

From: Jim Atteberry <jim.atteberry@healthmedx.com>
Sent: Friday, March 5, 2010 10:14 AM
To: secretary <secretary@CFTC.gov>
Subject: Regulation of Retail Forex

Dear Secretary:

I am opposed to proposed regulation "RIN 3038-AC61". This regulation will have several negative results in my opinion.

First for those small investors, like me, I will actually lose protection from the CFTC which I currently have. I say this for I will continue to trade currency as I have for over 5 years but I will simply move my accounts to the non-US accounts that offer 100:1 leverage. In fact most of the alternatives non-US brokers I have checked with offer 400:1 leverage. While I would never leverage my trading to this extent I assume the naïve investor (which the proposed regulation is designed to protect I assume) might. I also assume most naïve investors would in fact close their US based accounts and simply transfer funds to the non-US based entity for trading purposes.

I understand the knee jerk and overwhelming desire of some to manage markets and behavior given the recent failure of financial institutions, but the proposed regulation will not have the intended effect at all. The only rational action for any investors is to simply move to non-US based accounts where they will have the leverage they currently do. In reality this movement will then deny the retail US currency trader the level of protection they currently have under the CFTC. A collateral damage to this regulation will be exacerbate the outsourcing of jobs and trading revenue to financial institutions in other countries, surely this is not the intention. I can't see any benefit to the 10:1 leverage, unless the goal by the cftc is to simply kill off small investors US based currency trading option.