

MEMORANDUM

TO: Dominic Mancini
Deputy Director, Office of Information & Regulatory Affairs
Office of Management and Budget

FROM: David L. Bottom
Office of Information Technology
Securities and Exchange Commission

RE: Emergency consideration of one collection of information pursuant to 44 U.S.C. 3507(j) as implemented at 5 CFR 1320.13.

The Securities and Exchange Commission (“Commission”) is requesting emergency consideration of one collection of information pursuant to 44 U.S.C. 3507(j) as implemented at 5 CFR 1320.13. The collection of information is in 3235-0012, titled “Form BD and Rule 15b1-1”. Exchange Act Section 15(a) provides that it is unlawful for broker-dealers to solicit or effect transactions in most securities unless they are registered as broker-dealers with the Commission pursuant to Section 15(b) of the Exchange Act. Rule 15b1-1 provides a method for broker-dealers to register with the Commission using Form BD, which is the application form firms use to apply to the Commission for registration as a broker-dealer. Form BD also is used by firms other than banks and registered broker-dealers to apply to the Commission for registration as a municipal securities dealer or a government securities broker-dealer. In addition, Form BD is used to change information contained in a previous Form BD filing that becomes inaccurate. The information collected under Rule 15b1-1 and Form BD is used by the Commission, self-regulatory organizations and state securities regulators to assess whether broker-dealer registration should be granted, understand the types of business in which particular broker-dealers engage and the risks they may pose to investors, and provides an efficient method for broker-dealers to update the various regulators of changes to information previously provided.

In connection with this request, the Commission has determined:

1. The collection of information is needed prior to the time periods established under the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 et seq. (“PRA”) and applicable regulations, 5 CFR 1320.1 et seq.
2. The collection of information is essential to the mission of the Commission.
3. The existing approval expired on October 31, 2022 due to non postings of Federal Register Notices. Therefore the Commission cannot reasonably comply with the normal clearance requirement of the PRA and applicable regulations because the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information. We are requesting a 6 month Extension.
4. The Commission requests that OMB approve or disapprove the collection of information by 04/31/2023.
5. Because the Commission is requesting a reinstatement of a previously approved information collection on an emergency basis, the Commission has not yet specifically solicited comments on this information collection. If reinstatement is granted, the Commission will publish a notice soliciting comments in the Federal Register prior to

seeking an extension of the term of the information collection.

6. The Commission requests that OMB waive the notice requirement set forth in 5 CFR 1320.5(a)(1)(iv).

Thank you for considering this request.

