SECURITIES AND EXCHANGE COMMISSION

17 CFR Part 249

[Release No. 34-87005D; File No. S7-05-14]

RIN 3235-AL45

Recordkeeping and Reporting Requirements for Security-Based Swap Dealers, Major Security-Based Swap Participants, and Broker-Dealers; Correction

AGENCY: Securities and Exchange Commission.

ACTION: Final rule; correction.

SUMMARY: On September 19, 2019, the Securities and Exchange Commission (the “Commission”) adopted recordkeeping, reporting, and notification requirements applicable to security-based swap dealers and major security-based swap participants, securities count requirements applicable to certain security-based swap dealers, and additional recordkeeping requirements applicable to broker-dealers to account for their security-based swap and swap activities. Release 34-87005 (Sept. 19, 2019) was published in the Federal Register on Dec. 16, 2019 (84 FR 68550). This document corrects technical inaccuracies in that release.

DATES: Effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Valentina Minak Deng, Special Counsel, at (202) 551-5778; Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE, Washington, D.C. 20549-7010.

SUPPLEMENTARY INFORMATION: We are making technical corrections to Part II and Part IIC of Form X-17A-5 (referenced in 17 CFR 249.617). The release resulting in the technical inaccuracies was published in the Federal Register on December 16, 2019 [84 FR 68550], and adopted by the Commission in Exchange Act Release No. 87005 on September 19,
List of Subjects in 17 CFR Part 249

Brokers, Recordkeeping and reporting requirements, Securities.

Accordingly, 17 CFR part 249 is corrected by making the following amendments:

PART 249–FORMS, SECURITIES EXCHANGE ACT OF 1934

1. The authority citation for part 249 continues to read, in part, as follows:


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2. Amend Part II of Form X-17A-5 (referenced in § 249.617 of this chapter) by:

Note: The text of Part II of Form X-17A-5 does not and this amendment will not appear
in the Code of Federal Regulations.

a. Removing “D. Minimum CFTC net capital requirement; Enter the greatest of
Lines A.v, B, or C………….$_______ 7490” and adding in its place “D. Minimum CFTC net
capital requirement; Enter the greatest of Lines A.vii, B, or C………….$_______ 7490”; and

b. Removing “CFTC early warning level – enter the greatest of 110% of Line A.v.
or 150% of Line B or 150% of Line C or $375,000………….$_______ 7495” and adding in its
place “CFTC early warning level – enter the greatest of 110% of Line A.vii. or 150% of Line B
or 150% of Line C………….$_______ 7495”.

3. Amend Part IIC of Form X-17A-5 (referenced in § 249.617 of this chapter) by:

Note: The text of Part IIC of Form X-17A-5 does not and this amendment will not appear in the Code of Federal Regulations.

a. Removing “[12758]” and adding in its place “[12820]”;
b. Removing “[12759]” and adding in its place “[12821]”;
c. Removing “[12760]” and adding in its place “[12007]”;
d. Removing “[12761]” and adding in its place “[12008]”;
e. Removing “[12762]” and adding in its place “[12999]”;
f. Removing “[12763]” and adding in its place “[12009]”;
g. Removing “[12764]” and adding in its place “[12010]”;
h. Removing “[12765]” and adding in its place “[12011]”;
i. Removing “[12766]” and adding in its place “[12012]”;
j. Removing “[12767]” and adding in its place “[12013]”;
k. Removing “[12768]” and adding in its place “[12822]”;
l. Removing “[12769]” and adding in its place “[12823]”;
m. Removing “[12770]” and adding in its place “[12824]”;
n. Removing “[12771]” and adding in its place “[12825]”;
o. Removing “[12772]” and adding in its place “[12826]”;
p. Removing “[12773]” and adding in its place “[12827]”;
q. Removing “[12774]” and adding in its place “[12828]”;
r. Removing “[12775]” and adding in its place “[12829]”;
s. Removing “12776” and adding in its place “12830”;

t. Removing “12777” and adding in its place “12831”;

u. Removing “12778” and adding in its place “12832”;

v. Removing “12779” and adding in its place “12833”;

w. Removing “12780” and adding in its place “12834”;

x. Removing “12781” and adding in its place “12835”;

y. Removing “12782” and adding in its place “12836”;

z. Removing “12783” and adding in its place “12837”;

aa. Removing “12784” and adding in its place “12838”;

bb. Removing “12785” and adding in its place “12839”;

cc. Removing “12786” and adding in its place “12840”;

dd. Removing “12801” and adding in its place “12106”;

ee. Removing “12802” and adding in its place “12107”;

ff. Removing “12803” and adding in its place “12108”;

gg. Removing “12804” and adding in its place “12109”;

hh. Removing “12805” and adding in its place “12110”;

ii. Removing “12806” and adding in its place “12111”;

jj. Removing “12807” and adding in its place “8295”;

kk. Removing “12809” and adding in its place “12114”;

ll. Removing “12810” and adding in its place “12115”;

mm. Removing “12811” and adding in its place “12116”;

nn. Removing “12812” and adding in its place “12117”;

oo. Removing “12813” and adding in its place “12118”; 

pp. Removing “12814” and adding in its place “12119”; and 

qq. Removing “12815” and adding in its place “8296”.

Dated: February 2, 2022

J. Matthew DeLesDernier
Assistant Secretary