

From: Mel Spencer <mel@mekasoft.com>
Sent: Thursday, January 21, 2010 11:03 AM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex, RIN 3038-AC61

Secretary:

Concerning the 'Regulation of Retail Forex' identification number RIN 3038-AC61.

Restricting the leverage to 10:1 for the retail Forex customer accounts is unfair and personally disastrous (item 1). I am strongly opposed to such a move.

1. This is the fourth year of my training with a serious commitment of money and time. I was ready to transition this year into a full time trader. This move will obstruct this effort.

2. Reward is related to risk. Restricting the risk, restricts my reward. Success is rarely achieved without an appropriate opportunity for failure.

3. The Forex market is not for the naive and unprepared. All parties concerned have warned that the funds involved are at risk. They should be funds that are expendable.

4. This is the one pure unencumbered market for the retail trader.

5. The ability to succeed is much higher than the Lottery's, a common legal opportunity that people have to lose their fortunes, unfettered by leverage (or other) controls with an almost guaranteed loss of funding.

Please consider that there are trading strategies that depend on high leverage where the risk is controlled by money management. One of these strategies has already been damaged by the limitation on leverage put in last fall by the restriction from 400:1 to 100:1.

I am not a bank. I was not at risk of collapse last year or the year before. Please don't help me by taking away my future income. Please don't punish me for my sane, deliberate approach to trading by removing the possibility of gathering the reward.

Sincerely,

Mel Spencer