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**Via Email**

October 3, 2018

Christopher Kirkpatrick, Secretary  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

**Re: Notice of Proposed Rulemaking on the Exemption from Derivatives Clearing  
Organization Registration**

Dear Mr. Kirkpatrick:

The Futures Industry Association (“**FIA**”)<sup>1</sup> is writing to request that the Commodity Futures Trading Commission (the “**Commission**”) extend the comment period for the Notice of Proposed Rulemaking on the Exemption from Derivatives Clearing Organization Registration (the “**Proposal**”) by 60 days to December 11, 2018.<sup>1</sup>

We understand that the Proposal is part of the Commission’s Keep It Simple Stupid (“**KISS**”) initiative and generally seeks to codify the existing policies and procedures the Commission is currently following with respect to granting exemptions for non-US clearinghouses from Derivatives Clearing Organization (“**DCO**”) registration. Given FIA’s remit, we have taken a keen interest in clearing issues and, in particular, the processes for granting exemptions from DCO registration. In December 2017, FIA published with SIFMA a white paper on non-US trading platforms and clearinghouses that addresses these complex issues.<sup>2</sup>

Notably, on Monday, October 1<sup>st</sup>, Chairman Giancarlo published a white paper on cross-border swaps regulation.<sup>3</sup> At more than 100 pages, the white paper proposes a comprehensive and

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<sup>1</sup> FIA is the leading trade organization for the global futures, options and over-the-counter cleared derivatives markets. Its mission is to support open, transparent and competitive markets, protect and enhance the integrity of the financial system and to promote high standards of professional conduct. FIA’s core constituency consists of futures commission merchants (“**FCMs**”), which provide clearing and execution services for clients active in financial markets around the world. FIA’s FCM members play a critical role in managing systemic risk in the global financial markets. They provide the majority of the funds that support clearinghouses and commit a substantial amount of their own capital to safeguard customer transactions. FIA’s membership also includes the major global exchanges, clearinghouses, trading platforms, technology vendors, legal services, and consulting firms representing the futures and derivatives industry.

<sup>2</sup> Futures Industry Association and Securities Industry and Financial Markets Association, Promoting U.S. Access to Non-U.S. Swaps markets: A Roadmap to Reverse Fragmentation (Dec. 14, 2017), <https://fia.org/articles/fia-and-sifma-release-white-paper-us-access-non-us-trading-venues-and-ccps>.

<sup>3</sup> J. Christopher Giancarlo, Chairman, Commodity Futures Trading Commission, Cross-Border Swaps Regulation 2.0: A Risk-Based Approach with Deference to Comparable Non-U.S. Regulation (Oct. 1, 2018),

substantial rework of the Commission's framework for cross-border regulation of swaps markets. Although we are still reviewing the white paper, we believe some of its recommendations may impact subjects also addressed in the pending Proposal.

We respectfully request an extension of 60 days to the Proposal's comment period so that we may review the Chairman's white paper in detail and then prepare a response to the Proposal that reflects the latest ideas from the Chairman on cross-border regulation and the issues addressed in the Proposal.

We appreciate your consideration of this extension request on this important topic. With the comment deadline less than two weeks away, we kindly ask that you respond to our request as soon as possible. Do not hesitate to contact me at 202-466- 5460 or alurton@fia.org if you have any questions about this letter.

Respectfully submitted,



Allison P. Lurton  
Senior Vice President and General Counsel

cc: Honorable J. Christopher Giancarlo, Chairman  
Honorable Brian Quintenz, Commissioner  
Honorable Rostin Benham, Commissioner  
Honorable Dan Berkovitz, Commissioner  
Honorable Dawn Stump, Commissioner  
Brian A. Bussey, Director, Division of Clearing and Risk  
Eileen A. Donovan, Deputy Director, Division of Clearing and Risk  
Parisa Abadi, Associate Director, Division of Clearing and Risk