 harmony 9:6 hate 105:21 having 11:2,3 36:15 39:19 69:21 92:10 95:22 98:17 102:6 110:13 128:10 156:3 160:4 hazard 50:5 70:4,8 head 14:20 103:12 129:22 heading 106:20 hear 3:10,19 4:19 12:8 50:14 54:18 88:21 106:7 114:21 heard 7:21 46:7 51:22 52:3 72:19 149:20 hearing 41:9 51:9 51:10 52:8 77:20 92:21 160:21 hedge 74:21 75:5 75:13 142:11 152:18 153:3,10 164:13,14 165:4 hedgers 141:18 held 23:18 35:7 53:7 66:16 hell 15:15 16:1 help 4:11,11 5:8 6:13 13:16,19 14:18 26:10 52:19 59:16 62:11 116:16 117:13 143:10 160:2	helped 6:12 15:21 helpful 17:15 59:10 60:2,9 62:6,9 118:2 helping 11:13,13 76:1 142:3,3 helps 120:6 140:6,7 141:17,17 herding 26:4 hide 20:21 hierarchy 112:2 high 21:17 44:13 highest 32:6 highly 149:1 history 60:13 65:21 hold 53:8 123:22 holder 48:15 holding 29:14 51:18 85:5 holidays 162:5 homework 20:3 hook 40:4 145:9 146:4 hope 9:1,4 19:8 27:15 47:14 50:11 67:21 78:9 120:10 126:8 150:12 hopeful 51:21 68:15 143:20 hopefully 17:4,7,8 29:17 69:3 117:6 hoping 11:7 hours 122:9 house 41:1 42:13 42:15 43:7,14 45:21 47:9 64:17 64:19,21 65:2,10 69:20 71:17,20 72:9,14,20 97:12 104:11 129:13 138:20 housekeeping 30:19 35:5 37:9 houses 3:18 52:4 59:6 67:1,4,12 71:3,9 72:2,10 75:21 77:3 104:14	106:22 115:17 163:7,13 166:11 huge 15:19 human 9:17 161:9 166:1 hundred 10:12 15:17 hundreds 10:12 142:1 hunt 128:8 hurt 71:7 hurting 142:2 <hr/> I ICE 104:9 ID 21:17 117:14 idea 40:6 119:12 164:6 ideas 119:15 identical 11:21 54:1 122:2 159:3 159:5 identification 113:14 124:19 identified 80:7 116:14 161:4 identifier 21:12 112:12,13,14,14 113:5,9,22 116:22 120:9,19 125:8 126:7 127:18 128:7,18 identifiers 112:15 113:1,4 116:13,18 120:14,17 125:10 126:4 identify 18:22 64:18 67:8 113:10 identifying 128:4 II 159:18 III 159:18 ill-liquid 154:17 imagine 94:4 imbedded 149:3 immediately 69:16 97:16 imminently 17:17
--	---	---	---	--

<p>impact 19:17 21:17 23:12 26:22 28:7 impacted 20:8 23:7 impacts 38:19 imperative 8:18 impetus 120:11 125:17 implement 9:16 21:20 41:20 79:8 89:4 93:19 108:9 126:18 130:8 136:19 implemental 49:3,8 implementation 6:22 82:6 88:17 95:5 113:16 118:15 126:7 141:5 implemented 20:12 21:6 35:12 93:4 implementing 9:15 82:22 implements 86:12 implicitly 156:12 156:13 implies 34:19 important 6:17,22 9:3 11:20,20 20:21 21:11 24:10 26:20 27:19 31:14 32:3 36:20 37:5 46:15 59:14 60:21 61:4 68:15 75:19 85:14 95:8 103:13 103:14 107:14 110:5 115:19,21 116:9 117:14 118:3 138:5 139:20 159:21 163:19 165:15 importantly 68:14 89:7 impose 73:18 86:21 imposed 49:11 imposing 113:17 impression 117:19 improve 73:19</p>	<p>74:15 improved 37:18 improvements 9:11 inability 24:2 inadequate 152:11 incentive 73:4 incentivize 72:10 include 33:18 36:20 44:22 74:22 75:22 82:20 84:18 87:1,22 92:21 134:3 138:4 147:12 159:6,8 included 23:11 24:13 60:18 90:11 95:5 110:21 117:2 122:1 123:8 includes 12:14 37:8 89:7,13 111:16 116:5 138:12 140:10 141:4 including 43:9,18 50:22 53:6 111:14 112:6 123:18 160:16 inclusion 110:22 inclusive 76:3 income 80:18 155:10 incorporate 79:22 95:1 increase 19:11 45:11,13,15 46:1 72:8 increased 123:17 increases 45:18 increasing 70:11 incredible 11:13 incremental 49:1 indeed 68:18,21 71:21 indemnification 85:22 indemnity 98:17 independent 33:7 33:12 87:14 indicate 104:3</p>	<p>129:6,9 160:4,7 indicated 88:14 153:15 indication 102:21 indispensable 108:5 individual 23:1 42:16 44:12 49:15 52:2 57:8,9,10,12 61:1,16 63:10 64:6,7,15 66:12 66:13 67:5,13 68:8 72:19 73:3 126:21 individually 44:12 47:20 individuals 57:1 124:7 industry 23:16 26:13 27:1,20 47:16 50:10 57:12 57:18 58:4 60:22 61:3,10 62:19 66:17 68:16,22 69:1 87:14 97:18 109:9 116:14,19 116:20,21 127:6 industry-wide 49:2 49:6 inevitably 165:1 inform 20:13 51:3 information 12:10 20:7 22:10 46:13 50:6 62:6 71:13 71:21,22 74:4,10 77:17 80:19 83:15 84:13 86:5 87:3,5 94:11 98:18 99:17 100:6 102:3 107:17,18 118:21 141:19,22 142:15 143:20 156:9 infraction 75:4 infrastructure 21:8 118:18 119:6,10 infrequently 19:20 Ingle 26:7</p>	<p>initial 32:20 33:1,6 34:21 37:3 39:1,8 39:16,21 48:22 93:20 141:4,6 initially 96:5,7 input 8:18 22:19 23:9 25:13 29:17 51:16,20,21 79:22 122:10 inspection 82:16 inspections 101:1 instance 71:11 instruction 126:14 instructions 81:19 integrity 4:11 141:15 intended 102:10 intending 103:6 intention 102:15 119:21 120:7 125:5 interest 24:20 57:21 86:18 87:18 97:3 102:1 111:10 139:2 153:3 interested 21:6 23:10 101:16 106:1 interesting 60:2 67:10 interests 71:16 interim 82:6 Intermediary 2:10 29:20 30:8 127:15 internal 12:14,15 113:2 161:6 162:22 163:5,12 international 9:5 12:12 21:19 63:4 64:4 80:4 100:3 101:10,22 103:3 108:21 113:14 115:9 119:16 120:8 124:15 125:12 126:6,15 126:16 internationally</p>	<p>8:22 9:7 109:2 143:22 interpleader 34:2 interpretation 24:13 69:8 interpreted 55:5 66:18 interpretive 23:21 intersect 144:10 intersection 92:9 intersects 144:12 146:12 interstate 101:21 intervals 84:14 introduced 158:6 inundated 153:19 investment 9:17 34:9,21 35:1 119:1,11 investments 21:8 34:10,15 investors 141:18 involve 47:13 involved 9:14 40:17 57:1 65:13 112:9 113:7,20 122:5 129:1 involving 110:9 Irina 107:12 ISO 119:17 issuance 3:6 issue 22:16,19 24:11 41:22 56:8 57:15 68:12 72:13 76:9 77:6,16 95:19 127:21,22 144:9 152:10 154:5 166:12 issues 11:18 37:21 43:18 46:15 61:15 68:14 96:4 101:9 101:14 127:8 150:5 items 10:18 IV 159:17</p> <hr/> <p style="text-align: center;">J</p> <hr/>
--	---	---	---	--

<p>January 6:9,10 28:21 59:2 141:5 141:7 161:10,18 164:9,15 165:2 Jeff 78:5,10,11,15 78:21 88:20 90:10 129:19 130:3 Jeffrey 2:12 18:1 Jennifer 30:13 jet 143:2 Jill 2:7 4:20 Jim 15:15 job 9:20 11:13 15:15 72:11 73:5 121:3 122:20 129:21 152:20 John 30:13 75:22 94:14 107:15 120:18 joining 6:21 joint 26:7 164:12 164:14 jointly 57:2 58:4 166:12 judge 13:13 judgment 7:7 judicial 38:13 69:13 July 8:4 116:12 141:12 jurisdiction 63:14 108:14 110:10 jurisdictional 98:21 jurisdictions 126:21 just 5:1,14 6:3 7:22 10:13 11:22 12:6 13:18 14:3 16:6 17:14 36:5 37:11 37:14 38:10 43:12 51:1 52:10,16 55:13 57:16 58:16 59:14 61:5 62:7 62:11,15 63:2 64:3,13 66:6 68:4 69:2,7,8 73:19</p>	<p>75:18 77:5,18 82:21 90:3,5,7 92:3 93:12 96:12 99:17,19 103:9,14 105:1,2,9 107:5 107:20 120:19 122:10,19 125:16 128:4 138:5,22 139:9,11,18 140:4 142:20 143:9 151:22 152:7 159:15 161:1 162:8 164:9,22 166:5,22 Justice 69:10</p> <hr/> <p style="text-align: center;">K</p> <hr/> <p>keep 11:4,13 55:6 65:22 83:21 85:4 87:8 109:15 118:6 120:2 148:8 keeping 13:10 keeps 73:7 161:21 kept 4:2 47:1,7 73:13 161:11 key 4:7,12 11:16 20:2 kick 125:17 kids 16:3 kind 61:10 65:17 70:2 99:2,16 126:22 144:10 145:7 kindly 37:9 know 5:7,20 6:8 10:12 12:8,9 13:4 13:13 14:7,11,17 15:6 16:21 17:3,9 17:9 18:21 20:22 21:6 23:11 26:17 28:19 40:5 51:3 57:13 59:18 61:5 62:7 64:1 65:22 67:5,12 72:4 73:1 74:8 76:5 99:20 103:7,12 115:4,10 115:12 120:12</p>	<p>121:22 123:1,9,10 123:16,20,21 124:6,7,11 125:3 137:4 143:3 145:6 146:6 148:6 149:12,14 150:5 152:2 153:21 154:9 164:10,10 166:19,19 knowledge 42:15 42:17,19 known 137:11 knows 59:21</p> <hr/> <p style="text-align: center;">L</p> <hr/> <p>laboratory 156:5 lack 20:7 lady 15:2 laid 120:9 128:13 129:14 141:3 161:6 language 40:4 62:1 114:10 121:6,8 127:20 128:15 159:15 large 14:6 18:16 28:19 75:5 130:11 131:3 134:10,13 134:13 135:5,12 135:14 136:4,7 137:10,19 138:4,8 138:18 139:4,21 140:7 143:3 148:3 158:7 largely 44:8 54:12 127:5 163:3 larger 19:20 93:14 139:13 142:10 largest 135:16 last 4:4 5:7,9 7:22 10:8,14 16:18 19:3 27:20 55:3 118:17 149:10,20 162:3 lastly 81:14 86:3 88:11 late 25:13</p>	<p>later 4:15 20:16 30:20 38:1 69:16 108:11 162:6 164:5 latest 158:6 latter 18:14 59:4 163:10 law 16:8,10,17 26:3 53:17 68:1 69:4 82:14 104:3 Lawton 75:22 lawyer 105:22 lay 121:16 148:21 149:7 152:12,17 153:1 lays 100:14 LCH 64:5,9 65:4,7 lead 9:11 12:21 19:11 30:8 78:19 79:3 124:17 125:1 125:15 164:17 leader 29:22 129:19 leaders 8:8 leading 8:14 125:2 Leahy 18:2 Leahy 2:18 129:18 130:1 141:3 145:1 145:9,19 146:21 148:12 150:20 151:1,5,16 152:5 154:11,19 155:3 156:1,11 157:2,15 157:21 158:11,18 159:4 learn 23:10 learned 116:3 learning 17:11 least 6:2 29:18 60:18 70:8 73:15 90:22 92:16 99:9 103:20 135:13 159:11 161:10 165:20 leave 29:7 33:11 48:7 leaving 8:14 72:21</p>	<p>leeway 26:19 left 74:6 164:2 legal 5:12 26:14 27:16 42:18 47:5 68:14 97:17 110:21 113:10,20 125:10 128:4 legally 42:15 67:4 68:12 legislating 27:4 legislation 65:21 103:8 legislative 60:13 legitimately 14:16 length 84:2 122:8 Leonova 107:12 126:14 less 16:3 45:20 50:4 68:21 70:19 90:13 126:17 let 17:21 24:21 25:11 51:15 71:22 77:5 123:15 138:9 142:15 154:14 letter 22:20 38:8,10 103:15,16 104:9 122:21 letters 38:9 103:13 152:8,13 letting 15:6 27:16 Let's 58:11 level 9:19 14:11 32:4,7 45:11,14 45:15,20 47:2 49:5 63:19 67:13 70:9,13 73:16 levels 45:18 liabilities 42:10 library 128:10 license 105:11 lieu 56:13 life 83:21 89:20 109:20 116:8,8 life-cycle 111:7,8 light 20:13 lighter 100:19 lightness 143:10</p>
---	--	--	---	--

<p>like 4:19 9:8,21 14:5 16:9,16 17:1 17:8,13 26:4,13 27:3 29:5,10 30:10 36:1 50:12 52:2 56:15 62:7 79:2 85:10 91:13 91:14 92:6 93:22 102:11 103:12,14 103:14 118:20 123:12 130:2 143:3 144:21 147:12 149:16 155:16 164:10</p> <p>likelihood 32:2</p> <p>likely 70:19 71:12 111:20 126:5 148:16</p> <p>limit 156:8</p> <p>limitation 156:22 157:2</p> <p>limited 53:6 87:22</p> <p>limiting 34:10</p> <p>limits 163:21 164:2</p> <p>line 8:13 72:9 98:13 148:5,9 149:10</p> <p>linking 112:16</p> <p>liquid 102:4 153:6</p> <p>liquidity 19:17 20:4,8,8 131:6 137:4,8 140:7 142:2,3 148:4,11 150:7 153:16 154:1,3,5 155:11 155:14</p> <p>list 77:15,19 81:19 135:22</p> <p>listed 82:20 88:5</p> <p>litigation 86:1</p> <p>little 18:17 26:4 36:16 58:19 61:22 70:1 71:13 73:8 77:12 82:22 90:6 100:15 120:4 123:14 128:11,11 140:5 160:1 164:11</p>	<p>Live 15:3</p> <p>located 82:11 99:22 101:12</p> <p>locational 153:7</p> <p>locked 49:17</p> <p>London 12:21</p> <p>long 23:20 57:3 73:7 84:3 114:16 122:21 123:3 147:16</p> <p>long-standing 23:16 66:17</p> <p>look 12:3 56:1 57:6 58:2,5 61:8 64:22 70:14,17 76:17 95:7 101:17 103:17 108:2 140:12 143:6 147:14 152:18</p> <p>looked 67:1 69:21 96:18 154:3,9</p> <p>looking 6:7 9:12 37:19 59:4 62:21 64:10 69:4,4 77:11 94:19 95:1 144:2 148:2 152:13 159:16 162:1 163:19</p> <p>looks 68:16 93:22</p> <p>losing 161:13</p> <p>loss 42:22 43:5</p> <p>losses 34:22 42:21 43:15</p> <p>lot 5:9 11:3 14:12 14:12,20,21 15:4 15:18,18 16:1,4 16:13 27:22 51:22 62:9,10,14 68:21 92:10,18 93:13 119:14 127:12 140:12</p> <p>lots 87:8 163:9</p> <p>lower 13:17</p> <p>luxury 27:12</p> <hr/> <p style="text-align: center;">M</p> <hr/> <p>made 32:11 34:8</p>	<p>43:4 50:2 73:2,2 134:17 155:9</p> <p>magnitude 7:19 27:11</p> <p>main 92:22 162:9 162:19 163:9</p> <p>maintain 79:12 80:17 82:19 84:20 88:8 107:3 114:11</p> <p>maintained 84:11 102:19 108:14 110:2 115:18 124:19 128:21</p> <p>maintaining 89:8 89:20 105:10</p> <p>maintains 105:8</p> <p>maintenance 85:1</p> <p>major 31:7 33:8 106:22 109:10 112:3,5 131:13 132:7 161:20</p> <p>make 11:18 21:8 24:1,2 25:5 26:19 27:10 28:9,14 31:14 40:11 42:22 49:20 57:18 58:6 59:16 70:1 74:8 77:9 80:18 90:3 91:15 92:3 102:15 118:22 119:9,10 119:19 132:11 133:9 135:19 150:14 152:15 159:6 160:14,19 160:20 161:16</p> <p>makes 41:22 56:22 92:18 123:4 125:20</p> <p>making 10:15 28:12 46:3 87:3 137:16 145:16</p> <p>manage 50:2,7 71:3 71:6 72:20</p> <p>managed 153:12</p> <p>management 23:13 49:11 50:9 70:11 70:13 71:10,19</p>	<p>72:3,12,14 73:11 73:21 74:7,12,16 75:21 77:11 102:2 113:2 153:9 163:5 163:6,10 166:10</p> <p>manager 74:20 75:6</p> <p>managers 37:7 52:1</p> <p>mandate 13:4 19:16 89:5 103:10 108:18</p> <p>mandated 26:2 137:20 165:7</p> <p>mandating 18:15</p> <p>manipulation 112:20</p> <p>manner 19:6 83:22 131:10 134:8</p> <p>manufacture 105:9</p> <p>manufacturing 22:21</p> <p>many 14:10 44:1,6 65:12 93:6 107:6 116:5,5,15,19 137:4,7 144:1</p> <p>mapped 122:7</p> <p>margin 24:1,2,3 25:10 31:13 32:19 32:20,22 33:2,6 33:22 34:15,17,21 35:8 37:3 38:2,13 39:8,17,18,20,21 40:17 41:1 43:2 45:1,11,18,20,21 53:7 164:5,8 165:5 166:10</p> <p>margining 31:9 127:16 166:5,7</p> <p>margins 29:14</p> <p>mark 109:6</p> <p>market 2:16,19 15:13 18:6,19 19:2,9,18,18,21 19:21 20:8,8 21:1 21:13 22:11 33:1 38:14,15,17 50:3</p>	<p>70:20 79:15 80:9 91:11 95:2 103:9 106:20 107:15,20 112:20,21 116:15 119:6 122:16 129:18,20 130:16 133:10 136:22 137:1,1,4 138:12 138:14 140:17 141:2,9,15 146:2 148:21 151:16,22 152:2 154:12 155:8 156:14,17 157:9 162:8,12,20 163:1</p> <p>Marketing 78:11</p> <p>marketplace 138:16 140:9</p> <p>markets 4:11,12 12:1 20:2 107:1 132:21 137:7 139:3 140:13 148:5,11,22 150:2 153:6 160:1 162:10</p> <p>Martin 29:22 30:3 30:11 65:17</p> <p>match 110:19</p> <p>matching 83:17 105:17,18</p> <p>material 19:17 86:15</p> <p>math 7:12 140:1</p> <p>matter 52:6 82:14 101:12 127:5</p> <p>matters 6:8 30:2,19 35:5 36:11 107:14 163:4</p> <p>may 6:16 11:10 14:14 19:17 23:13 24:3 25:20 31:15 31:16 32:8,13 33:21 34:19 43:13 47:12,21 48:12 56:1 57:3 58:8,12 59:11 66:6 75:7 75:12,14,16 77:1</p>
--	---	---	--	--

82:2,5 99:21 100:4,7,7 102:18 103:8 115:12 130:20 132:11,21 133:3,9 134:8 139:3 147:2,10 148:9 149:2,3,4 152:3 153:1 157:21 maybe 13:20 14:16 24:15 28:3 29:2 52:18 54:22 64:7 74:21 90:15 92:20 93:10,21 96:7 100:19 152:22 153:10 mean 15:15 55:5,9 60:12 62:8 104:3 135:15 151:6 152:3 meaning 131:19 134:1 meaningful 24:21 means 45:11 55:2 102:1 160:17 meant 68:4 121:12 measure 120:15 measures 73:18 mechanism 157:20 median 135:15 meet 84:7 meeting 1:10 3:4,4 4:22 6:11,22 7:2 7:11,16 25:3 37:16,21 45:22 100:8 113:15 124:3,10 130:15 143:14 161:12 162:13 163:7,17 164:8 165:17,19 165:20 167:3,9,10 meetings 6:5 13:11 13:11,13 14:4 16:7 28:20 43:21 107:13 116:15 164:1 meltdowns 9:19	member 29:21 45:1 49:5 71:3,6 75:8,9 75:10,11,13 members 2:2 30:11 44:20 45:2,4,21 46:1 48:4 49:9,12 50:2 64:14 71:6 71:18 76:8,11 79:4 108:4,5 130:3 memo 60:11 67:19 memos 12:15 30:3 mention 69:16 mentioned 30:8 44:3 66:2,22 67:18 70:5,17 73:6,9 92:6 96:4 118:13 119:1 124:16,17 153:20 153:20 154:1,2 merchant 53:10 54:5,6 merchants 3:18 23:14 43:19 52:3 53:12 76:3,6 107:2 merit 119:13 mess 15:9 method 75:1 138:8 methodology 131:1 139:22 140:13 methods 140:11 MFAs 57:7 MICHAEL 2:5 mid 75:20 165:2 middle 161:7 163:17 164:15 midst 166:8 might 11:2 20:8 28:20 29:14 40:6 45:13 52:18 57:4 57:5 58:21 59:13 63:18 65:8 67:17 67:19 73:20,21 76:21 86:1 90:4 90:20 94:16 98:8 105:17 137:5	138:10 139:7 140:18 141:21 142:14 149:6 151:8 152:22 153:1,4,6,7,17,17 160:1 165:20 Mike 4:20 11:14 million 95:5,6,8 118:14 140:2,3,5 142:20 mine 64:3 minimal 111:2 minimize 109:7 minimizing 48:13 minimum 82:18 86:21 131:2 134:21 135:8,21 minor 160:14 minute 10:15 15:11 148:19 minutes 136:3 139:18 142:10 146:15 148:20 149:18 misenvironmental 44:18 mismanagement 42:18 missing 68:9 165:12 mission 22:8 87:4 mistakes 27:10 mitigate 38:14 112:20 mode 19:6 135:15 model 42:2,6 46:17 46:20,20,21 47:5 47:6,11,19,19 48:7,16,17,21 49:19,21 50:1,5 64:10,18 146:2 models 44:12 45:9 46:16 49:14,14 55:15,16 56:22 62:21 modify 83:9 moment 7:18 18:9	93:17 94:20 116:7 money 40:19 53:13 64:22 72:9 monies 53:9 monitized 129:1 monitor 113:21 monitoring 84:16 month 56:6 monthly 76:15 77:6 months 35:2 moral 50:5 70:4,8 morality 104:4 more 6:5 10:9 12:16 19:11 20:20 47:14 48:5 52:2 62:1,5 63:10 67:22 76:5,7 77:2 82:22 87:10 94:5 94:9 96:7 97:17 98:10 100:13 116:3 121:17 122:10 126:17 127:5 128:11,11 142:22 149:4,4,6 151:8 154:9,19,19 163:11 164:11 Moreover 31:20 morning 3:3 107:22 108:1 most 5:13 17:5 24:20 48:9 56:22 84:10 106:1 111:20 148:16 153:9 mostly 156:11 164:16 motion 36:10 50:15 88:21 106:5 114:21 136:14 160:3,12,19,20 167:3 motions 29:9 move 5:17,22 24:5 24:21 44:9 52:7 56:9 61:5 70:4 104:19 106:14 126:22 127:3	129:12 141:13 154:19 163:8 moved 36:13,15 48:5 50:17 89:1 115:1 136:16 161:18 167:4 moves 59:13 moving 7:19 8:2 14:6 16:19 47:18 87:18 106:16 119:11 163:9 MSP 32:11 112:7 much 7:13 10:5,9 10:13 16:9 18:22 25:15 27:4 29:2 48:6 49:18 51:16 56:6 57:7 62:11 62:17 69:1 71:10 76:16,16 77:17 78:4 87:10 120:18 122:12 123:2,5,21 125:15 129:11 143:11 multiple 100:4 103:18 104:7 114:6 128:3 multitalented 108:4 municipal 142:4 must 23:8 33:18,18 34:6 40:16 69:12 78:6 111:2 114:7 116:11 124:19 131:15,21 132:9 132:12 133:11,14 133:21 134:2 135:13 mutual 57:10 myself 60:20 143:19
<hr/> N <hr/>				
N 3:1 Nancy 30:13 Nathan 18:1 78:10 79:3 national 102:1				

<p>104:10 natural 143:2 Nay 160:8,9,10 near 17:5 necessary 21:7 37:8 81:20 111:1 need 5:8 11:22 13:18 21:8 32:11 41:21 45:8,13 49:20 50:7 62:17 65:3 75:15 84:7 95:10,11 109:19 118:22 119:9 128:17 142:14 147:7 152:16,17 166:15,16 needed 9:20 16:6 113:18 needs 22:13 40:22 63:13 115:17 125:19 159:5 negotiating 44:2 negotiation 31:12 33:12 negotiations 127:1 net 125:17 network 118:19 neutral 106:1 new 9:17 20:12 23:15 31:5 44:7 56:17 79:8,19 81:4,6,18 108:9 130:8,9 158:6 news 161:16 Newsom 15:15 next 18:10 24:22 25:3 28:20 30:12 48:20 59:7 78:5 82:17 84:9,15 86:10,16 94:15 124:3,10 141:12 142:20 162:13,14 nice 144:1 Night 15:3 nomination 87:4 nondiscriminatory 88:13</p>	<p>none 41:12 70:16 non-block 139:7,10 non-cleared 166:8 non-dealer 121:15 non-defaulting 43:10 45:6 47:22 48:4,8,11 non-MSB 121:15 non-profit 124:21 non-standarized 159:11 non-swap 112:5 note 34:13 44:6,12 46:2 47:13 66:21 71:2 77:5 80:11 noted 19:3 nothing 18:12 40:2 notice 3:9,15 6:16 22:18 29:6,7,17 30:16,20 31:1 32:4,14,17 35:4 36:2,10 37:15 41:15 46:12,16 50:16 51:12 52:8 54:19 70:6 74:17 79:7 89:13 99:5 108:8 130:7,13 164:20 notices 5:22 89:18 notification 32:9 32:10 notify 31:7 85:19 notional 18:16 19:20 130:11 131:3 134:4,11,13 135:5,7,13 136:5 136:7 137:19 138:4,19 139:21 140:1 148:3 149:22 158:7 not-for-profit 122:22 123:18 November 1:19 22:20 number 10:17 20:10 22:21 25:22 30:19 46:8 50:1</p>	<p>57:2 62:11 72:2,7 81:2 93:20 95:16 101:5 144:11 150:5 162:9 numerical 160:17 numerous 21:4,9</p> <hr/> <p style="text-align: center;">O</p> <hr/> <p>O 3:1 objection 51:9,10 92:22,22 objections 51:9 160:21,21 objectives 86:19 obligations 31:10 81:14 145:5,6,7 obtain 46:13 obtained 46:9 obviously 85:11 99:11 119:1 151:19 occasions 94:6 occur 86:1 137:14 occurred 111:14 129:16 occurring 147:21 occurs 56:21 134:18 October 43:22 51:18 152:8 odd 5:20 off 134:18 148:21 149:7 152:12,17 153:1 156:3 158:14,17 offering 31:21 offers 70:8 office 22:11 30:1,12 30:14 60:8 78:12 78:15,17,18 79:19 115:8 163:16 officer 32:5,6 81:13 107:17 offices 14:6 officially 6:6 off-facility 131:19 often 137:11</p>	<p>oil 153:6,7 Okay 40:1 65:4 66:20 70:22 92:7 104:8 122:11 158:16 OMB 128:15 omnibus 23:18 24:4 42:8,13 46:17,20 47:7 48:17 49:15 67:2 73:13 once 9:13,21 17:4 18:9 32:11 141:1 one 3:9,21,22 4:7 4:12 6:6,9 14:7 21:11 26:12 27:6 29:2 33:13 35:18 38:8,8 42:14 43:1 45:11,12 55:13 56:22 57:7 58:16 60:3,18 62:18 63:2,8 64:3,16,16 65:10,11 67:3,10 67:21 68:2,2,17 68:21 69:8,12,15 70:15,18,18,21 72:18 73:2 75:3,3 75:16,17 84:9 85:18 88:6 90:6 94:6,10 98:19 99:3 102:19 104:18 107:9 113:15 115:13 120:20 122:4 124:11 127:8 128:13 131:21 139:7 140:15 144:4,12 146:2,12 150:5,8 152:7,10 155:12 159:21,22 162:2,6,15 163:10 163:19 164:1,19 165:20 ones 84:10 93:11 138:19 149:1 159:16 165:12 one-minute 138:12</p>	<p>one-year 96:6 ongoing 28:6 48:22 56:12 93:20 only 19:11 23:15 30:2 32:11,15 34:14 39:16,16 48:8 67:15 71:14 72:10 74:5 92:13 92:14 98:4 107:2 115:4 140:1 166:1 onsite 82:16 onto 154:20 on-site 100:22 open 38:17 88:12 114:18 136:9 157:22 opening 25:18 154:2,7 operate 27:8 operating 96:11 operational 63:3 opinion 27:6,18 71:8 82:13 100:21 126:12 159:11 opinions 23:8 69:9 69:14 opportunities 28:14 63:15 opportunity 28:3 50:13 76:5,12,17 oppose 23:5 opposed 22:1 25:4 41:12 72:21 78:2 106:9 122:9 129:9 160:7 167:8 opposing 60:17 opposite 155:15 optimum 126:8 option 61:6,6 75:3 75:17 159:9 optional 49:14,19 49:21 options 23:10 60:18 149:3 order 3:4 21:9 22:11 25:5 32:2 34:1 40:19 44:22</p>
---	---	--	--	---

<p>79:14 82:18 110:1 110:11 132:4,6,9 134:1 142:11,13 153:10,11 organization 42:13 43:7 44:10,19 45:3,5,8,13 47:3 47:21 49:12 53:6 66:4 126:17 organizations 23:17 43:19 48:1 49:7 108:22 126:16 original 53:1 ostensibly 153:20 OTC 8:8 15:17 80:9 other 5:6,8 11:15 13:12 23:10 30:11 33:13 35:18 37:10 37:21 45:4 47:2 52:4 53:11,15 54:5,21 58:7 60:1 63:2 68:1,13,20 69:15 71:15 74:3 74:4,10 76:14,21 81:22 83:6,14 84:20 85:15 90:4 98:6 99:9 101:5 103:4 108:16,20 109:9 110:3 111:11 115:6 117:15 119:14,18 121:9 122:18 137:5,19 139:2 144:11 147:13,18 149:2,11 151:20 162:3,7 166:4,21 others 44:14 146:1 149:1 otherwise 31:12 83:9 other's 5:2 ought 128:14 out 5:8 6:4,14 8:22 9:13 11:7,17,21 14:5,18,21,22</p>	<p>16:5,7 17:4,5,6 21:1 22:17,20 27:7,16 28:11,13 37:14 44:8 46:19 47:15 52:19 55:18 62:15 65:6 74:3,6 84:3,13 88:15 94:18,22 95:13 97:20 100:10,15 117:7 119:14,18 119:19 120:9 125:6 127:11 128:14 129:14 141:3 143:17,17 143:20 144:1 146:8,10 158:3 160:2 161:6 164:3 164:11,20 165:9 165:16 outer 18:22 outline 81:8 outlined 70:7 98:16 112:2 outside 35:16 82:11 outward 110:12 over 13:11,12 21:2 30:5 33:22 56:11 59:1 89:20 103:9 107:20 110:6 113:8 115:18 116:4,8 128:21 137:7 140:1 142:19 overall 73:19 94:1 124:12 overlaps 121:6 overnight 58:20 overseas 100:1,8 oversee 27:1 119:5 oversight 2:10,16 2:19 29:20 30:8 70:11 78:11 93:21 94:1 106:20 107:15,20 127:15 129:19,20 162:9 162:20 overview 2:13 94:8</p>	<p>over-the-counter 8:11 154:12 155:10 owe 18:19 owed 24:3 own 21:5 42:9 43:1 48:2 72:9 120:14 120:17 126:9 156:17 owned 156:7 owner 86:19 145:20 156:19 owners 35:9 106:3 156:8,13 ownership 127:10 127:22 owns 104:21 105:6 O'Connor 69:11 O'Malia 2:6 4:21 7:22 17:19,20 25:16 28:21 51:6 52:11 63:21,22 64:1 65:14 66:20 70:3 72:15 73:6,9 74:14 77:5,9 91:7 91:9,13,15 92:3,7 95:12 104:17,18 124:13,14 125:21 126:11 127:8 128:9 129:3 136:17 141:16 153:13,14,18 154:14 155:1,20 156:6,21 157:11 157:19 158:5,16 159:2,19 160:10 161:2 166:3,4,16 166:19 O'Malia's 37:20 50:22 105:3</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>P 3:1 pace 8:6,16 package 146:1 pages 10:12 65:16 87:9 123:3</p>	<p>paid 41:1 panel 3:10,14 156:7 panic 14:20 panicky 14:17 paper 16:21 Paperwork 160:18 parallel 112:2 part 29:3 35:13,21 44:8 48:12 59:4 59:17 61:3 63:12 64:4 76:19 79:8 80:3,11 82:1,7 83:1,8 84:8,19 93:18 94:20 99:14 100:16 122:16 123:3 125:2 146:11 151:22 participant 77:1 132:7 participants 2:1 19:22 31:7 38:12 112:4 131:13 141:9 148:21 155:12 participate 9:2 21:13 33:8 76:1,4 112:5 participates 86:20 106:22 109:11 116:15 130:16 132:9 133:10 137:9 146:2 151:17 155:8 156:14,18 participating 11:8 120:4 participation 38:15 77:2 120:5 particular 23:19 32:10,11 49:10,18 61:6 80:6 83:4 108:4 113:8 114:7 118:16 126:22 135:22 144:3 particularly 67:14 82:10 143:1 parties 32:16 33:12</p>	<p>34:1 39:19 80:1 131:11 132:8 156:7 partnership 161:5 161:6 parts 37:10 163:9 166:9 party 33:9,13,19,21 34:7 40:17 131:21 132:5,10 146:1,8 157:17 pass 46:4 passed 45:19 51:10 passionate 18:5 141:16 143:9 past 6:4 32:22 path 60:17 61:14 61:19 pay 152:14 payment 134:5,5 payments 49:17 peer 56:14 penalty 34:8 pension 37:7 51:22 74:20 pensions 16:2 people 11:1 14:4,4 14:12,15,15,19,20 14:21 15:4 17:1,5 17:8 27:3,13,16 57:11 62:6 76:17 92:4 93:22 96:15 97:1 98:5,6 116:15,19 123:16 125:13 128:2 162:4 per 61:17 100:4 135:22 137:12 percent 27:15 45:14,15,17 58:1 135:16 perfectly 120:17 perform 97:12 perhaps 39:5 118:10 145:22 146:1 158:1 period 28:20 35:3</p>
--	--	---	--	---

<p>35:18 56:5 57:22 59:2 82:2 88:17 93:8 96:6 109:22 114:19 116:4 117:4,18 136:10 perjury 34:8 permit 46:3 permits 39:22 112:8 permitted 34:11 38:16 81:10 83:9 permitting 43:1 48:11 permutations 99:7 person 53:5,10,14 54:5 personal 71:8 personally 59:5 persons 54:3 perspective 48:19 60:3 70:16 perspectives 87:13 petition 27:13 petitions 28:4 phase-in 88:17 phrase 7:21 physical 46:22 139:4 143:1 pick 76:6 83:6 piece 119:17 163:10,11 pieces 16:19 17:1 37:18 162:10 163:9 pin 103:13 pipe 85:11,11 92:14 92:14 pipes 85:10 95:9 Pittsburgh 8:7 place 14:7 28:9 43:20 68:2,3 72:5 102:19 104:10,12 138:14 141:2 143:4,18 153:8 placed 71:10 places 97:2 121:10 128:3</p>	<p>plan 88:7 planned 165:8 plastic 28:2 platform 122:6 134:19 140:17 151:14 platforms 19:10 115:17 play 21:1 89:18 players 119:14,19 please 77:21 91:8 101:7 pleased 22:17 52:7 plura 54:10 plural 54:11 plus 83:22 140:2,5 142:20 point 9:13 10:1 16:18 37:14 40:2 57:20 59:10,15 60:19 61:5 95:4 153:5 157:17 160:13 pointed 74:3 points 155:15 poking 117:7 police 4:11 policies 83:13 85:3 policy 21:15 62:22 69:3,4 87:12 politely 71:13 pop 143:17,17 144:1 portfolio 35:7 166:5,6,10 portion 45:2 pose 50:4 74:3 posed 44:5 50:7 71:20 position 33:1 78:4 114:4 163:21 164:2 positions 47:10 64:20 67:5,13 112:22 positive 12:20 possible 9:9 13:1,7</p>	<p>23:1 75:2 80:1 109:8 112:4 125:11 126:5 131:6 possibly 28:20 97:11 107:2 117:7 118:4 post 44:3 117:18 posted 23:4 29:15 34:12,15,17 37:3 43:8 45:1 post-collateral 42:12 post-trade 4:14 20:4,9,11 129:17 137:6 141:14 155:4,18 156:3 post-trading 19:5 potential 44:20 146:2 potentially 150:7 Power 129:22 practicable 18:21 67:12,15 121:9 131:17 132:3 133:2 137:15,22 139:9,12 142:8 147:22 149:17,22 150:19 151:4,7,12 152:3 practicably 57:18 practical 42:17 practice 23:13,16 66:18,19 112:21 practices 74:7 165:8 preamble 20:6 106:2 127:20 158:9 precedence 132:5 precedent 69:22 precipitated 66:6 precisely 63:17 127:20 preclude 61:18 precludes 61:13 preferred 60:17</p>	<p>preparation 118:16 prepared 25:1 preparing 22:7,7 108:6,19 130:4 prescribe 82:7 presence 70:1 present 29:21 108:6 130:5 presentation 29:5 presentations 12:4 presented 19:8 presenting 30:16 78:13 President 13:5 18:8 President's 95:4 press 58:18 166:22 prestige 147:19 presumably 97:10 97:20 presume 69:12 presumes 104:14 presumption 104:6 pretty 16:18 29:2 57:7 99:6 120:18 151:11,15 prevent 112:20 prevents 114:14 previous 7:5 95:19 156:7 pre-trade 4:17 155:3 price 102:2 129:15 133:21 134:1 137:4,8 prices 102:2 pricing 102:3 130:9 130:19 131:4,7,9 131:16,22 132:2 132:12,16,19 133:10,13,16,20 134:15 136:4 137:14 142:5 primarily 12:13 91:12 primary 110:18,22 111:13 principal 135:7</p>	<p>principle 88:3 principles 71:5 81:7,22 86:10,11 120:9 125:6 128:13,22 146:10 principle-related 86:13 prior 24:5,11 113:16 135:20 156:10 160:15 privacy 71:16 85:1 85:13 private 85:4 privately 29:1 38:2 privilege 101:3 pro 65:1 probably 5:7,18 6:2 13:12,19 38:2 52:12 56:6 59:4 61:9 94:5 103:12 142:12 151:11,14 162:6 164:4,17 166:22 problematic 20:17 Procedure 27:5 procedures 73:21 82:7 83:14 85:4 86:4,5 87:16 117:6,11,17 135:2 proceeding 26:9 34:2 process 8:20 9:3,5 9:9 10:9,20 11:6,9 11:10 14:9,9 27:7 28:1,6,10 47:2 59:15 87:4,20,21 97:16 104:22 processes 109:6 product 109:5 112:14 113:22 114:3 161:21 162:2,5 production 46:17 products 19:12,19 114:1 professional 72:4 profile 74:10,11</p>
---	--	--	---	---

<p>prohibit 104:11 prohibits 54:2 promise 55:2 promote 80:14 140:7 promoting 141:15 prompt 82:14 promptly 121:10 121:14 122:17 promulgate 9:3 promulgation 35:2 property 23:18 31:9 35:9,15 44:22 46:22 47:2 53:9 66:9,10 67:8 105:6,9,21 149:8 proportionately 43:15 proposal 4:4 5:17 6:3 19:6,9 23:7 24:14 36:20,22 37:8 39:5,6,8 40:7 56:9 59:4,17 60:19 64:7 79:16 80:12 81:1,1,17 88:14,18 89:4 90:12 91:5 92:19 105:14 108:6 110:16 116:2 117:3 118:5 122:1 122:21 129:5,6 130:4 136:6 138:12,22 140:10 141:4 144:13 146:12 148:5 165:1 proposals 3:9,10,19 6:12 9:16 10:7,13 10:16 11:7,16 13:18 23:13 24:19 70:7,12 127:11,12 propose 24:5 41:21 56:17 58:8,9,12 59:13 82:22 proposed 3:6,9,15 3:21 5:21 6:1,16 7:2,5,17 9:1,10,15</p>	<p>12:17 20:14 21:10 22:18 28:11 29:6 29:7 30:17,20 31:2 32:4 33:5,10 33:11 35:1,4 36:2 36:10,17 37:15 39:21 46:12,16 50:16 51:12 52:8 54:19 55:18 61:12 70:6 76:9 79:7,8 80:3,10 82:1 84:8 86:8,12,16 87:18 88:22 89:3 106:6 108:8 111:17 112:11 114:11,18 115:14 124:18 130:7,13,17,22 131:5,10 132:4,17 133:18 134:6,11 134:16,22 135:3,4 135:9,10,18 136:2 136:9,18 137:3,12 138:4 145:3 164:21 166:8 proposing 61:17 86:15 109:13 120:15 149:12 prospective 18:3 protect 44:11 61:4 85:6 140:6 protected 42:8 66:13 protecting 29:15 153:22 protection 3:11,16 29:12 30:17,22 31:2 36:3,18 42:2 44:13 49:15,16 51:13 54:14 63:11 63:13 66:13 76:22 80:16 protections 36:21 37:5 52:2 64:15 137:10 protects 66:10 protocol 84:13 126:15</p>	<p>protocols 126:18 proudly 141:20 provide 50:3,11 63:14 81:12 82:13 82:14 85:21 86:14 88:9,11 90:15 98:10 100:21 102:13,16 107:7 113:12 114:16 125:16 134:7 146:22 147:5,6 156:15,17 provided 81:12 89:15 133:14 147:3 provider 133:5,7 145:12 157:10 providers 90:14,21 provides 9:10,19 19:1 21:2 32:10 39:9 86:17 88:3 120:10 124:18 126:9 141:9 providing 18:17 24:20 82:21 84:10 102:1 132:22 provision 21:14 35:12 41:20 52:17 52:21 53:2 54:1,8 54:9,14 82:6 89:13 90:8 96:5 158:6 provisional 82:5 95:18 96:5 97:7 98:11 provisionally 95:21 96:10,16 provisions 52:14 53:1 89:7,10 98:20 109:12 138:2 150:18 prudent 22:17 public 1:10 3:4 4:12,22 6:7,11,17 7:8,10,16,17 9:4 11:7 12:8 13:13 13:19 20:7 22:3</p>	<p>22:19 23:9 24:10 25:6 29:17 51:16 51:17,19 52:9 58:18 59:9 60:8 65:22 81:14 84:7 86:18 87:3 91:1,5 92:1,16 102:1,11 102:15,17,18,22 114:19 115:7,20 117:4,9 123:20 129:13 130:8,10 130:20 131:6,8 132:15,21 133:6 133:17,20 136:6 136:10,19,21 140:12 143:7,10 143:17 144:17 147:7 158:2 160:1 164:10,22 publically 108:15 130:18 131:3 132:1,18 133:1,3 133:7,15 134:8,14 136:3 157:5 158:2 161:9 public's 61:8 107:5 publish 46:12 50:15 77:6 135:19 published 24:14 80:4 136:1 publishes 76:14 publishing 7:6 PUCO 102:11 pull 61:10 purpose 16:8 113:15 133:19 purposes 35:10 42:18 84:6 111:1 147:3 157:8 pursuant 7:17 134:19 158:14,20 push 125:19,20,22 126:3 pushed 84:13 put 11:21 22:17 39:20 60:10 72:8 84:3 91:5 92:19</p>	<p>118:5,13 119:17 127:10 142:9 161:13 164:20 165:9 putting 11:7,16 16:22 60:10 121:4 127:6 152:20 puzzle 17:1 p.m 167:10 P.R.A 160:17,17</p> <hr/> <p style="text-align: center;">Q</p> <hr/> <p>qualifies 134:12 qualify 135:12 157:21 question 22:6 37:14 50:22 51:1 52:12 54:21 55:3 55:13 56:3 63:22 64:4 72:17 74:19 90:5,19 91:1,5,16 91:22 92:16,19,21 92:22 101:17 103:3,15 104:2,9 104:18 105:2,16 111:19 117:16 123:2 129:5 161:3 166:4 questioning 98:14 149:11 questions 3:15 20:16 21:4 26:10 37:12 38:5 41:9 46:18 48:14 49:22 50:12 51:14 52:10 61:2 62:15 64:2 66:2 67:10 70:5 70:22 71:12,19 77:20 81:19 88:19 90:1 95:17,18 98:3 101:5 106:5 114:20 121:5 129:5 136:12 139:1,17,19 142:22 143:8 145:2 149:8 150:6 160:3</p>
--	--	---	--	---

<p>quick 55:13 56:17 122:19</p> <p>quickly 55:22 129:20</p> <p>quite 18:13,14 60:13 126:19</p> <p>quote 38:10 53:2</p> <hr/> <p style="text-align: center;">R</p> <hr/> <p>R 3:1</p> <p>Radhakishnan 29:19 40:13 41:6 56:16 57:5 58:3 59:19 60:5 72:13 72:17 74:1,17 75:2,7,10,12 76:10 77:8,16</p> <p>raise 56:4 70:12 77:6</p> <p>raised 12:7 26:11 76:20 95:18 123:5 161:2</p> <p>raises 95:3</p> <p>range 19:10 23:3</p> <p>rank 132:8</p> <p>rata 65:1</p> <p>rate 111:11 139:2 153:3</p> <p>rates 97:3</p> <p>rather 39:10 56:1 64:13,19 66:16 67:7 69:1 122:18</p> <p>rational 21:15 24:9</p> <p>reach 50:5 119:18 128:2</p> <p>reaching 8:22</p> <p>read 32:8 51:1 101:19</p> <p>readily 83:22 109:19</p> <p>reading 7:13 30:3 152:7</p> <p>ready 125:14</p> <p>real 132:2,19 133:16 144:17 145:11,17 146:19 147:2,6</p>	<p>realized 69:17</p> <p>really 5:6,11 11:19 15:5 29:11 46:9 51:6,18 59:17 62:20 68:6 76:20 85:17 96:3 115:12 115:21 117:14 118:3 121:2 123:1 126:3 127:21 128:5 138:22 144:2 145:7 154:8 164:16 166:16</p> <p>real-time 4:4,13 7:3 18:5,7 19:14 25:4,5 81:14 84:6 84:7,12 85:7,10 85:12 89:19 90:3 90:7,9,15 92:11 92:14 104:20 121:7 129:14 130:8 131:8,16 132:14,15 133:12 136:15,19 137:13 140:10 141:14 144:13,14 157:8 157:10,16</p> <p>reams 16:20</p> <p>reason 76:19 159:10</p> <p>reasonable 128:14 128:17</p> <p>reasonably 85:6</p> <p>receipt 118:20</p> <p>receive 94:5 144:3 158:1</p> <p>received 23:3 53:7 89:17 127:12</p> <p>receives 7:8 85:2</p> <p>receiving 93:7</p> <p>recent 80:12</p> <p>recently 12:16</p> <p>recognize 21:16 24:17 147:10</p> <p>recognized 20:1</p> <p>recognizing 161:8</p> <p>recommendation 50:15 59:16 88:21</p>	<p>114:22 117:13 136:14</p> <p>recommendations 150:10</p> <p>recommended 56:9 138:2</p> <p>recommending 29:18 46:11 79:6 108:7 130:6 139:15</p> <p>record 25:8 117:3</p> <p>recording 73:17 84:7 110:17</p> <p>recordkeeping 7:3 20:19 83:20 84:7 106:15 108:10 109:12,14 113:2 123:1 147:3 163:4 163:11</p> <p>records 82:15 83:21 100:22 109:15,19</p> <p>recover 24:3</p> <p>recovery 88:6</p> <p>redaction 36:10</p> <p>redactions 7:9</p> <p>reduce 80:15</p> <p>reduces 47:12 70:19</p> <p>reducing 9:18</p> <p>reduction 70:9 160:18</p> <p>refer 54:9</p> <p>referenced 114:1 154:8</p> <p>references 103:18</p> <p>referred 44:21 47:17 143:14</p> <p>refers 54:7</p> <p>reflect 7:18</p> <p>reflected 43:21</p> <p>reflects 130:13</p> <p>reform 8:14 80:16</p> <p>refreshing 118:18</p> <p>reg 124:18</p> <p>regard 3:6,11,16 3:16,21 4:1 5:16</p>	<p>10:17,20 12:1 20:6 22:15 25:2 29:12 37:10 38:20 61:1,16 65:2 98:16 99:13 109:2 121:5 122:17 133:20 138:3,18 139:20 141:3 144:13 145:6 150:6</p> <p>regarding 6:22 7:3 20:7 34:20 79:9 84:2 87:2 108:9 114:9 130:8,10 136:7 156:9</p> <p>regardless 24:1 137:22 139:22 149:18</p> <p>regime 19:5 23:15</p> <p>regimes 110:14 151:13</p> <p>register 24:14 58:19,21 59:1 90:21 91:2,16 92:2,15 96:15 100:18 104:14 160:16 161:14</p> <p>registered 82:19 83:13 96:21 100:7 109:15 111:18 112:10 113:7 131:12,22 132:17 145:10 146:3 147:4</p> <p>registering 95:21 96:1 99:15</p> <p>registrant 145:10 147:5</p> <p>registrants 70:17 107:7,10 115:16 146:4</p> <p>registrars 4:2</p> <p>registration 79:10 81:3,16,18 82:5,8 82:9,19 95:18 97:7 99:22 124:20 126:11 128:19</p>	<p>145:8</p> <p>registry 98:18</p> <p>regular 101:1</p> <p>regularly 101:21 140:14</p> <p>regulate 102:20 126:13 154:16</p> <p>regulated 15:13,16 89:6</p> <p>regulating 12:1</p> <p>regulation 20:15 32:4,19 33:4,5,10 33:16,20 34:9,11 34:14,18 37:19 39:22 55:19 79:10 84:19 85:15 86:12 86:17 87:19 106:2 108:9,12 114:11 114:18 130:17 131:10 136:9</p> <p>regulations 9:15 26:22 27:8,13 35:14,21 41:21 79:8,9 80:7 86:8 108:10,19 109:3,7 109:14 130:8,10 132:17 133:18 134:6,11,16,22 135:3,4,9,11,18 136:2 143:15</p> <p>regulator 12:21 112:17</p> <p>regulators 4:8,10 8:19 9:2,7 11:15 12:11,12,19 13:12 63:10 79:22 80:20 85:15,16 89:9 92:11 98:17 100:3 100:5 101:11 103:4 108:17,21 108:22 110:3 112:19 113:21 114:2 115:8,9 117:1 127:5 149:12</p> <p>regulatory 13:17 15:11 21:9 63:5</p>
--	---	--	---	--

83:15 92:10 102:14 103:10 108:17 109:8 110:12,12 111:1 112:16 115:22 116:16 146:9 regurgitations 130:22 relate 90:4 140:20 related 34:21 76:9 80:12,18 109:16 129:15 164:13,13 164:18 relates 90:2 98:14 relating 110:17 134:7 relationship 20:3 42:16 71:18 73:10 90:2 relative 46:20 release 40:19 95:17 95:19 100:14 128:15 releases 50:13 relevant 54:2 65:19 146:19,21 relied 23:20 66:15 rely 47:21 remain 48:12 remainder 109:22 remaining 18:18 47:21 remains 114:16 remarkable 5:11 remarks 25:18 88:18 114:19 136:11 166:18 remember 15:2 162:15 165:17 remind 27:3 reminds 18:7 remiss 61:21 removal 87:16 remove 73:4,4 removing 112:9 renew 24:21 25:9 reorganize 22:10	report 76:15,18 80:8,10 104:20 112:4 114:3 131:11,21 132:10 138:8 140:2,19 144:16 145:12 147:11 149:21 151:6 157:12 reported 8:12 83:15 96:22 111:3 111:5 114:7 122:5 130:21 133:22 134:22 135:9 137:21 145:11 150:1 157:3 reporting 4:5,13 7:3 18:5,7,15,18 19:5,15,17 20:4,9 22:6 25:4,6 31:19 79:15 81:14 84:6 85:8,11,12 88:1 89:19 90:7,9,15 97:2 105:7 109:2 110:3,4,13 111:6 111:8,10,12,15,17 111:22 112:1,3,5 112:9,13 113:13 114:10,14 121:7 123:1 129:13,14 129:15 130:9,10 130:18,19 131:9 132:6 133:19 136:15,19 137:13 139:22 140:10 141:14 146:14 147:17,20 149:19 150:17 155:10 163:4 reports 145:17 146:14 repositories 2:13 3:22 4:3,9 8:13 78:7,8,14 79:10 80:5,9,13 88:22 89:5,14,18 90:9 90:22 91:3 92:9 94:5,9 95:11 98:5	103:19 108:11 116:17 141:6 repository 7:4 92:15 96:11 101:2 103:5,20,22 104:1 106:6,13 115:18 133:1,14 141:1 representative 34:7 republished 127:12 request 24:21 25:9 30:21 35:3 36:2 37:17,21 46:13 82:4 85:19 93:18 93:19 94:2,21 requesting 88:16 94:7 requests 21:2 22:3 93:5 94:5 118:14 119:8 require 9:16 31:6,9 31:15,16,20 32:8 33:6 39:11,12 87:12 91:19,21 103:5,8 113:13 114:6 128:2 155:10 required 10:22 34:18 44:6 45:16 45:18,19 46:3 48:2 81:17 82:12 83:4,15,21 84:16 84:20 85:3,18 88:11 92:1 96:14 111:4 114:12,17 121:17 146:14 requirement 21:12 21:16 47:9 71:4 76:15 81:3 82:18 83:8,17 85:17 89:12 90:15 100:8 104:4 113:16 132:22 133:6 requirements 22:14 31:19 33:4 33:17 81:2,15 82:1 84:8,21 86:18 87:16 94:15	107:6,21 119:2 130:11 131:14 134:21 135:9 requires 8:4 9:19 32:4 33:20 34:5 35:6 39:9,13 41:17 83:13 86:13 87:7,19 110:16 111:7 114:11 137:13 requiring 111:12 research 60:8 researched 30:1 reservations 127:1 reserve 7:7 12:10 38:1 79:18 115:7 115:8 130:15 residence 68:10,11 resides 73:16 77:12 resist 102:21 resolution 112:22 resolved 23:9 resolving 87:21 resource 48:1 resources 9:17 44:19,21 45:8 48:3,12 84:21 88:8 93:3 94:21 respect 31:1 32:15 39:1,8 42:21 93:20 109:5 110:16 114:1 131:8 132:15 134:10 154:21 155:9,17 158:19 respected 80:22 134:2 respond 28:22 response 5:5 responsibilities 21:9 87:17 95:1 responsibility 42:22 72:20 112:9 responsible 10:11 130:18 132:6,18 145:16 146:10 rest 8:5 79:4	restrictive 151:9 result 23:22 48:12 48:21 83:3 resulting 24:2 34:22 retain 40:8 retention 20:22 109:22 retrievable 109:21 retrospective 128:1 review 7:8 56:14 59:3 82:2 93:4,8 96:8,13 97:16,20 reviewed 69:9 108:22 reviewing 55:17 revision 20:14 revisions 35:11 revocation 82:8 Rick 96:4 129:22 163:21 right 18:10 24:19 28:3 29:4 31:8,11 32:18 39:11,16,16 39:17 40:16 41:6 56:18 57:12 64:12 67:20 71:2 76:11 78:21 90:17 91:19 91:20 95:22 97:2 97:9 118:4 120:17 127:4 141:16 150:19 151:10 152:5 166:2 rights 105:9,21 rip 124:1 risk 9:18 23:13 32:5 42:1,5,17 44:7,15 47:13 48:8,13 49:4 50:2 50:4,7,9 63:1 69:2 69:5 70:9,11,12 70:19 71:3,6,10 71:19,19 72:3,11 72:14,21 73:11,15 73:20 74:2,6,9,11 74:12,22 75:21 77:11 80:15 102:2
---	--	---	--	---

112:20 113:2 142:11,13 149:1,2 149:6 152:12,18 153:1,2,4,7,9,11 153:11 163:5,6,10 166:10 risks 38:14 44:5 72:8 88:9 148:22 Rob 26:7 ROBERT 2:9 Rock 57:9 Rogers 94:14 107:16 118:11,12 role 89:13,19 91:1 Roosevelt 18:8 rough 46:8 roughly 51:1 roundtable 9:10 25:10 37:16,21 38:3 43:22 45:12 51:18 57:6 151:17 155:7,12 164:5 165:5 roundtables 9:9 117:8,11,18 royalty 128:14,15 rule 3:6 7:6,14 8:4 12:17 14:7 21:10 21:11 22:16 32:9 38:18 39:2,5 40:8 56:18,18 58:10,13 69:18 90:2,3,7 92:17 93:22 105:2 110:4,10 111:1,17 112:3,7,11 113:17 115:6,11 116:5 120:7,16 124:2 126:8,9 127:10,20 136:20 137:12,16 138:4,6 142:9 148:8 164:12 165:7,7,14 rulemaking 3:9,15 3:22 6:16 18:7 19:3 20:6,6,18,20 21:6,22 22:4,18 23:7,11 24:13,22	27:3 29:6,7 30:17 30:21 31:2 35:4 35:20 36:2,11,17 37:15 46:13 50:16 51:3,4,13 52:8 54:20 70:6 74:15 78:20 79:5,7 89:4 94:15 99:9 106:13 108:8 115:14 121:10 126:1,4 130:7,13 136:19 145:3 154:4,11,22 164:9,21 166:8 rulemakings 3:22 6:1 18:3 25:12 121:22 127:9 144:10 rules 3:21 4:15 5:9 5:16,21 6:13,15 7:2,4,5,7,17 8:21 9:1,3,6,6,10,11 10:9 11:7,10,20 14:10 19:15 21:2 27:17 28:11,13,13 33:11 35:1,2 75:20,22 76:9 78:14 82:7 86:14 86:21 87:7,12,16 87:20 88:22 89:6 106:7 110:11 113:12 114:6 118:16 131:5 132:4 134:20 135:1 154:10 161:20 162:9 166:11 rule-writing 8:19 ruling 61:12,13 122:20 rulings 5:21 13:22 run 58:17 59:2 165:16 running 14:5 59:7 95:22 97:8,15 runs 29:19 rushing 123:3	S	s 3:1 54:15,16 60:4 67:19 68:6,9 69:17,19,20 70:1 70:4 103:16,19,22 safe 19:1 same 11:18 37:20 39:21 49:4 52:15 54:12 65:12 92:4 95:19 97:7 114:7 150:18 satisfied 133:6 satisfy 131:14 132:21 Saturday 15:2 saying 10:5 27:14 40:5,19 57:12 60:16 70:22 74:9 74:11 122:9 123:10 129:7,10 142:19 151:3 160:5,8 says 16:17 26:17 32:18 65:9,18 68:2,2 98:20 104:1 107:8 108:1 115:21 120:16 128:18 139:22 144:21 155:20 scared 14:15 scene 119:16 schedule 161:7,13 scheduling 29:3 161:2 Schneider 167:1 School 26:6 Schubert 107:14 scope 94:1 Scott 2:6 4:21 167:1 screen 157:13 screening 84:17 script 108:1 SDR 80:22 81:4,18 82:5,8,12,13,18 83:3,8,13,20 84:5 84:11,15,19 85:2	85:3,5,15,19 86:1 86:4,6,14,22 88:7 88:10,11 94:15 96:2,21 98:18 99:10 100:18,21 104:21 105:5,7,7 114:8,14,15,16 131:22 133:16 136:1 144:13,15 144:16,18 145:6 146:12,13 147:5 156:10 157:3,5,5 157:7,14,16 SDRs 79:11,11,13 80:17 81:8 82:11 82:12 87:19 93:20 95:21 98:14,19 99:14,15,21,21,21 102:9,13 104:4,10 104:14 108:11,14 110:2 114:6,11 135:18 SEC 11:15,17,19 11:21 12:10 26:8 26:19 79:18 102:11 110:10,11 112:3 113:4 115:7 121:22 122:2 130:14 143:22 149:12 150:17 151:13 155:13 161:4,22 164:12 164:16 166:12 second 19:14 35:16 36:14 47:5,19 50:18 81:5,8 83:11 88:7 89:2 92:13 115:2 136:17 138:8 139:20 142:12 153:11 162:22 163:3 165:17,20 167:5 seconded 36:16 160:4 secretary 167:1 section 15:19 31:4	31:5,18 35:5,19 37:10 41:16 80:15 81:6,11 101:20 103:17 159:17 sectors 22:22 secured 102:4 securities 12:22 13:8 35:7 53:9 79:21 see 5:13 7:13 73:18 74:13 75:22 106:14 127:4 142:5 144:1 147:16 165:11 seeing 14:4 87:8 144:3 152:18 seek 8:18 38:11 73:10 76:22 117:2 136:6 seeking 34:7 48:15 99:22 seeks 111:3 seem 104:5 125:3 128:9 157:22 seemed 5:20 seems 68:18 107:13 seen 31:20 SEF 19:8 25:2,6 91:16 131:15,21 133:3,5 134:18,19 134:20,22 135:1,7 138:21 139:14 148:14 156:17 157:9,19 158:12 158:13,14,16,19 159:1,12 SEFs 131:15 133:9 135:21 154:20 SEG 48:15 57:8,9 57:10,12 59:14 64:6,7 73:3 segregate 33:5 39:20 segregated 24:6 33:6 34:21 37:2,3 42:9 53:8 66:5 segregation 7:4
---	--	----------	---	---	---

22:15 23:1 29:15 29:22 30:9 31:9 31:13,16,17,20 32:1 34:10 36:11 39:11,12 41:17 44:2 46:22 47:6 50:16 51:5 54:14 61:1,16,17 76:17 76:21 Selecting 113:14 self 75:6 self-interest 71:5 sell 146:1 156:9 157:1 selling 145:22 seminar 26:6 send 104:20,20 107:3 131:15 142:1 156:22,22 sending 145:15 156:10 157:7 160:16 sense 56:22 57:18 58:6 77:10 92:18 102:19 124:22 sent 22:20 104:9 115:18 125:6 157:4,15 separate 47:1 63:3 65:11 127:21 128:6 148:16 separately 36:7,7 47:1 61:20 62:2 62:22 September 12:16 series 138:22 139:17,18 142:21 served 141:20 serves 119:13 service 28:8 133:4 133:7 145:12 157:10 services 22:11 88:10 Sesame 103:14 set 3:14,21,22 5:9 6:4,9 16:15 19:19	27:7 46:18 47:9 48:14 79:8 81:6 82:21 86:8 89:11 97:20 135:21 142:7 147:2,3 sets 33:4,16 81:1 87:15 147:1 setting 88:9 seven 35:20 share 43:15 110:10 159:22 shared 113:6 sharing 12:9,14 99:17 sheets 12:15,15 115:11 shift 69:2,5 72:18 141:19 shifted 127:11 Shilts 93:16 94:14 97:10 98:1,8 99:19 129:22 146:6 159:15 shoot 20:16 short 50:22 74:9,13 79:11 shorter 73:8 138:16 shortly 110:19 shoulder 56:11 shows 137:7 side 25:7,7 52:5 57:7,8,10 76:5 77:3,4 137:5 153:20,22 sign 142:20 significant 21:18 44:15 87:6 98:22 99:3 significantly 23:7 47:12 silent 156:11 similar 3:16 26:11 47:19 54:3,3 64:5 135:16,17 147:18 147:18,19 similarities 64:8	Similarly 135:4 simple 128:10 simpler 128:6 simply 62:15 69:2 since 8:16 12:15 36:6 52:22 85:4 85:12 107:6 117:12 147:14 single 94:6 100:4,4 103:5 153:1 single-spaced 65:15 singular 54:8,11 singularly 16:8 66:11,17 sister 8:18 143:21 sitting 5:13 30:11 125:14 situation 28:12 34:3 59:22 situations 112:6 122:4 six 15:17 35:2 sixth 84:22 size 45:10 130:10 131:2 134:4,12,20 134:21 135:8,13 135:22 137:18,20 138:4,19 139:21 139:22 147:18 sizes 135:15,17 140:16 sizing 45:9 slap 40:18 sleep 120:1,3 slight 52:18 slip 7:13 slipped 68:4 164:19 small 69:10 122:16 129:1 142:4,4 151:4,21 smaller 142:7 snapshot 111:12,13 sold 156:19 solicit 51:20 solution 57:22 58:1 58:4 120:11	some 6:8 11:6,10 11:17 13:8 14:6 14:15,15,16 15:5 16:11,12 17:10 18:19 20:5 26:14 26:20 30:3 40:2 44:1,16,16 54:19 56:12 57:7,9 59:10,15 61:10 62:5 63:8,9 67:17 68:20 70:21 73:5 75:5,13 90:8 94:6 97:12,20 102:18 103:22 104:1,3 115:19 116:16 120:12 122:18 126:22 127:6,19 128:1,6 141:19 146:9,22 152:1 153:4,12 157:4 159:15 160:16 161:10,18 166:7,9 somebody 13:10 40:18 65:17 74:20 75:15 92:13 96:2 116:17 someone 48:8 97:12 something 28:5 40:3,9,12 41:22 59:13 94:1,17,20 97:15,18 98:8,10 99:19 119:20 120:19 121:19 122:6 140:20 152:2,3 sometimes 5:5 74:22 116:4 129:16 somewhat 60:19 somewhere 93:14 Sommers 2:7 4:20 5:18 10:3,4 12:6,7 16:20 36:14 38:3 38:4 50:18 58:16 60:14,15 62:4 67:20 89:2 95:14	95:15 96:14 97:1 97:5,21 98:2,13 99:13 100:13 101:4,7,17 102:6 102:8 106:10 115:2 120:22 121:1,21 122:11 123:5 144:6,7 145:4,13 146:11 148:1 149:10 150:4 160:9 167:5 soon 131:17 132:2 133:2 137:14,22 139:8,11 142:8 147:21 149:16,21 150:18 151:4,6,12 152:2 164:7 sorry 39:3 56:10 sort 5:2 14:5,15,16 15:7,10 28:22 59:5 63:12 76:5 102:11 103:3 123:12 128:16 144:12,20 152:9 sorted 13:21 sorts 30:2 sought 80:6 sound 21:16 sounded 103:12 space 127:10 speak 67:21,22 76:20 124:12 special 15:3,4,5 68:9,11 123:7,8 specialized 149:4 specific 74:10 121:5 149:4 155:17 161:17 specifically 12:18 20:10 69:18 88:16 98:20 154:13 155:6 164:18 specified 84:14 111:16 specifies 81:2 111:1 133:21 specify 130:17
--	--	--	---	---

<p>131:10 132:17 133:18 134:12 136:2 147:9 spectrum 51:21 68:19 151:20 speed 7:19 87:11 spent 26:14 spots 29:18 spring 13:21 square 64:6 Ss 104:7 stab 65:17 staff 2:8 4:19 5:12 5:15 6:18 7:9 9:20,21 10:6,10 11:12 12:3 17:14 29:18 36:10 37:16 43:22 46:11 47:11 47:14 50:15 51:17 55:17 56:14 58:2 58:8,12 79:6,16 79:17 84:20,20 86:6 88:21 93:5,7 93:16,17 94:21 96:8 104:20 108:7 108:19 113:3 114:22 117:12 129:6 130:6,14,14 131:5 136:14 159:20 160:14 164:7 165:2,10 166:5 staffing 96:4 staffs 72:4 staff's 59:16 staff-led 25:10 staff-to-staff 12:9 stage 6:3 stages 110:5 stakeholders 43:17 stamped 147:15 stand 23:6 standard 34:12 86:6 114:15 125:9 138:10 140:8 142:12 158:7 standardization</p>	<p>80:15 standardized 8:8 19:12 136:5 137:1 138:1,13 139:8,13 148:3,7,15,19 158:11 159:1,13 159:16 standards 70:13 80:4 86:22 114:9 124:20 163:1,2 standing 26:10 start 10:5 16:6 60:16 95:17 134:5 138:9 144:12 starting 7:13 17:2 139:17 state 111:12 stated 69:11 155:13 156:12 statement 23:21 34:6 66:2 87:1,4 154:3,7 states 1:3 20:10 53:4 82:11 99:1 static 27:9 statute 31:8,14,21 32:8,18 34:18 39:9,15 52:22 53:17 60:3 66:10 66:10,18 69:10 83:3 89:11 90:20 90:20 96:15 102:16,22 104:13 107:8 112:2 115:21 121:8 129:14 137:15,17 138:2 139:10,11 141:11 144:21 155:20 statutes 34:15 69:13 statutory 10:21 13:4,15 19:16 35:17 52:14,17,21 62:1 69:8 80:1 81:6,22 82:17 84:22 85:11 86:3</p>	<p>86:7 150:18 159:15 stay 142:16 Steiner 129:19 149:14 157:7 step 15:10 steps 22:17 Stern 26:6 steroids 14:8 still 24:18 28:14 108:2 120:1,3 153:4 154:16,17 166:11 stone 16:15 stop 101:4,7 storage 21:17 22:6 79:14 109:21 118:19 stream 92:11 Street 80:16 103:14 141:20,21 142:11 142:16 153:9,15 strikes 75:18,19 76:2 striving 100:12 strong 22:10 118:5 strongly 19:12 23:5 structurally 71:10 structure 49:11 73:13 126:22 structures 73:17 109:6 studies 137:7 study 56:8,12,13,14 56:16,20 60:21,22 61:11 stuff 15:16,19 121:3 style 61:17 subject 37:16 85:7 85:12 101:21 108:13 135:2 submit 59:20 82:15 submitted 57:2 subsequent 20:14 subset 147:2 substantial 9:16</p>	<p>96:12 97:22 substantially 96:17 98:4,7 substantive 10:19 subtype 134:3 successfully 44:2 successor 82:9 sufficient 35:3 84:20 88:8 93:5,7 99:18 159:10 sufficiently 22:1 suggest 61:9 67:19 71:8 150:12 suggested 52:11 suggesting 40:10 95:12 suggestion 50:1,22 165:5 suggests 31:13 46:16 suitable 111:21 summaries 87:5 summarizing 65:18 summary 98:16 summer 59:7 Summit 8:7 supervisory 71:18 support 7:6 20:17 22:13 23:5 36:17 37:11,20 38:2 51:7,12,15 66:18 86:19 89:3 115:14 116:11 118:15 119:7 122:20 136:18 138:6 supporting 116:3 supposed 54:22 sups 105:18 sure 11:5,18 25:5 25:21 40:11 61:13 75:14,15 90:3 91:8 92:4 119:19 145:16 150:16 surgery 28:2 surrounded 27:20 surveillance 22:14 112:21 119:4</p>	<p>146:8 Susan 18:1 78:9,10 78:10,21 79:3 suspect 128:11 162:2 sustainable 11:6 swap 2:13 3:13,22 4:3,9,16 7:3 19:12 21:13,13 29:14 30:22 31:6,7,21 32:9,11 33:3,7,8 34:19 39:14 51:4 73:14 77:3 78:7,8 78:14 79:10,12 80:18,21 83:3,10 83:12,22 84:1,6 84:17 85:1 88:22 89:14,18,21 90:8 90:21 91:2 92:9 92:15 95:10 96:21 98:21 99:2 103:20 103:22 104:1 106:6,12,21,22,22 107:3 108:9,10,11 109:4,9,10,10,12 109:16,20 110:3,4 110:5,6,6,18,18 110:21 111:7,9 112:3,5,12,13 113:5,6,7,8,11,13 113:21 114:3,6,7 114:10 115:16,18 116:4,9,17 122:15 128:5 130:9,11,19 131:4,7,9,11,13 131:13,15,18,21 131:22 132:1,5,6 132:7,8,11,11,16 132:18,20,22 133:9,13,14,15,19 134:11,13,14,17 135:5,5,13 136:3 136:8 137:1,13 138:11 140:15,16 140:21,22 141:5 141:10,10 151:11 153:3 156:7,8,14</p>
---	--	--	---	--

<p>156:16 157:9 158:7 162:10,14 162:18 swapped 4:2 swaps 3:12,12,17 18:6,16 19:6,18 19:21 21:1 23:14 24:7 30:18 31:3 32:15 36:3,12,19 36:22 37:6 38:14 38:15 41:17,19 44:1,3,4,7 45:6 52:15 53:20,21 54:5,7,10,13,15 56:18,19 57:16,19 61:18,19,20 64:11 64:13 67:14 76:7 79:15 83:5,6 89:5 102:12 103:18 108:13 109:16 110:2,9,9 111:3 111:11,14 113:22 127:18 133:14 135:16,17 136:22 139:3 142:6 148:3 154:20 155:6,17 164:22 166:8 sworn 26:3 system 23:2 63:3 64:5 113:15,17 120:18 124:19 126:15,21 127:16 127:17 134:19 systemic 80:15 112:20 systems 57:17 63:5 84:16 111:21</p> <hr/> <p style="text-align: center;">T</p> <p>table 52:13 77:6 tail 47:16 take 4:15 13:6 17:7 19:15 28:9 36:7 50:21 59:3 65:17 68:10 75:20 76:9 88:18 93:21 109:3 121:16 137:5</p>	<p>144:20 148:22 150:3 166:14 taken 17:9 110:11 148:4 161:10 166:7,10 takes 58:18 72:20 138:22 141:11 taking 22:17 104:12 122:14,16 143:18 147:16 164:17 talk 3:14 11:19 15:1,22 36:16 56:11 144:15 145:7 148:6 talked 14:22 16:12 16:20 77:12 103:11 104:9 124:14,15 157:20 talking 41:2 56:11 66:3 91:10 92:4 talks 38:9 54:14 89:11 146:13 task 120:5 123:1 Taylor 2:15 18:2 106:19 107:22 117:19 119:21 120:4,16 121:13 122:3 125:5 126:3 127:19 128:13 162:16 team 5:1 8:21 17:22 18:2,2 21:7 29:8,21,21 30:9 30:11 78:19 79:3 79:4 88:21 99:9 106:13,20 107:9 107:14 108:4,5 115:4 116:11,14 121:2 129:19 130:3 136:13 142:9 144:8 163:15 teams 10:11 17:22 18:1 25:11 28:18 115:6 tease 46:19 62:15</p>	<p>technical 94:13 95:13 160:14 166:9 technique 74:12 technological 21:5 151:12 technologically 18:20 121:9 131:17 132:3 133:2 137:14,22 139:9,12 142:8 147:21 149:16,21 150:19 151:4,7 152:3 technology 9:17,20 22:10,13 67:6,11 95:6 118:18 122:5 Teddy 18:8 telephone 152:1 tell 55:1 62:6 68:22 71:14 120:18 141:21 142:13 163:21 telling 161:22 tens 13:20 tentatively 165:21 tenuous 123:14 term 8:1 31:11,12 115:10 158:13 termination 109:17 110:7 terms 12:15,15 19:4 31:14,22 44:14 69:4,8,9 72:11 77:11 86:3 93:16 96:8,19 99:11 107:18 110:18,20 111:8 111:13 116:13 127:18 158:6 161:19 162:7 terrific 5:1 165:3 tested 14:9,10 text 7:14 12:17 thank 4:20 5:15 6:20,21 7:12 9:21 10:2,4 11:12 12:5</p>	<p>17:13,17,18,20 25:11,15,16 28:15 28:16 30:6 38:7 41:3,8,16 50:13 50:14 51:17 58:14 60:15 62:3 63:20 78:4 79:1,2 88:20 93:2 95:15 101:6 103:2 104:15,16 106:12,18 108:3 115:3,12 118:6,8 120:21 121:1,2 122:11,13,13,16 123:18 129:3,11 130:1,1,2 136:13 143:13 144:5,7,8 150:4 152:21 159:20,21 165:14 166:6,20 thankfully 162:4 thanking 17:22 28:17 Thanksgiving 58:20,22 their 5:12 9:22 13:2 17:9 18:1,3 24:12 25:17 26:16,18 27:18 31:7,10 38:15 44:5,8 45:9 45:9 48:19,21 49:8,8,9,10 50:2 62:1 64:10,20,20 71:3,19 73:10 79:5 105:12 108:5 108:17 109:6 110:19,19 116:22 120:13 121:19 130:3 131:14 132:12 133:10 135:19 137:21 142:11,12 149:19 150:2,10 152:17 153:10,11,16 162:5 themselves 4:3 56:4 64:15 70:20 75:1,8 113:3</p>	<p>161:19 thereon 84:1 thing 18:10,10,11 18:11,11,15 40:6 50:20 58:7 60:1 68:2,3 69:15 70:4 76:14 77:13,14,19 90:6 128:6,6,16 140:2 things 15:9 16:13 16:14 25:22 26:12 26:21 27:6 28:7 29:10 35:18 56:14 58:19 62:16 66:22 67:3 68:5 70:21 71:15 85:18 95:11 95:13 104:2,3 118:20 123:6 143:16 152:10 161:18 162:7,19 164:4 166:14 think 3:8 4:3,6,22 5:2,13,16,18,21 6:2,6,15,15 8:13 10:8,18 11:10,16 13:6,10,11,16 14:11 17:4 24:10 24:15,22 25:19 26:20 28:1 29:1,1 36:9,20 37:5,18 38:1 41:2 50:20 51:16,19 52:1,6 55:2 58:3,4 59:9 59:14,17,21 60:12 60:18,21 61:22 62:7 63:6,12 66:21 67:3,6,14 67:18 68:13,17,20 68:21,21 70:3,15 73:2 74:1 76:4,8 76:22,22 77:3 78:5 82:10 84:9 85:9,14 89:4,7,21 90:10,14 91:2,4 91:18 92:5,18 93:9 94:16,17 95:4,7 96:7 97:10</p>
---	--	---	---	---

97:14 98:2,15,19 99:20 100:2,9,16 101:4,9 102:7,14 102:22 103:9 104:6 105:15 106:14 115:19,21 116:2,9,10 117:2 117:4,5,10 118:1 118:2,5 119:10,13 120:10 121:3,13 121:14 122:15 123:14 125:11 126:3 127:9,19 129:21 136:20 138:19 139:7 140:6 141:17,17 142:7,9,17,18,22 143:4,15,16 144:9 145:1,4,14,14 146:12,21,22 148:12 150:4,8 151:21 152:16,19 152:22 154:15 159:5,22 161:2 162:3,12,13,18 163:7,15,16 164:2 164:6,8,9,11,14 164:17 165:4,19 166:13 thinking 14:3 16:6 140:20 162:8 thinly 154:17 third 40:17 47:17 88:8 116:10 129:12 142:13 145:22 153:11 157:17 165:17,20 third-party 37:4 90:14,16,21 91:10 112:8 133:4,7 144:15,17,19 145:5,8,12,17,22 157:9 thorough 46:9 thoroughly 26:12 though 52:11 103:21	thought 21:7 31:13 77:20 125:7 140:14 143:9 155:1 thoughtful 25:17 117:3 thoughtfully 13:22 thousands 13:20,20 117:12 142:2 three 3:19,21 4:6 6:5 28:20 46:18 86:11 109:21 112:12 143:15 through 6:5 8:9 9:4 11:6 12:16 13:21 25:19 26:15 27:19 28:1,18 35:12 37:10 54:19 56:12 75:14 76:22 83:17 86:8 95:20 96:1,2 98:9 99:16 102:3 103:18 104:21 105:12 109:20 125:11 133:4 145:12,14 148:2 149:13 161:7,11 throughout 8:19 78:20 109:16 tie 119:4 time 5:14 8:13 16:19 21:20 32:14 32:21 34:2 35:18 51:10 59:3 84:2 88:15 93:8 94:13 96:9,13 103:9 106:17 110:20 113:6 120:3 121:19 122:1,9 123:9 128:21 131:2 132:2,19 133:16 134:13 135:2,10 136:7 138:7,7,9 141:11 142:10 143:5 144:17 145:9,11 145:17 146:13,18 146:19 147:2,6,6	147:8,15,17,17 148:19 149:8 152:12 153:12 155:19 157:4 164:11 timeline 26:2 timeliness 110:15 timely 61:11 147:21 times 14:20 135:14 timetables 126:2 Time-Periods 35:17 time-reporting 19:1 timing 55:14,18 58:17 96:19 131:10 tireless 130:4 tirelessly 79:4 today 3:8 4:4 5:17 5:17,22 6:21 9:12 10:1,7,12,18 11:17,18,21 12:4 17:1 30:16 37:19 65:19 67:1,15 71:2 76:7 79:5,6 99:9 108:7 122:2 143:8,14 149:12 149:15 160:15 166:7 today's 7:2,6 22:5 130:6 Todd 30:14 together 5:1 57:21 61:10 72:1 101:19 112:16 118:5 119:17 120:11 121:4 125:9 143:16 155:2 161:15 165:2 told 38:1 71:13 Tom 2:18 18:2 129:18,20 136:13 141:3 142:9 143:9 152:22 154:2 tools 112:16	topic 51:4 145:2 161:4 164:21 topics 161:19 total 62:16 64:22 69:1 tough 16:19 38:8 tour 60:13 65:21 toward 59:13 towards 64:14 to-do 77:15,19 trace 155:9,9 track 55:6 113:8 161:13 trade 22:5 80:5,8 80:13 86:15 95:2 96:11 112:21 129:13 131:3 134:13,16 135:12 135:22 137:3,10 137:19 140:3,4,4 140:11 143:2 146:17 150:1 151:6 156:10 158:8 traded 154:17 158:13,14,19 159:1,12 trades 18:16,18 19:19 130:11 134:10 136:4 137:11,18,19,20 137:21 138:3,3,8 138:18,22 139:4,8 139:10,13,13,21 139:21 140:8 142:8,10,12 143:3 149:18,19,20 151:4 152:10 trading 1:4 3:5 15:17 34:13 64:21 102:3,4 109:6 115:16 134:13,18 134:19 135:6 140:17 148:14,16 158:7,12,22,22 165:8 train 86:14	transact 19:10 25:8 transacted 131:18 transacting 131:14 transaction 4:18 21:13 101:20 114:3 116:6,7 129:16 130:9 131:4,7,9,16,22 132:2,11,16,19 133:9,13,16,19 134:12,15 135:13 135:15,17,20 136:4,8 158:20 transactions 80:18 112:18 129:15 130:12,19 134:11 136:5 137:13 138:10 147:15 155:11 159:18 transacts 156:8 157:13 transition 123:9 translate 50:10 transmission 132:13 133:11 transmitted 114:12 transparency 3:20 4:8,13,14,17,18 18:6 19:11 20:11 73:18 74:16 79:15 80:14 86:22 87:2 89:22 123:17 129:17 136:21 137:3,6 153:21 155:4,18 156:3 159:22 transparent 86:17 157:20 transparently 167:2 treasuries 115:8 Treasury 12:11 26:19 79:20 treat 23:17 24:6,7 62:2 65:9 68:7 treated 47:1,20 treating 54:3 65:11
--	--	--	---	--

treatment 41:19	161:20 162:3,9,19	119:2,14 123:14	138:2	verify 128:19
tremendous 161:5	type 56:12 109:5	understanding	user 84:18 105:12	verifying 110:19
tremendously 6:12	114:3 119:17	8:21 23:15 63:6	122:14,15,22	versus 63:1 86:11
160:2	134:3	73:15,19 90:18	132:7 151:20,21	100:11 148:3
tricky 41:22	types 10:21 94:12	126:5	163:14	very 6:17 10:14
tried 13:1 65:3	110:17	understatement	users 18:17 36:21	12:18,20 13:21
70:21 145:14	typically 44:22	14:14	37:1,6 89:11	15:13 17:5,15
155:6 156:4	66:16	unfair 88:1	109:9 112:6	20:20 23:9 25:13
trillion 15:16,18		unfeathered 40:16	116:20 121:15	25:15,17 26:10
trio 3:20 129:13	U	41:2	123:18 131:14	39:15 40:20 46:14
triplets 3:20	UCI 113:9	unified 127:6	137:5 141:18	48:6 51:18 52:6,7
tri-party 38:9,12	UK 63:16 103:4	union 63:7	USI 113:5 119:13	55:22 56:19 60:9
38:16 39:13 40:14	ultimately 9:6 13:3	unique 21:12	using 73:21 88:10	62:14 68:13,15,15
40:20	41:20 94:17	112:12,13,13,14	121:6 135:20	68:17 69:1,10
trouble 11:2,3	123:15 140:21	112:15 113:4	USIs 113:13	71:13 72:4 74:1
true 73:1 97:11	141:11 146:9	116:13,17,22	usually 5:13 116:20	76:2 78:4 85:14
truly 74:2 119:20	152:14	117:14	utilities 102:11	91:4 95:4,8
137:5 139:16	unable 23:22	United 1:3 82:11	utility 102:15,17,18	107:13 116:9
truth 73:5	unacceptable 60:19	99:1	102:22	118:2 122:11,16
try 11:22 24:18	unanimous 50:21	universal 119:20	utilization 21:1	123:15 128:6
56:1,8 97:14	51:8,11 92:20	120:20 127:18	U.S 12:19 98:18,21	129:11 151:21
121:16 124:12	106:6 160:14,20	unlawful 53:5	99:10,11,12,21	152:1,3,15 153:6
150:13 153:10	uncertainty 13:17	unless 63:18 96:21	108:20 117:1	159:21 161:17
161:16	27:19 97:18	Unlike 19:18		163:19 165:15
trying 10:21 11:9	unclear 30:18 41:5	unreasonable	V	via 84:12,18
13:7 26:3 76:20	uncleared 3:12	86:14	V 2:5	view 20:20 51:2
97:6 101:17	31:3 36:12,19	unregulated 15:19	valuation 111:16	127:15 159:13,22
117:13 124:7,12	44:3 80:21	unsustainable	value 19:20 33:1,3	views 38:11 49:9
126:20 127:3	uncomfortable	11:11	variables 147:19	69:21
163:20 164:2	40:20	until 7:7 10:14 38:1	variation 32:19,20	virtually 54:1
166:2	under 23:14 26:1	58:21 110:7 133:6	32:21 38:13 39:17	visibility 159:9
turn 6:18,19 28:18	27:12 33:9 34:8	156:4,4 157:5	39:20	visited 120:13
36:1 58:15	34:11 42:2,6 50:1	upgrade 94:21	variety 43:17 44:19	visiting 14:13
Turning 82:17	71:4 81:17 84:8	uphold 26:3	80:19	visual 17:2 123:16
86:10	85:18 88:17 90:19	UPIs 119:13	various 4:2 9:8	vital 102:14
turnover 34:5	102:10 114:4	upset 167:1	12:10 57:21 79:17	voice 17:21 41:10
turns 110:22	117:10,17 135:18	use 31:11 38:12,16	80:3 99:7 108:17	106:7
two 5:21 6:7,9 20:2	137:18	40:14 43:7 44:19	109:4 141:2	volume 129:15
29:9,9 30:16	underlying 21:16	46:14 53:8,13	vast 96:22	133:21
32:21 35:5 52:10	114:1 134:3	54:2 66:4 105:11	vastly 37:18	voluntary 124:19
52:18 62:2 70:15	underpinnings	112:11 113:13	vein 37:20	125:2,12
75:16 85:10,10	67:18	114:14,15 121:10	vendor 144:15,17	volunteered 129:21
87:10 110:5,13,17	understand 7:15	122:17 127:7	144:19 145:8,17	vote 36:6 41:10
118:17 121:11	14:19 20:3 21:18	153:15 155:16	vendors 91:11	77:21
127:9 131:20	25:7 26:5 27:17	used 42:7 43:2 44:1	145:5	voted 160:15
138:4 139:12	52:14 54:21 61:2	49:17 113:7	ventured 52:4	votes 29:9
147:1 161:14,17	64:5 65:22 90:4	114:10 121:9,14	verification 128:20	

W	100:19,20 101:10 107:7 125:8 126:9 126:14,20 127:4 148:12 151:20 154:15,16 158:1	we're 5:18 8:1 10:20,22 11:2,3,7 11:16,18 12:1 13:7,11 16:22 17:11 18:14 26:9 27:15,15 29:1,16 34:14 36:6 37:19 40:11,13,20 59:3 60:10 62:20 65:9 68:7,12 82:21 91:10 93:14 94:7 96:16 100:11 104:12 106:1,16 120:1,4,15 121:6 121:15,19 122:8,9 123:16 124:11 127:2 129:12 137:15 139:9,10 139:14,17 142:2,3 142:3 146:19 148:2 149:7 151:3 153:21 156:3 159:16 161:9,22 162:1 164:11,16 166:1,2	willing 144:20 wisdom 26:18 wondered 70:11 wonderful 124:6 word 54:11 55:2,5 121:14 122:17 words 83:6 103:13 122:18 137:15,16 137:21 161:1 work 9:22 10:6,10 18:3 24:18 38:8 100:10,20 108:5 109:1 125:8 144:8 146:19 165:4,10 worked 15:13,18 15:19,20 25:12 79:4 working 5:1,14 8:5 8:16 17:10 63:7 64:9,14 85:10 100:2 101:10 125:19 156:18 164:16 works 15:16 58:22 154:13,15 world 8:5,14,15 29:13 54:13,13 59:12 74:19 75:6 76:2,7 93:13 120:11 124:17 125:1,2,9,16 worse 18:11 worth 16:2,3 worthless 159:9 wouldn't 25:3 40:3 40:5 96:20 102:17 146:18 write 89:6 writing 14:8 33:18 34:6,20 76:1 written 32:14 91:19,20 wrong 18:11 27:14 27:15 28:5 75:12 wrote 40:7	X 62:8
Wait 15:10 walk 95:20 96:2 99:16 148:1 149:13 Wall 80:16 141:20 141:21 142:11,16 153:9,15 want 5:15 6:21 10:5,13 11:12 15:8,9 16:17 28:11 36:7 37:14 40:8,11 41:14 52:10 57:11 58:2 60:10 62:12 65:21 68:10 70:4 76:12 76:20 90:3 92:3 105:3 108:3 118:3 120:19 121:2 123:7,9,21 125:7 125:15,16 128:18 138:5 153:10 154:5 156:12 158:10 wanted 59:18 68:18 122:10 159:8 wants 65:17 106:17 125:18 warehouse 105:8 warps 27:22 warranted 117:5 Washington 1:18 Wasserman 2:9 17:22 29:20 30:6 30:7 36:8 37:9 38:21 39:3,7 41:16 42:6 55:21 62:14 63:6 64:9 66:21 69:15 70:14 watching 5:2 waterfall 44:22 47:18 waterfalls 45:9,10 way 51:20 54:22 57:3 59:12 61:3 64:17 65:4,9 69:5 74:8 77:1 85:9	ways 70:15 76:21 128:6 159:5 website 23:4 43:21 60:11 135:19 158:3 web-based 84:13 Wednesday 26:7 week 7:22 10:8 14:3 weeks 142:14,15 welcome 6:10 well 15:3,8,10,14 15:16,18,19,20 25:14 37:14 46:7 47:12 59:2,11 72:15 74:9 76:18 79:3 81:7,11,13 81:22 83:8 84:13 84:18 85:11,16 86:6 89:19 90:10 90:16 93:13 94:14 94:18 96:19 100:22 109:5 118:12 124:16 125:5 127:19 130:15 143:21 146:21 150:15 153:18 158:18 well-aware 18:4 22:9 went 26:16 were 12:15 26:1,9 37:16 53:1 57:7 66:7,16 86:11 90:7 98:16 103:12 124:17 149:15 161:18 we'll 5:7 17:7 65:6 118:22 123:15 148:8 154:10 164:6 165:10 166:13,14	we've 13:1 16:8,9 26:2 43:16 46:7 51:22 60:18 62:9 66:3 70:3 83:16 88:5 94:12 119:9 119:20,22 120:9 124:15 127:1,9,11 138:1 143:10 153:19 157:20 161:4,6,11 163:19 164:19,22 166:7 wherewithal 118:9 while 12:18 14:19 18:13,17 21:15 32:8 33:1 47:13 58:19 60:2 137:8 White 29:22 30:11 whole 5:15 27:1 29:3 50:10 62:10 89:20 116:12 127:22 152:10 width 118:19	Y year 32:12 135:20 141:1 153:4,5 years 26:15 27:21 83:22 109:17,20 116:5 118:17 125:19 141:21 York 79:19	
			\$	
			\$250 140:1,2,5 142:19 \$260 140:3 \$3 140:4	
			1	
			1 67:9 1st 6:7 124:3,10 161:12 162:1,13 163:2,12 165:18 165:19 1.25 34:11 1:15 167:10 10 93:21 125:19 153:4,5 10-31-3 101:20 100 58:1 11 103:20,21 120 69:18 76:3,6 14 153:5 14-year 153:3 15 8:5 93:10,15 96:7 136:3 139:18 142:10 148:19,20 149:17 15th 141:12 15-minute 18:15 139:1,15 15-30 146:15 16th 162:4 163:7 163:18 18 95:6,8 118:14 141:21 180 93:4 180-day 82:2 93:8 19 1:19	
			X	

<p>190 35:13,21 37:10 1930s 54:22 60:9 1938 30:3 1968 53:2,17 54:13 1985 67:1,4 69:16</p> <hr/> <p style="text-align: center;">2</p> <p>2 64:4 67:9 2(a)13(c) 159:17 2009 8:7 35:17 2010 1:19 67:11 2011 8:5 95:4 118:14 2012 8:10 95:7 118:15 141:5 21c 81:6 21f 81:8 21f(4) 81:11 21st 116:12 22 5:21 22nd 43:22 23.6-01 32:4 23.600 32:20 23.602 33:6,16 23.603 34:9 24 122:9 250 13:11 28 6:1 29 115:5</p> <hr/> <p style="text-align: center;">3</p> <p>3 67:9 101:20 124:18 3D 143:15 3rd 22:20 30 153:4,5 161:4</p> <hr/> <p style="text-align: center;">4</p> <p>4 88:3,5 4d(b) 53:3 4d(f)(6) 53:22 4s(l)(4) 31:18 4s(1) 31:5 400 13:12 405 65:15 43 84:8 45 6:16 55:15 61:9 95:5</p>	<p>45-day 57:22 45-days 58:17 45.4 124:18 47 123:2 49 79:8 80:3,10,11 82:1,7 83:1 49.18 86:9 49.19 86:12 49.20 86:17 49.21 87:19 49.9 86:8</p> <hr/> <p style="text-align: center;">5</p> <p>5 153:3,5</p> <hr/> <p style="text-align: center;">6</p> <p>60 6:15 45:16 88:15 117:9 60-day 22:2 114:19 117:4,18 136:10 60-70 76:11</p> <hr/> <p style="text-align: center;">7</p> <p>713(c) 35:5 720 103:17 724(a) 41:17 724(b) 41:18 724(c) 31:4 728 80:15 90:20 74 20:10 7472 154:8 75 21:2 22:3</p> <hr/> <p style="text-align: center;">8</p> <p>85-3 23:21 30:2 50:22 51:2 52:12 60:10 65:15 66:1 66:7</p> <hr/> <p style="text-align: center;">9</p> <p>9th 162:16,17,19 163:18 9:40 3:2 99 27:15 45:14 99.99 45:14</p>			
--	--	--	--	--