



January 28, 2021

The Honorable Allison Herren Lee
Acting Chair
U.S. Securities and Exchange Commission
100 F Street NE
Washington, DC 20549

Re: Request for a Temporary Pause Related to Further Development and Implementation of the Final Full Customer & Account Information System Specification for the Consolidated Audit Trail

Dear Acting Chair Lee:

On behalf of its Industry Members,¹ the Securities Industry and Financial Markets Association (“SIFMA”)² respectfully submits this letter to request that the Securities and Exchange Commission (“Commission” or “SEC”) immediately order a temporary pause related to the further development and implementation by FINRA CAT as the CAT NMS Plan Processor and the CAT NMS Plan Participants (“Participants”) of the final full Customer & Account Information System (“CAIS”) technical specification on customer and account reporting to the Consolidated Audit Trail (“CAT”) to allow for an reassessment of whether the personally identifiable information (“PII”) and other customer-related data planned to be reported to and maintained within the CAIS database is necessary or appropriate to fulfill the purpose of the CAT particularly in light of the evolving risk landscape. As you know, the CAT was created to track equity and options trading activity across all of the markets with the goal of facilitating more efficient surveillance of such activity. With this goal in mind, SIFMA member firms have diligently worked to help implement the transactional database of the CAT System, devoting significant time, resources and knowledge to ensure that the development of the database is meeting the implementation milestones set forth set forth in the CAT NMS Implementation Plan established by the self-regulatory organizations (“SROs”) as the Plan Participants.³ SIFMA

¹ Capitalized terms not otherwise defined in this letter have the same meaning as they do in the NMS plan governing the Consolidated Audit Trail (the “CAT NMS Plan” or “Plan”).

² SIFMA is the leading trade association for broker-dealers, investment banks and asset managers operating in the U.S. and global capital markets. On behalf of our members, we advocate for legislation, regulation and business policy, affecting retail and institutional investors, equity and fixed income markets and related products and services. We serve as an industry coordinating body to promote fair and orderly markets, informed regulatory compliance, and efficient market operations and resiliency. We also provide a forum for industry policy and professional development. SIFMA, with offices in New York and Washington, D.C., is the U.S. regional member of the Global Financial Markets Association (GFMA). For more information, visit <http://www.sifma.org>.

³ See (<https://catnmsplan.com/sites/default/files/2020-07/07.22.2020-CAT-Implementation-Plan-Final.PDF>).

member firms, however, continue to have serious concerns about the scope of PII data to be reported to and maintained within the CAIS database of the CAT.

As the repository for virtually all of investors' equity and options trading activity in the United States, the CAT System will be an extremely attractive target for nation states and other bad actors. The recent discovery of the SolarWinds hack has greatly increased Industry Members' concerns about the security of data within the CAT System and its vulnerability to a breach.⁴ At the same time the public has been learning about the hack, the Participants have been in the process of finalizing the full CAIS technical specification to meet the January 29, 2021 deadline specified in the CAT NMS Implementation Plan. The final CAIS technical specification on customer and account reporting will become operative in July 2022 and sets forth the scope of information to be reported to and maintained by the CAT regarding customers, customer accounts, and persons from whom a broker-dealer is authorized to accept trading instructions for customer accounts if different from the account holder(s) ("Authorized Traders"), leading to additional customer-related data being included in the CAT.

Our member firms have long been extremely concerned about the need for and protection of PII data within the CAT System. These concerns have persisted even though the SEC on March 17, 2020 issued an order to reduce the amount of PII data held in the CAT ("PII Exemption Order").⁵ As described below, we have previously offered a workable alternative to the mass collection and storage of PII data that we still believe allows the SEC to meet its goals with the CAT. While the Commission previously rejected this alternative, we believe the recent SolarWinds hack has validated our concerns about the protection of PII data and should lead the Commission to order a temporary pause of the further development and implementation of the final CAIS specification on customer and account reporting to allow for a full reassessment of whether the PII and other customer-related data to be held within the CAIS database is necessary or appropriate to fulfill the purpose of the CAT. As this portion of the CAT is not scheduled to go-live until July 2022, we do not anticipate that Commission action on this request would delay the implementation of the CAT. It would, however, serve to instill confidence that investors' personal data would not be subject to compromise.

I. Background

The CAT is governed in the first instance by Rule 613 of Regulation NMS under the Securities Exchange Act of 1934 ("Exchange Act"). Rule 613(c)(7)(viii) of Regulation NMS requires reporting to the CAT of the following customer-related information: "(A) [i]nformation of sufficient detail to identify the customer; and (B) [c]ustomer account information." In turn, Rule 613(j)(3) defines "customer" for purposes of the rule as "(i) [t]he account holder(s) of the account at a registered broker-dealer originating the order; and (ii) [a]ny person from whom the

⁴ See (<https://www.reuters.com/article/us-global-cyber-microsoft/solarwinds-hackers-accessed-microsoft-source-code-the-company-says-idINKBN2951M9>).

⁵ See Exchange Act Release No. 88393 (March 17, 2020), 85 FR 16152 (March 20, 2020).

broker-dealer is authorized to accept trading instructions for such account, if different from the account holder(s).” In addition, Rule 613(j)(4) defines “customer account information” for purposes of the rule as including, but not limited to, “account number, account type, customer type, date account opened, and large trader identifier (if applicable).” In adopting Rule 613, the Commission expressed the view that the CAT is not intended to impose new recordkeeping obligations on broker-dealers, stating for instance that “Rule 613 is not intended to alter in any way the information that a broker-dealer is currently required to obtain under Rule 17a-3(a)(9).”⁶

The CAT NMS Plan approved by the Commission in 2016 (“CAT Approval Order”) further clarified the customer-related information Industry Members are required to report to the CAT.⁷ The Plan provides a list of information regarding “Customer and Customer Account Information” that will be required to reported to CAT.⁸ Due to concerns about the PII data that would be held in the CAT, the Commission issued the PII Exemption Order. In that order, the Commission modified certain aspects of the operation of the Plan to no longer require Industry Members to report SSN(s)/ITIN(s), as well as dates of birth and account numbers for natural person Customers, provided that Industry Members report transformed values for SSN(s)/ITIN(s) and the year of birth for natural person Customers to the CAT. The Commission noted in the PII Exemption Order that it “shares the concerns raised by market participants, industry representatives and the Participants about the importance of only requiring the necessary Customer and Customer account information sufficient to achieve regulatory objectives,” and that “[s]ince the inception of the CAT, the Commission has been focused on the security and treatment of PII” in the CAT.

Recently, the SEC on August 21, 2020 proposed amendments to the CAT NMS Plan to enhance the data security requirements of the CAT (“CAT Data Security Proposal”).⁹ The SEC’s proposal is designed to enhance the security and protections for CAT Data and to limit the scope of sensitive information required to be collected by CAT. Among other things, the proposal would require the Participants to use Secure Analytical Workspaces (“SAWs”) to review CAT Data, subject to an exception process in which a Participant can apply to review transaction information in its own environment provided that its environment has security consistent with the CAT and meets certain other conditions. The proposal also would incorporate the terms of the PII Exemption Order into the CAT NMS Plan. In addition, the

⁶ See Exchange Act Release No. 67457 (July 18, 2012), 77 FR 45721 (August 1, 2012). Rule 17a-3(a)(9), among other things, requires a broker-dealer to make and keep a record of the name and address of the “beneficial owner” of each cash or margin account with the broker-dealer.

⁷ See Exchange Act Release No. 79318 (November 15, 2016), 81 FR 84696 (November 23, 2016).

⁸ See CAT NMS Plan, Section 9.1 of Appendix D. This section required the reporting of a customer’s social security number (SSN) or individual taxpayer identification number (ITIN); date of birth; current name; current address; previous name; and previous address.

⁹ See Exchange Act Release No. 89632 (August 21, 2020), 85 FR 65990 (October 16, 2020).

proposal would explicitly prohibit the Participants from using CAT Data for any commercial purposes such as rule filings that have both a regulatory and commercial purpose.

While the CAT also requires the reporting of “account type” and “customer type” information to the system, the Commission did not define those terms in Rule 613, nor did the Participants define them in the CAT NMS Plan. In allowing these terms to remain undefined, the Commission noted in the CAT Approval Order that, “it believes that it is reasonable to allow the Plan Processor, in conjunction with the Operating Committee, to define the specific ‘account types’ and ‘customer types’ in the Technical Specifications for the CAT NMS Plan,” and that this “approach will allow the Plan Processor to assess the various definitions of ‘account type’ and ‘customer type’ that exist among the CAT Reporters, and then make a determination as to how to appropriately classify them for purposes of CAT reporting.”

II. Discussion

Industry Members have been spending a tremendous amount of time and resources to help the Participants implement the CAT transactional database. The amount of transactional information to be reported to the CAT is exponentially greater than any of the existing audit trails for equity and options trading activity and will lead to the creation of perhaps the largest securities transactional database ever built. Despite the challenges of implementing a database of this magnitude, Industry Members have been doing their part to make the database operational by meeting their extensive CAT transactional reporting requirements. In this regard, Industry Members recently have made significant progress in reducing the current rate of order report mismatches, referred to as the Interfirm Linkage and Exchange / TRF Linkage error rates, which is necessary for the CAT to be able to track order events across firms and markets. The Industry Members’ efforts in reducing these error rates have been critical in helping the Participants meet compliance milestones set forth in the CAT NMS Implementation Plan and avoid certain financial penalties for failing to meet these milestones.¹⁰

Although Industry Members have been diligently working to implement the CAT transactional database, they continue to have very serious, long-standing concerns about the scope of PII data to be reported to and maintained within the CAIS database of the CAT. The SolarWinds hack has only increased their concerns in this regard. It has been reported that the hack included systems at the Treasury, Commerce and Energy Departments, as well as the systems of other governmental agencies.¹¹ It is not clear, however, what type of information was

¹⁰ While not the subject of this request, the Plan Participants recently submitted a request on December 4, 2020 to allow Industry Members to have an extra day to correct submissions that have been flagged as errors. SIFMA notes that this relief is necessary for the industry as a whole to make further progress to operationalize the CAT transactional database and we urge the Commission to swiftly grant it. See (<https://www.catnmsplan.com/sites/default/files/2020-12/12.04.20-CAT-Exemption-Request-Error-Correction.pdf>).

¹¹ See (<https://www.cnet.com/news/solarwinds-hack-officially-blamed-on-russia-what-you-need-to-know/>).

exposed at these agencies or the extent of the systems hacked at these agencies. Nor is it clear the extent to which the hack affected private sector entities, including potentially the Participants.

Our member firms' long-standing concerns regarding the need for and protection of PII data within the CAT, coupled with the finalization of the full CAIS technical specification, have led us to request that the Commission order a pause related to the further development and implementation of the final CAIS specification on customer and account reporting. A pause would allow the Commission to assess whether the PII and other customer-related data to be reported to and maintained within the CAIS database is necessary or appropriate to fulfill the purpose of the CAT in light of the evolving risk landscape.

A. A Pause Would Allow for the Continued Development of the CAIS Technical Specification Consistent with Current Recordkeeping Requirements

Although the CAT NMS Plan was approved by the Commission in 2016, FINRA CAT and the Participants only started releasing at the end of June 2020 information on the scope of the "customer type" and "account type" fields Industry Members would be required to report to the CAT pursuant to the CAIS technical specification.¹² As noted, the Participants must finalize this specification by January 29, 2021 to meet the deadline specified in their CAT NMS Implementation Plan. FINRA CAT and the Participants' efforts to solicit feedback appear to have been directed toward the industry only and do not appear to have involved the public. While SIFMA has greatly appreciated the opportunity to provide feedback, we have found the process to provide the feedback challenging due to the compressed timeframe in which provide it.

Despite the aggressive nature of this timeframe, SIFMA and Industry Members have endeavored to work in a collaborative manner with FINRA CAT, the Participants and SEC staff to provide them with detailed feedback on the proposed specification. For instance, FINRA CAT and the Participants in October 2020 requested feedback on the information firms would need to report with respect to the "customer type" and "account type" fields.¹³ In response, we noted that the information proposed to be collected regarding these fields, such as whether a customer is an insurance fund or a family office, went significantly beyond existing broker-dealer recordkeeping requirements and would effectively create new recordkeeping requirements for broker-dealers through a CAT specification. We also noted that such an outcome would be directly contrary to the Commission's expressed view in the CAT Approval Order that the CAT

¹² See (<https://www.catnmsplan.com/sites/default/files/2020-09/09.04.20-DRAFT-CCID-Technical-Specification-v2.0.pdf>).

¹³ See Appendix A of our comment letter on the CAT Data Security Proposal (<https://www.sec.gov/comments/s7-10-20/s71020-8067495-225974.pdf>).

be bound by existing broker-dealer recordkeeping requirements. These concerns also were noted in our comment letter on the CAT Data Security Proposal.¹⁴

Most recently, FINRA CAT and the Participants released a revised version of the technical specification on January 19, 2021.¹⁵ While FINRA CAT and the Participants eliminated in the revised specification some of the problematic customer and account type information they had previously proposed to collect, the 10-day time period between the release of the revised specification and the January 29, 2021 deadline to complete the specification has given Industry Members very little time to provide meaningful feedback on the revised specification. In this regard, SIFMA and its member firms continue to have concerns about certain customer and account type information to be reported to the CAT pursuant to the revised specification, such as the requirement to report whether a customer is an accredited investor. Given a 10-day window before the release of the final specification, however, SIFMA does not expect these concerns to be resolved by the release date.

Perhaps most troubling, Industry Members' concerns about the information they are required to report to the CAT on Authorized Traders continue to remain unresolved. As noted, Authorized Traders are defined pursuant to the CAT requirements as persons other than account holders who have trading authority over accounts. Authorized Traders are treated as "customers" under Rule 613, and as such, the CAT NMS Plan contemplates that Industry Members would have certain information about them to allow their trading activity to be tracked across firms in the CAT. In particular, the Plan appears to contemplate that for natural persons serving as Authorized Traders, broker-dealers would have the social security numbers of such individuals. The issue with this approach is that broker-dealers are not required to maintain the social security number of non-associated persons acting as Authorized Traders under existing recordkeeping requirements, including SEC and Treasury Department rules on broker-dealers' customer identification programs.¹⁶ By requiring the collection, systemization, and reporting for Authorized Traders' PII information by all Industry Members serving as CAT Reporters, CAT would fundamentally increase the potential harm that a data security breach at either an individual CAT Reporter or the CAT System would cause.

Based on these concerns, we requested in our comment letter on the CAT Data Security Proposal that the Commission direct FINRA CAT and the Participants to work with Industry Members to develop a workable approach regarding the reporting of information with respect to Authorized Traders, noting that such an effort would be consistent with the Commission's overall approach in the proposal to reduce the amount of sensitive information held in the CAT. To date, this request has not been acted on and our concerns related to the reporting on

¹⁴ See (<https://www.sec.gov/comments/s7-10-20/s71020-8067495-225974.pdf>).

¹⁵ See (<https://www.catnmsplan.com/sites/default/files/2021-01/01.19.21-DRAFT-CCID-Technical-Specification-v2.0r2-CLEAN.pdf>).

¹⁶ See Exchange Act Release No. 47752 (Apr. 29, 2003), 68 FR 25113 (May 9, 2003).

Authorized Traders remain. We therefore believe that a Commission-ordered pause on the further development and implementation of the final CAIS specification on customer and account reporting is needed to allow FINRA CAT, the Participants and Industry Members to continue to work together to address the concerns noted above.

B. A Pause Would Allow the Commission to Assess Whether Additional Security Measures are Needed to Protect Investors' PII in the CAT

In issuing the CAT Data Security Proposal, the Commission recognized that the CAT System as currently designed needs significant security enhancements. Aware of the risks faced by the system, the Commission issued the proposal in August 2020 to strengthen the security of and protections for data in the CAT. The proposal contains many of the recommendations SIFMA and others have made over the years to enhance the security of the CAT, such as the requirement that the Participants use SAWs to review CAT Data and the prohibition on the Participants using CAT Data in connection with any rule filings that have any commercial purpose. The proposal also incorporates within the Plan the terms of the PII Exemption Order. As we have noted in our comment letter, SIFMA is supportive of the proposal and encourages the Commission to adopt it.¹⁷ In doing so, we believe that the Commission should consider adopting additional, minor enhancements related to certain aspects of the Proposal that are in our comment letter on the CAT Data Security Proposal. We believe that the adoption of these additional enhancements will help to further strengthen the protection of data within the CAT in a manner that is consistent with Commission's goals in issuing the proposal.

We further believe that a pause on the further development and implementation of the final CAIS specification on customer and account reporting would allow the Commission to gain a more complete understanding of the PII data that could be exposed if the system is breached, allowing the Commission to further assess whether additional security measures or even customer PII are needed in light of the SolarWinds hack. In making this recommendation, SIFMA is not suggesting that the Commission pause its consideration of the adoption of the CAT Data Security Proposal. Rather, we are suggesting that the Commission move to adopt the CAT Data Security Proposal, but use the pause on the development and implementation of the CAIS specification on customer and account reporting to learn lessons from the SolarWinds hack that could be used to further enhance the security of the CAT System.

Perhaps most concerning to SIFMA and Industry Members is the Participants' insistence that the security of the CAT System does not need further enhancements. In this regard, the CAT NMS Plan Operating Committee Chair and several of the Participants have submitted comment letters opposing the CAT Data Security Proposal.¹⁸ These letters maintain that the

¹⁷ See (<https://www.sec.gov/comments/s7-10-20/s71020-8067495-225974.pdf>).

¹⁸ See Michael Simon Comment Letter (December 4, 2020), available at <https://www.sec.gov/comments/s7-10-20/s71020-8100247-226195.pdf>; FINRA CAT Comment Letter (December 2, 2020), available at <https://www.sec.gov/comments/s7-10-20/s71020-8088162-226120.pdf>; Nasdaq Comment Letter

current security profile of the CAT already is sufficiently robust and that the Commission’s proposed enhancements will result in undue costs and delay in implementing and operating the CAT.¹⁹ Among other things, the Participants take issue with the proposed SAW approach to conducting surveillance activities and with the proposed limits on bulk downloading of CAT Data.²⁰ At the same time they are opposing the CAT Data Security Proposal, the Participants are seeking through a proposed amendment to the CAT NMS Plan (the “Limitation on Liability Proposal”) to force all Industry Members that are obligated to report to the CAT to effectively assume all of the liability associated with a breach or misuse of data in the CAT System.²¹ The Participants’ proposal would accomplish this by amending the CAT NMS Plan to require Industry Members and their reporting agents each to sign a mandatory agreement as a condition of reporting to the CAT that effectively eliminates the liability of CAT LLC and the SROs in the event of a breach or misuse of CAT Data.²² SIFMA strongly opposes the Participants’ attempt to limit their liability in this proposal and has submitted a comment letter urging the Commission not to approve it.²³

In addition to the absurdity of the Participants’ positions here, the security concerns regarding the protection of CAT Data expressed by the Commission in the CAT Data Security Proposal continue to remain. If anything can be learned from the SolarWinds hack so far, it is that sophisticated bad actors can and will break into high-value computer systems, including federal government systems and potentially the CAT given the value of the data within the system. With this in mind, we urge the Commission to approve the CAT Data Security Proposal and also to order a pause on the development and implementation of the CAIS specification on

(December 2, 2020), available at <https://www.sec.gov/comments/s7-10-20/s71020-8084827-226094.pdf>; Cboe Comment Letter (December 2, 2020), available at <https://www.sec.gov/comments/s7-10-20/s71020-8088156-226116.pdf>; NYSE Comment Letter (December 2, 2020), available at <https://www.sec.gov/comments/s7-10-20/s71020-8083358-226075.pdf>.

¹⁹ See, e.g., Michael Simon Comment Letter (December 4, 2020), at 3 (“The Participants believe . . . that a robust security system has been developed and implemented for the CAT”); Cboe Comment Letter (December 2, 2020), at 6 (The existence of [the Cboe Exchanges’] security protocols . . . makes it unnecessary for the Commission to impose the additional restrictions in the Proposal.”)

²⁰ Michael Simon Comment Letter (December 4, 2020), at 4-5; Nasdaq Comment Letter (December 2, 2020), at 9; Cboe Comment Letter (December 2, 2020), at 5.

²¹ See Exchange Act Release No. 90826 (December 30, 2020), 86 FR 591 (January 6, 2021).

²² The limitation of liability embodied in the Proposal would extend to nearly every person or entity involved in operating or maintaining the CAT System, as by its terms it applies to CAT LLC, each of the Participants, “the Plan Processor and any other subcontractors of the Plan Processor or CAT LLC providing software or services within the CAT System, and any of their respective affiliates and all of their directors, managers, officers, employees, contractors, subcontractors, advisors and agents.” Limitation on Liability Proposal, Appendix E at paragraph 5.5. Under the Proposal, the maximum liability for each of these entities or individuals pursuant to any CAT Reporting Agreement in any calendar year would be \$500. *Id.*

²³ See (<https://www.sifma.org/wp-content/uploads/2021/01/SIFMA-comment-letter-File-No.-4-698.pdf>).

customer and account reporting to allow for a further assessment of the CAT System to see if additional security measures are needed in light of the SolarWinds hack.

C. Alternatives May Exist to Make the CAT Operational without Creating Significant Risk of PII Exposure

In 2017, SIFMA developed an alternative approach to the CAT collecting and maintaining investors' PII in response to a request from former Chairman Clayton.²⁴ That approach contemplated the concept of using a CAT Customer Identifier (CCID) for each customer to allow regulators to surveil customer trading activity across multiple markets and brokerage firms rather than having to use individual customer SSNs as originally envisioned by CAT. The CCID concept ultimately became part of the PII Exemption Order that the Commission issued in March 2020. While the Commission did not act on other parts related to SIFMA's alternative approach, we believe that the requested pause will allow the Commission to consider whether the alternative approach may make sense in light of information learned from the SolarWinds hack.

Rather than requiring the reporting of PII to the CAT System, SIFMA's alternative approach envisioned a workflow in which a regulatory user that wanted to know the identity of a customer to a trade would submit a Firm Designated ID (FDID) and trade date(s) request through the CAT Processor into a secure file transfer protocol (FTP) that would in turn direct the PII request to an Industry Member acting as a CAT Reporter. The Industry Member would receive the request and generate a query of its records for the customer PII and account detail related to the FDID and trade date(s). The Industry Member would then direct the encrypted data through the FTP back into the CAT control environment for the requesting regulatory user to analyze and use the data. At the time this approach was developed, SIFMA noted that many Industry Members were likely to automate elements of the response generation, with a staff person to oversee the process. In addition, SIFMA noted that smaller Industry Members were likely to rely on a clearing firm or service provider to report on their behalf or manually generate responses, depending on the volume of such requests.

For the alternative approach, SIFMA anticipated that an initial turnaround time of 48 hours for Industry Members to respond to requests would be reasonable in the initial roll out of such a system. As experience and comfort with the system permit additional automation, SIFMA noted that the industry may be able to establish shorter ordinary course turnaround times. In addition, SIFMA anticipated that this request-response system would have the flexibility to identify certain requests as "high priority," to be processed on an expedited basis, as soon as practicable. In developing this alternative approach, SIFMA recognized that decentralizing customer PII and account data may not be as cost efficient as the proposed mass-collection of PII

²⁴ See, e.g., letter re: Consolidated Audit Trail • Data Security Issues, from Thomas Price, Managing Director, Operations, Technology & BCP, SIFMA, to Brett Redfearn, Director, Division of Trading and Markets, SEC, dated October 29, 2018.

and account data, but that such costs would be appropriate when balanced against the risk of concentrating extensive customer data within the CAT.

While our member firms continued to have strong concerns about the use and protection of their clients' PII data in the CAT after the issuance of the PII Exemption Order, the recent SolarWinds hack has heightened these concerns about PII data and brought them back to the forefront. Accordingly, we now believe that a pause in the further development and implementation of the CAIS specification on customer and account reporting is needed to allow the Commission and the industry to reassess whether submitting PII data to the CAT is currently necessary or appropriate. Even after the issuance of the PII Exemption Order, the CAT will continue to hold PII data such as individual retail investors' names, addresses and years of birth, as well as a tremendous amount of transactional data that could potentially be tied back to customers in a successful breach. The SolarWinds hack has validated concerns that all high-value systems are vulnerable to attack regardless of the time and effort devoted to protecting them, and that measures should be considered to reduce the value of the data in such systems to make them less attractive targets and to limit the harm of the breach of that data in the event of a successful attack. Applying these concepts to the CAT suggests that consideration should be given to SIFMA's alternative approach outlined above, the adoption of which should greatly reduce the remaining PII data that will reside in the system.

* * *

SIFMA greatly appreciates the Commission's consideration of our recommendation above and would be pleased to discuss it in greater detail with the Commission and its Staff. For the reasons discussed above, we strongly urge the Commission to order a temporary pause of the further development and implementation of the final full CAIS technical specification on customer and account reporting to allow for an reassessment of whether the PII and other customer-related data to be reported to and maintained within the CAIS database of the CAT is needed to fulfill the purpose of the CAT in light of the evolving risk landscape. We do not believe that Commission action on this request would delay the implementation of the CAT as this portion of the CAT is not scheduled to go-live until July 2022.

Thank you for your prompt consideration.

With kindest personal regards,



Kenneth E. Bentsen, Jr.
President and CEO

Ms. Vanessa Countryman, Securities and Exchange Commission
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Cc: The Honorable Allison Herren Lee, Acting Chair
The Honorable Elad L. Roisman, Commissioner
The Honorable Caroline A. Crenshaw, Commissioner
The Honorable Hester M. Peirce, Commissioner

Christian Sabella, Acting Director, Division of Trading and Markets
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