



Chris Kirkpatrick  
Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Center  
1155 21st Street NW  
Washington, DC 20581

Submitted online via: <http://comments.cftc.gov>

February 17, 2020

Dear Mr Kirkpatrick,

**Re: RIN number 3038-AE79; Post-Trade Name Give-Up on Swap Execution Facilities**

The Alternative Investment Management Association<sup>1</sup> (“AIMA”; we) welcomes the opportunity to respond to the Commodity Futures Trading Commission (“CFTC”) regarding its proposed rule on Post-Trade Name Give-Up on Swap Execution Facilities (“SEFs”; “the Proposed Rule”)”.<sup>2</sup>

We strongly support the proposal on the part of the CFTC to prohibit post-trade name give-up practices for swaps that are anonymously executed on a SEF and are intended to be cleared.

Our support reflects the view of the Managed Funds Association (“MFA”) that there is no legitimate commercial, operational, credit, or legal justification for name give-up on SEFs for anonymously executed cleared swaps.<sup>3</sup> In our view, the practice of post-trade name give-up deters buy-side market participants from trading on SEFs that employ the practice, given their legitimate concerns about information leakage. We agree with the CFTC’s preliminary assessment that this is inconsistent with the requirement that SEFs provide market participants with impartial access to trading on SEFs.

We believe that eliminating the practice of post-trade name give-up should over time help increase swap liquidity on SEFs by diversifying the pool of SEF participants to include a broader range of liquidity providers. We disagree with commenters who assert that elimination of the practice would hurt liquidity, given the absence of operational imperatives that necessitate its use, as noted above.

---

<sup>1</sup> AIMA is the global representative of the alternative investment industry, with more than 1,900 corporate members in over 60 countries. AIMA’s fund manager members collectively manage more than \$2 trillion in assets. AIMA draws upon the expertise and diversity of its membership to provide leadership in industry initiatives such as advocacy, policy and regulatory engagement, educational programs and sound practice guides. AIMA works to raise media and public awareness of the value of the industry.

<sup>2</sup> 84 FR 72,262. See <https://www.cftc.gov/sites/default/files/2019/12/2019-27895a.pdf>.

<sup>3</sup> See <https://www.managedfunds.org/wp-content/uploads/2019/03/MFA-Letter-on-CFTC-Comment-Request-on-Post-Trade-Name-Give-up-on-SEFs-Final.pdf>.

It is important to note that by prohibiting post-trade name give-up for anonymously executed cleared swaps, the CFTC is not mandating anonymous trading or "all-to-all" trading. Market participants can continue to use all available SEF trading protocols, including fully disclosed trading protocols, in order to best meet their trading needs.

However, if a SEF elects to offer a pre-trade anonymous trading protocol for cleared swaps, then the transaction should remain anonymous. In this respect, we urge the CFTC to ensure that any regulatory prohibition applies to both SEFs and affiliated introducing brokers, who may engage in the pre-negotiation or pre-arrangement of cleared swaps.

We are grateful for the CFTC's work on this topic and encourage it to move quickly in finalizing an associated rulemaking.

\*\*\*

If you would like to discuss any aspect of this submission further, please contact Adam Jacobs-Dean ([ajacobs-dean@aima.org](mailto:ajacobs-dean@aima.org)).

Yours sincerely,

/s/ Adam Jacobs-Dean

Adam Jacobs-Dean  
Head of Markets, Governance and Innovation  
Alternative Investment Management Association