

described in Part 16 of the Commission's regulations in the manner described in Parts 15 and 16 of the Commission's regulations with respect to all Cleared-Only Contracts.

(p) ICE Clear shall apply large trader reporting requirements to all Cleared-Only Contracts in accordance with its rules, and each FCM and ESP acting pursuant to this order shall provide to the Commission the types of information described in Parts 17 and 18 of the Commission's regulations in the manner described in Parts 15, 17, and 18 of the Commission's regulations with respect to all Cleared-Only Contracts in which it participates.

(q) ICE Clear and ICE Futures shall at all times fulfill all representations made in their requests for Commission action under Sections 4(c) and 4d of the Act and all supporting materials thereto.

## V. Request for Comment

The Commission requests comment on all aspects of the issues presented by this amended exemption request.

## VI. Related Matters

### A. Paperwork Reduction Act

The Paperwork Reduction Act of 1995 ("PRA")<sup>16</sup> imposes certain requirements on federal agencies (including the Commission) in connection with their conducting or sponsoring any collection of information as defined by the PRA. The amended exemption would not, if approved, require a new collection of information from any entities that would be subject to the exemption.

### B. Cost-Benefit Analysis

Section 15(a) of the Act,<sup>17</sup> requires the Commission to consider the costs and benefits of its action before issuing an order under the Act. By its terms, Section 15(a) does not require the Commission to quantify the costs and benefits of an order or to determine whether the benefits of the order outweigh its costs. Rather, Section 15(a) simply requires the Commission to "consider the costs and benefits" of its action.

Section 15(a) of the Act further specifies that costs and benefits shall be evaluated in light of five broad areas of market and public concern: protection of market participants and the public; efficiency, competitiveness, and financial integrity of futures markets; price discovery; sound risk management practices; and other public interest considerations. Accordingly, the Commission could in its discretion give greater weight to any one of the five enumerated areas and could in its discretion determine that, notwithstanding its costs, a particular

order was necessary or appropriate to protect the public interest or to effectuate any of the provisions or to accomplish any of the purposes of the Act.

The Commission is considering the costs and benefits of an amended exemption order in light of the specific provisions of Section 15(a) of the Act, as follows:

1. *Protection of market participants and the public.* The contracts that are the subject of the amended exemption request will only be entered into by persons who are "appropriate persons" as set forth in Section 4(c) of the Act.

2. *Efficiency, competition, and financial integrity.* Extending the exemption granted under Part 35 to allow the clearing of Long-Dated Swap Contracts may promote liquidity and transparency in the markets for OTC derivatives in coffee, sugar, and cocoa, as well as for futures on those commodities. Extending the exemption also may promote financial integrity by increasing the benefits of clearing in these OTC markets.

3. *Price discovery.* Price discovery may be enhanced through market competition.

4. *Sound risk management practices.* Clearing of Long-Dated Swap Contracts may foster risk management by the participant counterparties. ICE Clear's risk management practices in clearing these transactions would be subject to the Commission's supervision and oversight.

5. *Other public interest considerations.* The requested amended exemption may encourage market competition in agricultural derivative products without unnecessary regulatory burden. As noted above, however, there are pending financial services reform bills that would affect the trading and clearing requirements for agricultural swap contracts.

After considering these factors, the Commission has determined to seek comment on the request for an amended exemption order as discussed above. The Commission also invites public comment on its application of the cost-benefit provision.

\* \* \* \* \*

Issued in Washington, DC, on June 14, 2010 by the Commission.

**Sauntia S. Warfield,**

*Assistant Secretary of the Commission.*

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## CONSUMER PRODUCT SAFETY COMMISSION

### Sunshine Act Meetings

**TIME AND DATE:** Wednesday, June 23, 2010; 10 a.m.–12 Noon.

**PLACE:** Hearing Room 420, Bethesda Towers, 4330 East West Highway, Bethesda, Maryland.

**STATUS:** Closed to the Public.

**MATTERS TO BE CONSIDERED:**

### Compliance Status Report

The Commission staff will brief the Commission on the status of compliance matters.

For a recorded message containing the latest agenda information, call (301) 504-7948.

### CONTACT PERSON FOR MORE INFORMATION:

Todd A. Stevenson, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, (301) 504-7923.

Dated: June 14, 2010.

**Todd A. Stevenson,**  
*Secretary.*

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## DEPARTMENT OF DEFENSE

### Office of the Secretary

### Defense Science Board Task Force on Trends and Implications of Climate Change for National and International Security

**AGENCY:** Department of Defense (DoD).

**ACTION:** Notice of advisory committee meetings.

**SUMMARY:** The Defense Science Board Task Force on Trends and Implications of Climate Change for National and International Security will meet in closed session on July 14–15 and on July 29–30, 2010, in Arlington, VA.

**DATES:** The meetings will be held on July 14–15 and on July 29–30, 2010.

**ADDRESSES:** Both meetings will be held at Strategic Analysis, Inc., 4075 Wilson Boulevard, Suite 350, Arlington, VA.

**FOR FURTHER INFORMATION CONTACT:** Maj. Michael Warner, USAF Military Assistant, Defense Science Board, 3140 Defense Pentagon, Room 3B888A, Washington, DC 20301-3140, via e-mail at [michael.warner@osd.mil](mailto:michael.warner@osd.mil), or via phone at (703) 571-0081.

**SUPPLEMENTARY INFORMATION:** The mission of the Defense Science Board is to advise the Secretary of Defense and

<sup>16</sup> 44 U.S.C. 3507(d).

<sup>17</sup> 7 U.S.C. 19(a).