# FY 2016 Annual Performance Report

&

# FY 2018 Annual Performance Plan

May 2017



# **Table of Contents**

Strategic Framework	3
Summary of Performance	4
Goal One: Market Integrity and Transparency	5
Goal Two: Financial Integrity and Avoidance of Systemic Risk	8
Goal Three: Comprehensive Enforcement	12
Goal Four: Broad Outreach on Regulatory Concerns	15
Management Objectives	18
Completeness and Reliability of Performance Data	21
Program Evaluations	21
Appendix A: FY 2016 Enforcement Actions	22
Appendix B: Indicators Discontinued in FY 2016	24

# **Strategic Framework**

Below is an overview of the Commission's mission statement and strategic goals. The results in the following pages demonstrate progress on strategic objectives and performance indicators in support of the strategic goals and CFTC mission from the FY 2014–2018 Strategic Plan:

#### **Mission Statement**

To foster open, transparent, competitive, and financially sound markets; to avoid systemic risk; and to protect market users and their funds, consumers, and the public from fraud, manipulation, and abusive practices related to derivatives and other products that are subject to the Commodity Exchange Act. Strategic Goals

- Strategic Goal One Market Integrity and Transparency
- Strategic Goal Two Financial Integrity and Avoidance of Systemic Risk
- Strategic Goal Three Comprehensive Enforcement
- Strategic Goal Four Domestic and International Cooperation and Coordination
- Management Objectives

**About This Report** – The combined FY 2016 Annual Performance Report and FY 2018 Annual Performance Plan (APR/APP) provides an overview of the CFTC's performance results relative to its mission. The report is organized by strategic goal, strategic objective and performance indicator. This report is available at: <a href="http://www.cftc.gov/About/CFTCReports/index.htm">http://www.cftc.gov/About/CFTCReports/index.htm</a>

**Performance Analysis** – In the FY 2014-2018 Strategic Plan, the CFTC established a series of new performance indicators, some were still in draft status when published and needed testing during FY 2016. These are "baseline" performance indicators. Baselined indicators do not have targets until testing is complete. Other indicators have results designated as having either 'Met' or 'Not Met' its target.

**Key Activity/Program Ends** – When a key activity/program has achieved its long-term target, there are no targets for upcoming years and the indicator is moved to Appendix B: Indicators Discontinued in FY 2016.

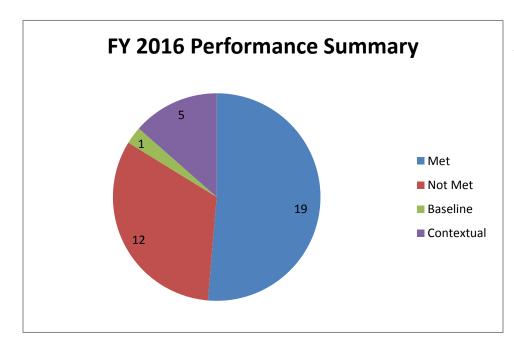
**Reporting History/Trending** – Six performance indicators continued from the previous strategic plan, and subsequently have longer result trends in the indicator tables below. The CFTC began tracking 38 new performance indicators in FY 2015 for a total of 44. During FY 2016, The CFTC reviewed all indicators and determined that seven should be discontinued (see Appendix B). Therefore, the CFTC finished the year reporting on 37 indicators.

**Reporting Year** – Unless otherwise noted, the reporting period for this report is from October 1, 2015 through September 30, 2016 (called FY 2016 or 'the year').

**Management Challenges** – The Inspector General's Assessment of the Most Serious Management Challenges Facing the CFTC and CFTC Management's Response to the Inspector General's Assessment are included in the Commission's FY 2016 Annual Financial Report: <a href="http://www.cftc.gov/idc/groups/public/@aboutcftc/documents/file/2016afr.pdf">http://www.cftc.gov/idc/groups/public/@aboutcftc/documents/file/2016afr.pdf</a>.

May 23, 2017 Page 3 of 25

# **Summary of Performance**



<u>Met:</u> The activity/program fully met or exceeded the terms of its target(s) during the fiscal year.

<u>Not-Met:</u> The program/ activity did not achieve the terms of its target(s) during the fiscal year.

<u>Baseline:</u> Indicators that have not been finalized.

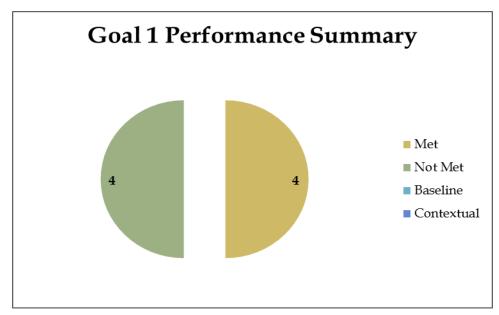
<u>Contextual</u>: Indicators that do not have targets or have been discontinued.

Overall results for the Commission's performance indicators are depicted in the following table:

FY 2016	Met	Not Met	Baseline	Contextual
Goal 1	4	4	0	0
Goal 2	8	3	0	0
Goal 3	2	2	0	0
Goal 4	1	0	0	5
Management	3	4	1	0
Subtotal	19	12	1	5
Total				37

May 23, 2017 Page 4 of 25

### **Goal One: Market Integrity and Transparency**



Met: The activity/ program fully met or exceeded the terms of its target(s) during the fiscal year.

<u>Not Met:</u> The program/ activity did not achieve the terms of its target(s) during the fiscal year.

<u>Baseline:</u> Indicators that have not been finalized.

<u>Contextual</u>: Indicators that do not have targets or have been discontinued.

Objective 1.1: Markets not readily susceptible to manipulation and other abusive practices

#### Performance Indicator 1.1.a

Strive for percentage of high impact contract and rule submissions received by the Commission through the OPERA portal.

**Description:** This indicator captures the efficiency with which staff can receive and process exchange submissions related to contracts and rules. Through the portal, exchanges are able to electronically file submissions directly with the Commission. The portal will then automatically route submissions to relevant staff without the need for staff to input certain data elements into its systems.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Nearly 96%	100%	99%	100%	100%
Target: Not M	et.				

Responsible Division/Office: DMO

#### Performance Indicator 1.1.b

Strengthen capacity to receive and expeditiously evaluate all trading data and associated information to identify potential violations of the CEA or Commission regulations and the timely response to market emergencies.

**Description:** The Commission routinely examines data to uncover violations of the CEA or Commission regulations with respect to manipulation, compliance abuses and other violations, and reviews the data for significant market events or situations. In the case of a market emergency or event, the CFTC communicates with exchanges and market participants. In some situations staff may work with the exchanges and participants to resolve potentially disruptive conduct to maintain order and market integrity.

The Commission has developed several automated procedures that can be used by surveillance staff to identify potential violations, and is in the early stages of a multi-year effort to develop analytic tools for use in the harmonization of data and to improve processes to evaluate trading data.

Fiscal Year FY 2016 Plan		FY 2016 Actual	FY 2017 Target	FY 2018 Estimate				
	N/A	No reporting	20%	50%				
Target: Not Met	Target: Not Met							
Responsible Division/Office: DMO & ODT								

May 23, 2017 Page 5 of 25

#### Objective 1.2: Establishment of an effective self-regulatory framework

#### Performance Indicator 1.2.a

Examine compliance by exchanges with the CEA Core Principles and Commission regulations, prioritizing systemically important entities.

**Description:** Using both risk-based and Core Principles-based approaches, the Commission conducts comprehensive examinations of selected compliance programs at the exchange and swap data repositories, and publishes examinations reports when deficiencies are identified. Exchanges are notified, and CFTC staff monitor their remediation efforts.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Baseline Year –	Four DCM Rule	One DCM Rule	Complete four DCM RERs,	Complete four DCM
	Commission	Enforcement	Enforcement	initiate two formal DCM	RERs,
	completed four rule	Reviews	Review complete	RERs and three informal	initiate three DCM
	enforcement reviews	complete, and	and two RERs	(i.e., reach out to DCMs to	RERs, complete one
	(RERs) <sup>1</sup> and completed	three DCM RERs	initiated	discuss compliance	SEF RER, and initiate
	on-site interviews for	initiated		programs);	two SEF RERs.
	3 1/2 of four			and one SEF horizontal	
	additional RERs			RER.	

Target: Not Met

Responsible Division/Office: DMO

#### Performance Indicator 1.2.b

Review exchange and SDR notifications and periodic status updates regarding significant systems disruptions and material planned changes to mission-critical systems or programs of risk analysis and oversight.

**Description:** The Commission reviews exchange and SDR notifications and periodic status updates regarding significant systems disruptions and material planned changes to mission-critical systems or programs of risk analysis and oversight to determine need for further DMO review or action. Notifications range from informal e-mails to formal incident reports.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Baseline year –	100% review	100% review	100%	100%
	Commission				
	reviewed 100% of				
	notifications and				
	updates during the				
	fiscal year.				

Target: Met

Responsible Division/Office: DMO

#### Performance Indicator 1.2.c

Examine compliance by exchanges and SDRs with the system safeguards and cyber security requirements of the CEA Core Principles and Commission regulations, prioritizing systemically important entities.

**Description:** Using both risk-based and Core Principles-based approaches, the Commission conducts comprehensive examinations of system safeguards and cyber security programs at exchanges and SDRs, and prepares examinations reports when deficiencies are identified. Commission staff notify Exchanges and SDRs, and staff monitor their remediation efforts.

e delle.e.	The deficiency distribution of the deficiency of								
Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate				
	Baseline Year –	Conduct five	Five on-site	Conduct seven	Conduct eight SSEs,				
	Commission	System Safeguard	reviews for SSEs	system SSEs,	including SEFs				
	completed SSEs for	Examinations (SSEs)	conducted	including swap					
	five systemically			execution facilities					
	important entities.			(SEFs)					
T 1 04-4	•	·	<u> </u>		·				

Target: Met

Responsible Division/Office: DMO

<sup>1</sup> Revised to four Rule Enforcement Reviews (RER) from 2015 APR figure of one RER.

May 23, 2017 Page 6 of 25

#### Objective 1.3: Availability of market information to the public and for use by authorities

#### Performance Indicator 1.3.a

Percentage of derivatives activity covered by regularly published Commission reports.

**Description:** In addition to regular reports on activity in the futures and options on futures markets, the Commission plans to begin publishing regular reports of activity in the swaps market to bring greater public transparency to this market. Initially, these reports will cover the major swap categories and then be expanded to include other categories as they meet minimum activity thresholds. These reports provide a measure of public transparency into derivatives market activity for those markets where minimum activity and participation levels have been attained.

Fiscal	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2017	FY 2018
Year				Actual	Plan	Actual	Target	Estimate
	100%	70%	75%	90%	98%	98%	98%	98%

Target: Met

Responsible Division/Office: OCE

#### Performance Indicator 1.3.b

Publish economic research reports to inform the public about market structure of the derivatives markets.

**Description:** These reports will be based on empirical research into the market microstructure of futures, options on futures, and swaps markets. The indicator provides a measure of economic analyses designed to inform both the public and the academic community of various developments in these markets, including their ongoing evolution within the context of electronic trading technologies and regulations.

Fiscal Year FY 2015 Actual		FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate		
	Four reports	Three reports	Five reports	Three reports	Three reports		
Target: Met							
Responsible Division/Office: OCE							

#### Objective 1.4: Integrate futures and options positions and transactions data

#### Performance Indicator 1.4.a

Percentage of derivatives for which trader data can be matched across CFTC datasets.

**Description:** This activity serves as a measure of regulatory and public transparency into trader derivative activity. It captures the percentage of futures trading volume where the traders have been matched to their large trader end-of-day futures positions. For purposes of increasing market transparency, it is critical for CFTC staff to be able to match the position and trading activity across the major databases used by the Commission—i.e., large trader positions, futures and options on futures transactions.

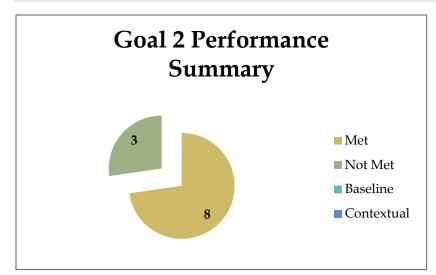
Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Baseline year –	10%	See analysis above	40%	80%
	Commission made				
	limited progress because				
	CFTC is waiting for				
	Ownership and Control				
	Reporting to begin.				

Target: Not Met

Responsible Division/Office: DMO & ODT

May 23, 2017 Page 7 of 25

## Goal Two: Financial Integrity and Avoidance of Systemic Risk



Met: The activity/program fully met or exceeded the terms of its target(s) during the fiscal year.

Not Met: The program/activity did not achieve the terms of its target(s) during the fiscal year.

Baseline: Indicators that have not been finalized.

**Contextual**: Indicators that do not have targets or have been discontinued.

Objective 2.1: Avoid disruptions to the system for clearing and settlement of contract obligations

#### Performance Indicator 2.1.a

CFTC strives to conduct back testing of DCOs' material product and portfolio initial margin requirements to assess their sufficiency.

Description: To measure the sufficiency of margin requirements, the Commission back tests the profit or loss of a given product or portfolio against the margin requirement for the applicable liquidation period. The defaulting firm's margin contributions are the first financial resource used to cover the financial impact of a clearing member default. To the extent margin can cover the financial impact of the default, the DCO will not have to use its own resources to cover the balance.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Conducted back testing	Conduct back testing of	Five DCOs	Five DCOs	Five DCOs
	of products and	products and portfolios			
	portfolios of two DCOs	of three DCOs			
Target: Me	et				

Responsible Division/Office: DCR

#### Performance Indicator 2.1.b

CFTC develops and calculates clearing members' ability to fund variation and initial margin requirements using hypothetical market scenarios.

Description: The Commission's objective is to enhance existing programs to evaluate aggregate clearing member financial resources against possible calls for variation payments at all DCOs in which a firm is a clearing member. Failing to make a variation margin payment is one of the ways in which a firm can default to the DCO. Firm variation margin payments likely will increase as more swaps are cleared. The Commission gathers information as to the type and level of financial resources available to clearing members to meet variation margin payments.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Assessed 10% of clearing members	Assess 21% of clearing members	Assessed 10 clearing members (approx. 25% of overall clearing members)	24	27
Target: M	l >t		overall cleaning membersy		

Responsible Division/Office: DCR

May 23, 2017 Page 8 of 25

#### Performance Indicator 2.1.c

Aggregate cleared swaps, futures, and options positions into a comprehensive risk surveillance process and conduct analysis for each material market participant.

**Description:** The Commission has a comprehensive program in place to aggregate and conduct risk surveillance of market participants' futures and options positions. The Commission is developing procedures to aggregate swap positions across multiple DCOs and the asset classes for which such DCOs offer clearing services. Upon the development of such procedures, the Commission will be in a position to aggregate the risk of market participants that trade futures, swaps, and options and conduct risk surveillance for that aggregate portfolio.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	CFTC aggregated the	Aggregate risk of	16 CFTC	CFTC will aggregate	By end of 2018,
	risk of 25 interest	market participants'	aggregated the	risk of market	CFTC will be
	rate swap (IRS) and	interest rate swap &	risk of 16	participants' IRS and	aggregating risk of
	interest rate (IR)	interest rate (IR)	interest rate	IR futures to get full	all customer and
	futures accounts.	futures to get full IR	swap (IRS) and	IR exposure. Success	house IR and IRS
		exposure. Number of	interest rate	of activities during FY	exposure.
		market participants is	(IR) futures	2016 will determine	
		TBD for FY 2016.	accounts.	FY 2017 target.	

#### Target: Not Met

Responsible Division/Office: DCR

#### Performance Indicator 2.1.d

Review Derivatives Clearing Organization (DCO) notifications regarding: hardware or software disruptions, cyber security events or threat events, activation of the DCOs' business continuity or disaster recovery plans, significant planned changes to mission-critical systems, planned changes to the DCOs' programs of risk analysis, and other notifications that potentially impact or could impact the DCOs' ability to process, clear and manage the risk of its business activities.

**Description:** Review DCO notifications regarding any:

- hardware or software malfunction, cyber security incident, or targeted threat that materially impairs, or creates a significant likelihood of material impairment, of automated system operation, reliability, security, or capacity
- activation of the DCO's BC/DR plan, and
- material planned changes to DCO's automated systems that are likely to have a significant impact on the reliability, security, or adequate scalable capacity of such systems, or programs of risk analysis and oversight.

The Commission will design these reviews to evaluate the adequacy of the proposed corrective action to address systems disruptions and review plans for changes to systems or programs of risk analysis.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Filings reviewed	<ul><li>Conduct high-level</li></ul>	<ul> <li>Reviewed 93% of</li> </ul>	<ul> <li>Conduct high-level</li> </ul>	<ul> <li>Conduct high-</li> </ul>
	within	reviews of significant	material	reviews of	level reviews of
	appropriate	disruptions within 2-5	notifications	significant	significant
	timeframe, 75%	business days, 85%	within 2-5	disruptions within	disruptions within
	of the time.	of the time.	business days.	2-5 business days,	2-5 business days,
		<ul> <li>Conduct reviews of</li> </ul>	• 80% of non-	85% of the time.	85% of the time.
		non-significant	material	<ul> <li>Conduct reviews</li> </ul>	<ul> <li>Conduct reviews</li> </ul>
		disruptions within 30	notifications	of non-significant	of non-significant
		calendar days, 85% of	reviewed within	disruptions within	disruptions within
		the time.	30 days.	30 calendar days,	30 calendar days,
				80% of the time.	80% of the time.

Target: Not Met

Responsible Division/Office: DCR

May 23, 2017 Page 9 of 25



#### Performance Indicator 2.1.e.1

Strive to examine compliance by DCOs with the Core Principles, including system safeguards and cyber security requirements, of the CEA and Commission regulations, prioritizing systemically important entities.

**Description:** The Commission conducts comprehensive, risk-based examinations of systemically important DCOs (SIDCOs) regarding compliance with the Core Principles of the CEA and Commission regulations. Identify issues that may impact the DCOs ability to control and monitor its risks, present the issues to DCO management and monitor remediation efforts to rectify the issues.

Fiscal	FY	FY	FY	FY 2014	FY 2015	FY 2016 Plan	FY 2016	FY 2017	FY 2018
Year	2011	2012	2013				Actual	Target	Estimate
	75%	50%	100%	100%	100%	On an annual	100%	100%	100%
						basis, examine			
						100% of SIDCOs			

Target: Met

Responsible Division/Office: DCR

#### Performance Indicator 2.1.e.2

Strive to examine compliance by DCOs with the Core Principles, including system safeguards and cyber security requirements, of the CEA and Commission regulations, prioritizing systemically important entities.

**Description:** The Commission conducts comprehensive risk-based examinations of non-systemically important DCOs regarding compliance with the Core Principles of the CEA and Commission regulations. Identify issues that may impact the DCOs ability to control and monitor its risks, present the issues to DCO management and monitor remediation efforts to rectify the issues. There were 10 such DCOs in FY 2015. Completion of examinations allows the Commission to see if a DCO is in compliance with the Core Principles, which gives CFTC staff the opportunity to identify any areas of non-compliance and allows the DCO to correct any areas of non-compliance.

	,					1			
Fiscal	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016 Plan	FY 2016	FY 2017	FY 2018
Year							Actual	Target	Estimate
	44%	30%	23%	0%	30%	Conduct	Completed	40%	40%
						examinations	fieldwork		
						of 40% of all	for four		
						other DCOs	exams.		

Target: Not Met

Responsible Division/Office: DCR

#### Objective 2.2: Provide market participants with timely guidance

#### Performance Indicator 2.2.a.2

Percent of swap dealer and major swap participants registration documentation completed.

**Description:** The NFA reviews the registration applications of SDs and MSPs to determine whether the registrants have included adequate policies and procedures in accordance with applicable regulation. CFTC measures its success for this indicator by the guidance the Commission provides to the NFA on substantive new regulatory areas relevant to registration applications. This definition was updated to reflect that the NFA currently is the designated self-regulatory organization responsible for regulating SDs and MSPs registered with the Commission.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	71% - Commission worked with NFA to develop NFA's capacity to review swap dealer applications effectively.	Provide guidance for 90% of the SD and MSP application review program.	100%	Activity Complete	Activity Complete

Target: Met

Responsible Division/Office: DSIO

May 23, 2017 Page 10 of 25

#### Objective 2.3: Strong governance and oversight by financial registrants

#### Performance Indicator 2.3.a.1

Conduct oversight reviews of Swap Dealers (SDs).

Description: Relying upon a risk-based and regulatory compliance oversight approach, the Commission will conduct targeted reviews and examinations of SDs in key areas, such as cybersecurity policies, with the National Futures Association (NFA) conducting regular direct examinations of SDs.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Three SDs	30 SDs	49 SDs	30 SDs	30 SDs

Target: Met

Responsible Division/Office: DSIO

#### Performance Indicator 2.3.a.2

Conduct oversight reviews of Futures Commission Merchants (FCMs).

Description: Relying upon a risk-based and regulatory compliance oversight approach, the Commission will conduct targeted reviews and examinations of FCMs in key areas, such as cybersecurity policies, with the DSROs conducting regular direct examinations of FCMs.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Zero FCMs	30 FCMs	55 FCMs	30 FCMs	30 FCMs
Target: Met					

Responsible Division/Office: DSIO

#### Performance Indicator 2.3.b

Review Chief Compliance Officer (CCO) annual reports for Swap Dealers (SDs), Major Swap Participants (MSPs), and Futures Commission Merchants (FCMs), and provide feedback to the registrants on governance and compliance oversight.

Description: The Commission will review the CCO annual report filings of the SDs, MSPs, and FCMs and evaluate governance and compliance best practices, effectiveness of the evaluations, and areas for follow up with specific firms where the report is not up to expectations.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate	
	49%	Review 50% of CCO annual reports for SDs, MSPs, and FCMs.	96%	60%	75%	
Target: Met						

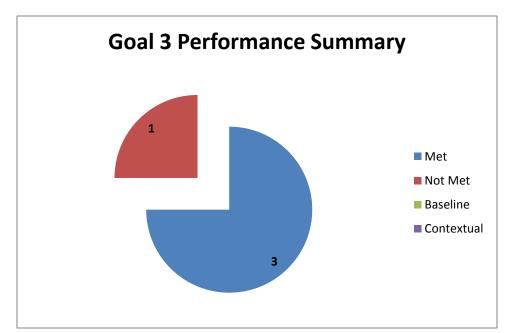
Responsible Division/Office: DSIO

### Objective 2.4: Market participants maintain sufficient financial resources, risk management procedures, and customer protection practices

#### Performance Indicator 2.4.b Monitor high-risk registrants focusing on Futures Commission Merchants for signs of financial stress. Description: The Commission will monitor registrant firms for financial stress by, reviewing notices and monthly and/or annual financial filings, among other things. High-risk firms are identified as such through indicators developed by the Staff which consider such attributes as capital, liquidity, ratio of excess segregated to secure collateral, CPA firm, leverage ratios, etc. **Fiscal Year** FY 2015 Actual FY 2016 Plan FY 2016 Actual FY 2017 Target FY 2018 Estimate 100% Monitor 100% of high-100% 100% 100% risk firms for signs of financial stress, with focus on FCMs. Target: Met Responsible Division/Office: DSIO

May 23, 2017 Page 11 of 25

### **Goal Three: Comprehensive Enforcement**



Met: The activity/program fully met or exceeded the terms of its target(s) during the fiscal year.

Not Met: The program/activity did not achieve the terms of its target(s) during the fiscal year.

<u>Baseline:</u> Indicators that have not been finalized.

<u>Contextual</u>: Indicators that do not have targets or have been discontinued.

Objective 3.1: Strengthen capacity to receive and expeditiously handle high-impact tips, complaints and referrals

#### Performance Indicator 3.1.a.1

Strengthen and ensure a coordinated approach to receiving, assessing, and referring tips, complaints and referrals as necessary and appropriate; establish a unit or office dedicated to this function.

**Description:** The Commission will evaluate and refine the current processes and mechanisms, if necessary, for handling leads from all sources to increase the effectiveness and efficiencies of those processes and mechanisms. This indicator reflects the need of the Commission to enhance its capability to receive, analyze and process tips, complaints and referrals, and focuses in particular on the preliminary analysis which informs the Commission's decision whether to devote more resources to a full investigation. The Commission created the Litigation, Intake and Triage Unit during 2015 to perform an initial review of tips, complaints, and leads (TCLs), so that only those with merit would be forwarded on to the investigative teams for preliminary investigation (PI). The current indicator is now a combination of the time the investigative teams and the Litigation, Intake and Triage Unit spend analyzing the merits of a TCL.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	<ul> <li>20-hour average</li> </ul>	Average review /	• 78% of referrals	Developing new	Developing new
	time to review	referral time for TCLs	were converted	indicators to	indicators to
	tips met	is 18 hours.	by teams within	demonstrate	demonstrate
		<ul> <li>60% of referrals lead</li> </ul>	18 hours.	improved	improved
		to an investigation.	<ul> <li>80% of referrals</li> </ul>	performance of	performance of
			lead to an	handling tips,	handling tips,
			investigation.	complaints, and	complaints, and
				referrals.	referrals.
Target: M	et	•			•

May 23, 2017 Page 12 of 25

Responsible Division/Office: DOE



#### Performance Indicator 3.1.b.1

Develop a comprehensive communication strategy, geared for internal and external stakeholders, relating to the role of whistleblowers and the function of the Whistleblower Office (WBO).

Description: The Commission will develop and provide training to new Enforcement Division and contractor new hires. This indicator reflects the need of the WBO to communicate effectively to internal audiences. Internal communication allows the WBO staff to train and inform the Commission staff about the WBO, the relevant law surrounding the role of whistleblowers, and the unique and protected nature of whistleblower identifying information. Internal communication also informs the WBO staff about external persons to whom they need to direct their message.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Completed	<ul> <li>Develop/provide</li> </ul>	Provided	<ul> <li>Provide annual training</li> </ul>	Provide annual
	training for 28	annual training to	individualized	to new hires and staff.	training to new
	new Division of	new hires/staff.	training to over 20	Provide live, in-person	hires and staff.
	Enforcement	<ul> <li>Provide live, in-</li> </ul>	employees in home	training to staff in home	<ul> <li>Conduct</li> </ul>
	staff, including	person training to	office and regions.	office and regions.	individualized
	training 13	staff in home office		<ul> <li>Draft best practices</li> </ul>	training for staff
	newly hired	and regions.		guide for the DOE when	assigned to
	division			working with the WBO	whistleblower
	contractors.			in investigations,	matters on as-
				litigation, and	needed basis.
				administrative	
				proceedings.	

Responsible Division/Office: DOE

#### Performance Indicator 3.1.b.2

Develop a comprehensive communication strategy, geared for internal and external stakeholders, relating to the role of whistleblowers and the function of the Whistleblower Office.

Description: The Commission will participate in five annual public forums and trade shows annually, including the national Futures Industry Association Conference. This indicator reflects the need of the WBO to communicate effectively to external audiences. Outreach is an essential part of the program. The WBO will send the message that the program is in place and emphasize in its message the rewards and protections offered by Section 23 of the CEA and the Commission regulations.

Whistleblowers provide the Commission with the opportunity to receive timely information relating to potential violations of the CFA that may not otherwise he available

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Participated in 12 public forums and trade shows	<ul> <li>Participate in 12 annual public forums and trade shows.</li> <li>Create new website for Whistleblower office.</li> </ul>	<ul> <li>Participated in 18 annual public forums and trade shows.</li> <li>Launched new website for whistleblower office.</li> </ul>	<ul> <li>Participate in 15         annual public         forums and trade         shows.</li> <li>Update new         website to make it         more effective tool         for communicating         with external         stakeholders.</li> </ul>	<ul> <li>Participate in 15         <ul> <li>annual public</li> <li>forums and trade</li> <li>shows.</li> </ul> </li> <li>Update frequently         <ul> <li>asked questions on</li> <li>whistleblower</li> <li>website, as</li> <li>necessary, to</li> <li>address new</li> <li>issues.</li> </ul> </li> </ul>

Responsible Division/Office: DOE

May 23, 2017 Page 13 of 25

### Objective 3.2: Execute rigorous and thorough investigations

#### Performance Indicator 3.2.a

Percentage of enforcement investigations completed within 18 months of opening, depending on the nature and scope of investigations.

**Description:** This indicator identifies, for all investigations closed within the preceding 18 months, the percentage of such investigations that the Commission closed within 18 months of their opening. In conducting investigations, the enforcement program endeavors to complete effective and fair investigations in a timely manner, depending upon the nature and scope of the investigations and resources available.

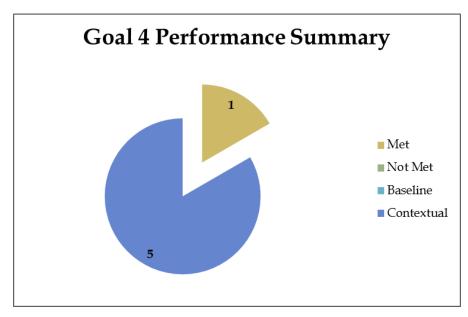
Fiscal Year	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	81%	69%	62%	23%	75%	75%	71%	75%	Developing new indicators to demonstrate improved performance of rigorous and thorough investigations.

Target: Not Met

Responsible Division/Office: DOE

May 23, 2017 Page 14 of 25

### **Goal Four: Broad Outreach on Regulatory Concerns**



<u>Met:</u> The activity/program fully met or exceeded the terms of its target(s) during the fiscal year.

<u>Not Met:</u> The program/activity did not achieve the terms of its target(s) during the fiscal year.

<u>Baseline:</u> Indicators that have not been finalized.

<u>Contextual</u>: Indicators that do not have targets or have been discontinued.

Objective 4.1: Broad outreach on regulatory concerns

#### Performance Indicator 4.1.a

Number and types of opportunities that have been provided for the exchange of views between the Commission and other domestic and international regulators.

**Description:** The Commission will attend conferences and meetings, such as Commission advisory committee meetings, research seminars, international regulator conferences, and briefings for Congressional staff and other government officials. Activities also include meetings with SEC, U.S. Federal Reserve System, U.S. Department of the Treasury, as well as participation in country dialogues under auspices of the Treasury Department.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Contextual indicator	Contextual	Contextual	Contextual	Contextual
	<ul> <li>no annual target</li> </ul>	indicator – no	indicator – no	indicator – no	indicator – no
		annual target	annual target	annual target	annual target
	1.1. 11	1			

**Target:** Contextual indicator – no annual target

Responsible Division/Office: OIA

#### Performance Indicator 4.1.b

Number and types of opportunities that have been provided for the exchange of views between the Commission and the public.

**Description:** Number and types of opportunities that have been provided for the exchange of views between the Commission and the public. CFTC regulatory policies and interests advanced through meetings/conferences/seminars with the public.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Contextual indicator –	Contextual	Contextual	Contextual	Contextual
	no annual target	indicator – no	indicator – no	indicator – no	indicator – no
		annual target	annual target	annual target	annual target
Tauasti Cauta		Laurea			

Target: Contextual indicator – no annual target

Responsible Division/Office: OIA

May 23, 2017 Page 15 of 25

#### Objective 4.2: Sound international standards and practices

#### Performance Indicator 4.2.a

Number and types of projects that have been initiated and/or completed within international regulatory and standard setting groups that promote the CFTC's regulatory policies.

**Description:** The Commission will participate in projects with standard-setting organizations such as the International Organization of Securities Commissions (IOSCO).

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Contextual	Contextual indicator –	Contextual indicator	Contextual	Contextual
	indicator – no	no annual target	<ul> <li>no annual target</li> </ul>	indicator – no	indicator – no
	annual target			annual target	annual target

Target: Contextual indicator - no annual target

Responsible Division/Office: OIA

#### Performance Indicator 4.2.b

Number of regulatory cooperation and coordination arrangements negotiated with international regulatory authorities to facilitate high-quality derivatives regulation worldwide and the CFTC's supervision of markets and entities that are global in nature.

**Description:** The Commission will negotiate memoranda of Understanding (MOUs) and other arrangements (e.g. letters setting out respective cooperation efforts) that are needed in connection with oversight of international registered Swap Dealers and Central Counterparties.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	See FY 2015 APR for	Contextual indicator: no	See below	N/A	N/A
	list of arrangements	annual targets.			
	signed that year	Commission will track			
		and record these			
		arrangements, as they			
		occur.			

**Target:** Contextual indicator – no annual target

Responsible Division/Office: OIA

#### Objective 4.3: Provide global technical assistance

#### Performance Indicator 4.3.a Number of non-U.S. regulators trained.

**Description:** The Commission provides technical assistance to international authorities by training non-U.S. regulators each vear.

Fiscal	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015	FY 2016	FY 2016	FY 2017	FY 2018
Year					Actual	Plan	Actual	Target	Estimate
	225 non-	414	401	260	150	Contextual	113	Contextual	Contextual
	U.S.					indicator –		indicator –	indicator –
	regulators					no annual		no annual	no annual
	trained					target		target	target

Target: Contextual indicator – no annual target

Responsible Division/Office: OIA

May 23, 2017 Page 16 of 25

# Objective 4.4: Robust Domestic and International Enforcement Cooperation and Coordination

#### Performance Indicator 4.4.a

Leverage the impact of its enforcement program through coordination with Self-Regulatory Organizations (SROs) and active participation in domestic and international cooperative enforcement efforts.

**Description:** This indicator reflects the Commission's continued participation in regular meetings with the SROs and with domestic and international cooperative partners. The Commission's enforcement program regularly meets with the SROs to discuss matters of common interest; including investigations, enforcement actions, and the sanctioning of violative conduct. The Commission's enforcement program also works cooperatively with both domestic and international authorities to maximize its ability to detect, deter, and bring sanctions against wrongdoers involving U.S. markets, registrants, and customers.

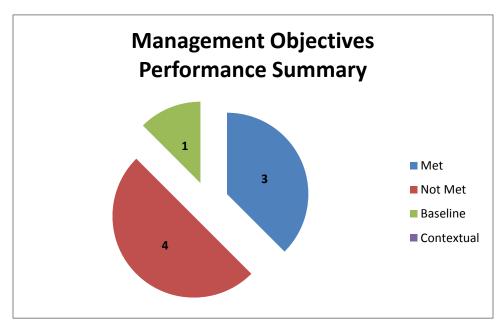
Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018
Year					Estimate
	Participated in 11	Participate in seven	Participated in more	Participate in 10	Contextual
	domestic and	domestic and	than two dozen	domestic and	indicator – no
	international	international	domestic/international	international	annual target
	cooperative	cooperative	cooperative	cooperative	
	meetings, task	enforcement	enforcement meetings	enforcement	
	forces, etc.	meetings, task forces,		meetings, task forces,	
		etc.		etc.	

Target: Met

Responsible Division/Office: DOE

May 23, 2017 Page 17 of 25

## **Management Objectives**



<u>Met:</u> The activity/program fully met or exceeded the terms of its target(s) during the fiscal year.

Not Met: The program/activity did not achieve the terms of its target(s) during the fiscal year.

<u>Baseline:</u> Indicators that have not been finalized.

<u>Contextual</u>: Indicators that do not have targets or have been discontinued.

Objective 5.1: A High-performing, diverse, and engaged workforce

#### Performance Indicator 5.1.a Implement operational planning across the Commission. Description: Design, develop, and implement annual division/office operational plans based on the CFTC Strategic Plan. Operational plans ensure strategic goals and objectives are achieved through approved and coordinated tactical goals and objectives. **Fiscal Year** FY 2015 Actual FY 2016 Plan FY 2016 Actual FY 2017 Target FY 2018 Estimate Commission TBD Two divisions have Develop strategic Develop annual developed budget fully functioning plan that will operating plans for strategy documents operational plans facilitate annual four divisions and with active internal division and office offices that Chairman used to make strategic processes in place to operating plans resource decisions track priorities and key projects Target: Not Met Responsible Division/Office: OED

May 23, 2017 Page 18 of 25



#### Performance Indicator 5.1.b

Implement performance management plans for executives

**Description:** Design, develop, and implement an enhanced performance management program to gain transparency, accountability, credibility, and to properly reward performance. The program will establish performance standards, help to properly identify goals, and hold senior staff accountable for performance results.

Fiscal Year	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	40%	No reporting	Pilot aligning strategic or	Align strategic and operating
			operating goals with executive	goals for the FY 2018-2022
			performance assessments for the	CFTC Strategic Plan to
			2017-2018 Performance Year.	executive performance
			Pilot to include executives from	assessments.
			more than one CFTC division.	
Target: Not N	Иet			

Responsible Division/Office: OED

#### Performance Indicator 5.1.c

Establish and implement an Individual Development Plan (IDP) strategy.

**Description:** As the nature of CFTC positions changes as a result of new regulatory requirements, supervisors must anticipate what skills will be needed to implement the new requirements, and to take steps to build those competencies and knowledge in the workforce. To that end, supervisors will discuss development and training goals with employees during quarterly progress reviews.

Fiscal Year	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	Baseline year –	Increase baseline	Over 15% of	Expand IDP	Ensure that 80% of
	CFTC completed	percentage to 15% of	Commission	marketing and	new employees
	baseline activities	Commission	employees in have	educational	complete, as
	and projects –	employees have	Individual	campaign and	appropriate, an IDP
	approximately 10	IDPs, and establish	Development	increase	within 6 months of
	percent of	and launch IDP	Plans in place	Commission	onboarding to the
	Commission	marketing and		employees with	Commission. Integrate
	employees have	educational		IDPs to 20%	CFTC Learning
	IDPs.	campaign			Management System
					with IDP process.

Target: Met

Responsible Division/Office: OED

#### Performance Indicator 5.1.d

Establish certification programs in executive, supervisory, and one core subject matter function.

**Description:** Develop and establish certification programs to ensure that employees at all levels have the most up-to-date tools and competencies. For example, an executive certification program is critical for leadership positions, a supervisory certification program is vital for effective human capital management, and swaps certification is essential for carrying out the mission of the CFTC.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	80% of planned FY	Design, develop	Finalized a draft	Begin to deploy a	Finalize a swaps
	2015 activities	and vet curriculum	curriculum that	curriculum, in a learning	certification
	completed	framework for all	addresses every	management system, for	program.
		three certification	level of derivatives	supervisory and	
		programs	education	executive certification.	

Target: Not Met

Responsible Division/Office: OED

May 23, 2017 Page 19 of 25



#### Performance Indicator 5.1.e

Increase Employee Viewpoint Survey scores to achieve and maintain a ranking of Top 10 in the Best Places to Work (small agency category).

**Description:** Annually identify areas of greatest need and focus on enhancing or implementing programs, campaigns, or policies that will contribute to increasing those scores.

Fiscal Year	FY 2011	FY 2012	FY 2013	FY 2014	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
	8 (ranking	12 <sup>th</sup>	24 <sup>th</sup>	27 <sup>th</sup>	60%	62%	65%	66%	67%
	in small				employee	employee	employee	employee	employee
	agency				engagement	engagement	engagement	engagement	engagement
	category				index (EEI)	index (EEI)	index (EEI)	index (EEI)	index (EEI)
	of Best				score 25	score	score	score	score
	Places to				(CFTC				
	Work)				ranking)				

Target: Met

Responsible Division/Office: OED

#### Objective 5.2: Effective stewardship of resources

#### Performance Indicator 5.2.a

Improved CFTC customer satisfaction with management programs and services.

**Description:** Resource allocation, including financial, human, and information technology resources, is one of the primary services provided by mission support. Design and conduct a survey in FY 2016 that addresses key services provided by each office to establish a baseline.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	Commission	Implement CFTC	Created two draft	Deploy two customer	Targeted 1%
	identified	customer survey to	customer satisfaction	surveys: Satisfaction with	increase from
	programs and	address programs	surveys: operations	IT help desk, and	each survey's FY
	services that will	and services	and technology/help	satisfaction with	2017 results.
	be evaluated.	identified in FY	desk. Received initial	Commission's support	
		2015.	approvals by end of	operations. Establish	
			fiscal year.	targets for 1% annual	
				improvement, based on	
				each survey's results.	

Target: Not Met

Responsible Division/Office: ODT/OED

#### Objective 5.3: A Robust and Comprehensive Consumer Outreach Program

### Performance Indicator 5.3.b

Finalize and monitor campaign success measures.

**Description:** The Commission surveys investors who report checking the background of financial professionals with a government source, a belief that government sources will help reduce instances of fraud, and awareness of the signs of fraud. The Commission plans to conduct annual surveys to determine any changes in investor sentiments.

Fiscal	FY 2015 Actual	FY 2016 Plan	FY 2016 Actual	FY 2017 Target	FY 2018 Estimate
Year	At outset of	Reach/Awareness/	144% of annual	6% of user visits to	Develop indicators to
	campaign, CFTC	Engagement all	targets for reach,	smartcheck.gov result	reflect priorities of
	had one annual	have – established	awareness, and	in a "check" action to	new CFTC leadership
	survey indicator,	and functioning	engagement.	research a financial	to be published in
	which has since	sub-measures		professional or firm	the FY 2018-2022
	been dropped.				CFTC Strategic Plan

Target: Baseline

Responsible Division/Office: OED

May 23, 2017 Page 20 of 25

# **Completeness and Reliability of Performance Data**

The Commission understands the importance of the completeness and reliability of performance information. The CFTC views this process as an evolutionary one, with improvements developing as budget, time, and expertise will allow. While developing the 2014-2018 Strategic Plan, the CFTC developed a performance indicator dictionary for internal control and continuity. The performance indicator dictionary:

- Further defines the performance indicators;
- Describes offices of primary and secondary responsibility;
- Provides detailed justifications explaining how the performance indicators measure progress towards the overall strategic objectives;
- Lists all data sources;
- Provides verification and validation of data and data sources; and
- Provides detailed methodologies on how to build the performance indicators.

# **Program Evaluations**

The Office of the Inspector General (OIG) conducts and supervises audits and investigations of programs and operations of the CFTC and recommends policies to promote economy, efficiency, and effectiveness in CFTC programs and operations and to prevent and detect fraud and abuse. The OIG's assessment is located in the *Other Accompanying Information* section of the FY 2015 Agency Financial Report (AFR) and on the Commission website at <a href="http://www.cftc.gov/ucm/groups/public/@aboutcftc/documents/file/2015afr.pdf">http://www.cftc.gov/ucm/groups/public/@aboutcftc/documents/file/2015afr.pdf</a>

May 23, 2017 Page 21 of 25

# **Appendix A: FY 2016 Enforcement Actions**

CFTC v. Oystacher and 3Red Trading, Case No. 1:15-cv-09196 (Filed 10/19/15 N.D.III.)						
In re Total Gas & Power North America, Inc., CFTC Docket No. 16-03 (Filed 12/07/15)						
In re Citibank, N.A., CFTC Docket No. 16-16 (Filed 5/25/2016)						
In re Citibank, N.A.; Citibank Japan Ltd; and Citigroup Global Markets Japan Ltd., CFTC Docket No. 16-17 (Filed 5/25/2016)						
In re BNP Paribas Securities Corp., CFTC Docket No. 16-01 (Filed 10/20/15)						
In re Cunningham Commodities, CFTC Docket No. 16-15 (Filed 5/9/2016)						
In re Barclays Capital, Inc., CFTC Docket No. 16-25 (Filed 8/4/2016)						
CFTC v. FXCM, Case No. 1:16-cv-06551 (Filed 8/18/16 S.D. N.Y.)						
In re Advantage Futures LLC, CFTC Docket No. 16-29 (Filed 9/21/2016)						
In re JP Morgan Chase Bank, N.A., CFTC Docket No. 16-05 (Filed 12/18/15)						
CFTC v. Kevin Davis, Case No. 5:16-cv-00032 (Filed 01/15/16 D. Okla.)						
In re IBFX, Inc., CFTC Docket No. 16-08 (Filed 3/14/16)						
CFTC v. Rico Cox, Case No. 0:16-cv-60226-WJZ (Filed 2/4/16 S.D. Fla.)						
CFTC v. Jody Dupont, Case No. 8:16-cv-03258-TMC (filed 9/29/16 D. S.C.)						
CFTC v. Vision Financial Services LLC, Case No. 0:16-cv-60297 (Filed 2/16/16 S.D. Fla.)						
CFTC v. Vault Options, Ltd., Case No. 1:16-cv-01881 (Filed 2/2/2016 N.D. III.)						
In re Equinox, CFTC Docket No. 16-09 (Filed 3/16/16)						
CFTC v. All City Investments, LLC, Case No. 1:16-cv-07372 (Filed 9/21/16 S.D. N.Y.)						
CFTC v. Tracy/Treyton/Trayton/Trey/Tray/T.L. Thomas/Marbury Advisors, Case No. 1:16-cv-00226 (Filed 3/22/16 M.D. N.C.)						
CFTC v. FTS Financial Inc., Case No. 1:16-cv-07513 (Filed 9/26/16 S.D. N.Y.)						
In re Atlantas Group, Inc., CFTC Docket No. 16-23 (Filed 7/14/2016)						
CFTC v. Jeffrey Slemmer, Case No. 9:16-cv-80867 (Filed 5/31/2016 S.D. Fla.)						
CFTC v. David Bryant, Case No. 1:15-cv-10816 (Filed 12/02/15 N.D. III.)						
CFTC v. Ryan S. Magee, Case No. 2:16-cv-00186-LA (Filed 2/18/16 E.D. Wis.)						
CFTC v. Hendrix A. Van Beuningen, Case No. 16-cv-978-TCB (Filed 3/29/2016 N.D. Ga.)						
In re Brian Hinman, CFTC Docket No. 16-13 (Filed 4/12/2016)						
In re Galileo Trading, LLC, CFTC Docket No. 16-14 (Filed 4/12/2016)						
CFTC v. Haena Park, Case No. 1:16-cv-04120 (Filed 6/2/2016 S.D. N.Y.)						
CFTC v. Alvin Guy Wilkinson, Case No. 16-cv-06734 (Filed 6/28/2016 N.D. III.)						
In re QuantX Capital LLC, CFTC Docket No. 16-24 (Filed 8/3/2016)						
CFTC v. Frank J. Collins, Case No. 8:16-cv-01461 (Filed 8/8/16, C.D. Cal.)						
In re Einstein Exchange Group Inc., CFTC Docket No. 16-26 (Filed 8/22/16)						
In re: RNS Holdings LP, CFTC Docket No. 16-28 (Filed 9/20/2016)						
CFTC v. Alcibiades Cifuentes, Case No. 2:16-cv-06167 (filed 9/10/16 D. N.J.)						
CFTC v. Gregory L. Gramalegui, Case No. 1:15-cv-02313 (Filed 10/19/15 D. Colo.)						
CFTC v. Intelligent Trades, LLC, Case 8:16-cv-00020 (Filed 01/07/16 C.D. Cal.)						

May 23, 2017 Page 22 of 25

# LIGOWAY, S.S.

## **Commodity Futures Trading Commission**

	CFTC v. Trademasters, USA, LLC, Case No. 16-cv-01938-GMN-NJK (Filed 8/15/2016 D. Nev.)						
	CFTC v. Kimball Parker, Case No. 2:16-cv-00983 (Filed 9/21/16 C.D. Utah)						
	In re Advanced Trading Workshop, Inc., CFTC Docket No. 16-31 (Filed 9/27/2016)						
	In re Aden Rusfeldt, CFTC Docket No. 16-35 (Filed 9/29/2016)						
	In re Sharpe Signa, LLC, CFTC Docket No. 16-04, (Filed 12/07/15)						
	CFTC v. Joseph Dufresne, Case No. 2:16-cv-07358 (filed 9/30/16 C.D. Cal.)						
Illegal Off-Exchange	In re BFXNA Inc. d/b/a BITFINIX, CFTC Docket No. 16-19 (Filed 6/2/2016)						
Offering of Off-	In re Otkritie Capital International, Ltd., CFTC Docket No. 16-06 (Filed 01/13/16)						
Exchange Contracts,	In re Angus Partners, LLC dba Angus Energy, CFTC Docket No. 16-36 (Filed 9/29/2016)						
Failure to Register	CFTC v. Oakmont Financial Inc., Case No. 9:16-cv-80055 (Filed 01/12/16 S.D. Fla.)						
	CFTC v. North American Asset Management, Case No. 0:16-cv-JEM (Filed 1/15/16 S.D. Fla.)						
	In re Cypress Wealth Management Group, Inc., CFTC Docket No. 16-18 (Filed 5/26/2016)						
	CFTC vs. K.B. Concepts Group, LLC dba Apex Asset Advisors, LLC, Case No. 1:16-cv-24022 (Filed 9/20/2016 S.D. Fla.)						
	CFTC v. IB Capital FX, Case No. 1:15-cv-01022-LY (Filed 11/9/15 W.D. Tex.)						
Other Trade Practice	In re Credit Suisse International, CFTC Docket No. 16-10 (Filed 3/22/16)						
	In re Michael Pucciarelli, CFTC Docket No. 16-12 (Filed 4/5/2016)						
	In re: JSC VTB Bank, CFTC Docket No. 16-27 (Filed 9/19/2016)						
	In re SG Americas Securities as successor to Newedge USA, CFTC Docket No. 16-33 (Filed 9/28/2016)						
Misappropriation of	CFTC v. Fan Wang, Case No. 1:16-cv-06961 (Filed 9/7/16 S.D. N.Y.)						
Material, Non	CFTC v. Thomas Lindstrom, Case No. 1:16-cv-09334 (Filed 9/29/16 N.D. III.)						
Public, Confidential	In re Arya Motazedi, CFTC Docket No. 16-02 (Filed 12/02/15)						
Information, Employee	In re Jon P. Ruggles, CFTC Docket No. 16-34 (Filed 9/29/2016)						
Misconduct against their Employers							
Reporting,	In re CHS, Inc., CFTC Docket No. 16-07 (Filed 3/08/16)						
Recordkeeping	In re JP Morgan Ventures Energy, CFTC Docket No. 16-11 (Filed 3/23/16)						
	In re Barclays Bank PLC, CFTC Docket No. 16-20 (Filed 7/6/2016)						
	In re Golden Agri International Pte Ltd., CFTC Docket No. 16-21 (Filed 7/11/2016)						
	In re Agrocorp International Pte Ltd., CFTC Docket No. 16-22 (Filed 7/11/2016)						
	CFTC v. Deutsche Bank, AG, Case No. 16-cv-6544 (Filed 8/18/2016 S.D. N.Y.)						
	In re Wells Fargo Bank, NA, CFTC Docket No. 16-32 (Filed 9/27/2016)						
	In re Barclays Bank PLC, CFTC Docket No. 16-30 (Filed 9/22/2016)						
	CFTC v. eFloorTrade, LLC, Case No. 1:16-cv-07544 (Filed 9/27/16 S.D. N.Y.)						
Statutory Disqualification	In re Steven A. Cohen, CFTC Docket No. SD 16-01 (Filed 8/16/16)						

The CFTC's <u>Enforcement Press Releases</u> provide a description of the filed cases http://www.cftc.gov/PressRoom/PressReleases/EnforcementPressReleases/index.htm. <u>FY 2016 enforcement results</u> are highlighted at <a href="http://www.cftc.gov/PressRoom/PressReleases/pr7488-16">http://www.cftc.gov/PressRoom/PressReleases/pr7488-16</a>.

May 23, 2017 Page 23 of 25

# **Appendix B: Indicators Discontinued in FY 2016**

Division	Indicator	FY 2016	FY 2016	Met/Not	Why not Included?
		Target	Result	Met	
DSIO	2.2. a.1 – Review and provide feedback as appropriate on SD and MSP risk- exposure reports.	N/A	N/A	Discontinued	This indicator had no reporting during FY 2015 because of the significant challenges encountered in gathering reliable and comprehensive data. The Commission discontinued the indicator at the end of FY 2015.
DSIO	2.2.a.3 – Percent of substantive industry issues addressed in a timely manner.	180 days	N/A	Discontinued	The CFTC's original, planned outcome was that, by providing timely responses, the CFTC would enhance registrant understanding and compliance with applicable CEA and Commission regulations. During FY 2016, the Commission determined that the indicator itself contains fundamental flaws that cannot be effectively remediated. As a result, the CFTC has discontinued the indicator.
DSIO	2.4.a – Conduct limited scope reviews of Swap Dealers (SDs), Major Swap Participants (MSPs), and Futures Commission Merchants (FCMs) risk management and internal control systems and procedures, including controls, processes and procedures over technology risks.	N/A	N/A	Discontinued	This indicator had no reporting during FY 2015 because the Commission determined that indicators 2.3.a.1 and 2.3.a.2 better encapsulate DSIO's activities. The Commission discontinued the indicator at the end of FY 2015.
DoE	3.1.a.2 – Strengthen and ensure coordinated approach to receiving, assessing, and referring tips, complaints and referrals; establish a	N/A	N/A	Discontinued	The Enforcement Division established a new triage unit in FY 2015 to intake and triage tips and leads from all sources. This indicator was discontinued at the end of FY 2015. Success of the campaign is measured through indicator 3.1.a.1.

May 23, 2017 Page 24 of 25



Division	Indicator	FY 2016 Target	FY 2016 Result	Met/Not Met	Why not Included?
	unit or office dedicated to this function.				
Division	Indicator	FY 2016	FY 2016	Met/Not	Why not Included?
		Target	Result	Met	
OED	5.1.f – Number of diversity-related partnerships and alliances.	Three new partnerships	Three new partnerships	Met	The Commission met its strategic plan target of 10 new partnerships by the end of FY 2016. As a result, the CFTC is moving the indicator to the completed/ discontinued Appendix for FY 2017.
OED	5.3.a – Launch long- term anti-fraud campaign.	N/A	N/A	Discontinued	The anti-fraud campaign was launched in FY 2015, and the CFTC discontinued the indicator at the end of FY 2015. Success of the campaign is measured through indicator 5.b.3.
OED	5.3.c – Complete Congressional report.	N/A	N/A	Discontinued	The annual report to Congress on customer initiatives is a routine report and is not a direct measure of CFTC priorities.  Therefore, the indicator does not merit inclusion in the APR.

May 23, 2017 Page 25 of 25