



Via Agency Web Site

December 22, 2010

David A. Stawick
Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Center
1155 21st St., NW
Washington, DC 20581

Re: RIN Number 3038-AD27—Prohibition of Market Manipulation¹

Dear Mr. Stawick:

I am writing on behalf of the Council of Institutional Investors (Council), a nonprofit association of public, union and corporate pension funds with combined assets that exceed three trillion dollars. Member funds are major shareowners with a duty to protect the retirement savings of millions of American workers.²

Deeply affected by the financial crisis, our member funds have a strong interest in meaningful regulatory reform. We believe that the nation's regulatory umbrella must be comprehensive, covering important financial products and players that lack adequate oversight.³ Therefore, we appreciate the opportunity to express our general support for the above referenced proposed rule that would expand and codify the Commodity Futures Trading Commission's (CFTC or Commission) authority to prohibit market manipulation.

We believe that institutional investors and market participants at large would be well served by the adoption of the CFTC's proposal. By providing the Commission with the broad new ability to effectively combat fraud and manipulation, the proposed rule would help promote fair and efficient markets.⁴ More specifically, it would help to promote the integrity of the price discovery

¹ Prohibition of Market Manipulation, 75 Fed. Reg. 67,657 (Nov. 3, 2010), *available at* <http://edocket.access.gpo.gov/2010/pdf/2010-27541.pdf>.

² For more information about the Council of Institutional Investors (Council) and its members, please visit the Council's website at <http://www.cii.org>.

³ Investors' Working Group, U.S. Financial Regulatory Reform: The Investors' Perspective 10 (July 2009), [http://www.cii.org/UserFiles/file/resource%20center/investment%20issues/Investors'%20Working%20Group%20Report%20\(July%202009\).pdf](http://www.cii.org/UserFiles/file/resource%20center/investment%20issues/Investors'%20Working%20Group%20Report%20(July%202009).pdf). [Following its issuance, the IWG Report was reviewed and subsequently endorsed by the Council board and membership. For more information about the Investors' Working Group, please visit the Council's website at <http://www.cii.org/iwglInfo>.]

⁴ Gary Gensler, Chairman, Commodity Futures Trading Commission, Statement on Support of the Dodd-Frank Rulemaking (Oct. 26, 2010), *available at* <http://www.cftc.gov/PressRoom/SpeechesTestimony/genslerstatement102610b.html>.

December 22, 2010

Page 2 of 2

process and fair dealing between market participants. Ultimately, if accompanied by robust oversight and enforcement mechanisms, the proposed rule would encourage investor confidence in the markets and contribute to the overall safety and soundness of the financial system.

We appreciate the opportunity to provide our views on the CFTC's proposing release. If you have any questions or need any additional information, please feel free to contact me at (202) 261-7086 or laurel@cii.org, or General Counsel Jeff Mahoney at (202) 261-7081 or jeff@cii.org.

Sincerely,

A handwritten signature in black ink, appearing to read "Laurel Leitner". The signature is written in a cursive, flowing style.

Laurel Leitner
Senior Analyst