

From: Roberto Azank <robertoazank@mac.com>
Sent: Friday, January 15, 2010 8:02 PM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Dear Sirs:

I am writing in regards to the changes proposed in RIN 3038-AC61. Although I favor much of the changes proposed to insure the public safety when dealing with all peoples involved in handling other peoples investment (even though it means I'll have to take the exam and register and pay the yearly dues), I do have serious objections to the motion to limit leverage to 10:1.

Clearly it will benefit new traders, but it will devastate trading techniques that we have developed over years. These techniques are meant to distribute risk over many different forex pairs, trading small lots, and expecting average small gains based on usual market movement. This cannot be implemented with the proposed small leverage. It will simply cease to be a way of trading, which will force me to look into moving my account and those of my clients to a broker outside the US. There is really no choice since the trading program will be dead the moment this regulation goes into effect. My clients have relatively small accounts, about \$5000, and without leverage of 100:1 there would not be enough buying power that would allow diversifying the risk and going for small gains.

Please reconsider the issue. Having to move the accounts overseas makes trading far less secure for the public, drains capital from the US and certainly kills some industry jobs.

Perhaps you can find a way to regulate in favor of safety, without forcing us to leave our US brokers, the US legal system safety that would not be available with an overseas broker, and the safety of having all industry members register with the NFA. Obviously if we do business overseas your motion of having us register with the NFA loses ground, since those brokers will not demand registration to allow us to trade clients accounts. All in all it sounds that it would be doing much more harm than good.

Perhaps a stringent wording warning new traders might educate them so they can use the tools of the trade safely.

Thanks for your attention to this matter.

Sincerely

Roberto Azank