

**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,

2019.

**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:

**Authority:** 15 U.S.C. 78a *et seq.* and 7201 *et seq.*; 12 U.S.C. 5461 *et seq.*; 18 U.S.C. 1350; Sec. 953(b), Pub. L. 111-203, 124 Stat. 1904; Sec. 102(a)(3), Pub. L. 112-106, 126 Stat. 309 (2012); Sec. 107, Pub. L. 112-106, 126 Stat. 313 (2012), and Sec. 72001, Pub. L. 114-94, 129 Stat. 1312 (2015), unless otherwise noted.

\* \* \* \* \*

Section 249.617 is also issued under Pub. L. 111-203, §939, 939A, 124. Stat. 1376 (2010) (15 U.S.C. 78c, 15 U.S.C. 78o-7 note).

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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