July 30, 2026
Christopher Kirkpatrick
Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street NW
Washington, DC 20581

Re: Data Reporting Requirements for Certain Event Contracts, RIN 3038-AF73, 91 FR 40102

Dear Mr. Kirkpatrick:

I submit this comment as a member of the public who relies on event contract market data in several ways. I use it for trading, for studying market behavior, for evaluating whether local businesses can hedge risks that currently have no practical hedge, and for insurance pricing.

Section II explains those uses and shows how the Proposal's published data fields limit them. I support creating a formal reporting framework for Covered Event Contracts and replacing the current no-action letter process with a rule. Proposed § 16.03(f) includes several provisions that deserve to remain in the final rule. Public data should continue to be available without charge. It should remain accessible for a defined minimum period so historical analysis is possible. Each DCM should also publish clear instructions explaining how the data can be downloaded, stored, and searched. Those requirements give the public a dependable source of information instead of a collection of individualized no-action letters.

My comment addresses a single issue raised by the Commission in Question 10. The Commission asks whether DCMs should publish additional transaction data beyond execution time, contract ticker, trade quantity, and price.

They should.

Those four fields cannot support many of the analytical uses described throughout the Proposal. The cost-benefit analysis also leaves unexamined what disappears when dissemination under Part 43 no longer applies. Appendix A identifies the additional fields that would address those gaps. Appendix B contains proposed replacement language for § 16.03(f).

I. The Proposal states that public dissemination will ensure "equal access." The published dataset does not provide enough information to accomplish that.

The Proposal repeatedly explains that public dissemination serves one central purpose. Posting transaction data on each DCM's website would allow market participants and the public to analyze Covered Event Contract pricing and trading activity while giving everyone equal access to the same information. The Proposal uses similar language throughout the preamble.

That objective depends on what information is made available.

The Commission receives transaction-level trade data, related order information, market data, and clearing member reports under proposed §§ 16.00 through 16.02. A DCM has access to those datasets along with its live order book as trading occurs. The public receives four published fields.

Anyone connected directly to a venue can observe quoted prices, available depth, order modifications, cancellations, and whether an execution removed liquidity or added it. The public record contains only the execution time, quantity, price, and ticker symbol. From those fields alone, a reader cannot determine which side initiated the trade, whether resting liquidity was consumed, what bid and offer existed at the moment of execution, or the dollar value transferred when contract sizes differ from one dollar.

Every member of the public receives the same published file. That consistency has real value, and I support preserving it. The information in that file, however, does not support many of the analyses the Proposal says public dissemination will make possible. Expanding the published field set would bring the data into closer alignment with those stated objectives. If the Commission decides against additional fields, the preamble should describe the limits of the published dataset with greater precision so readers understand exactly what information the public record contains and what it does not.

II. How I use this data and what the published fields leave out

The Commission asks in Cost-Benefit Question 2 how interested parties use SDR data for Covered Event Contracts. I rely on publicly available event contract data in several different ways.

I trade these markets and evaluate pricing before entering positions. I study trading activity over time to understand how prices respond to new information, where liquidity develops, and when trading patterns depart from ordinary behavior. I also examine whether businesses in my community could use event contracts to reduce revenue volatility from risks they cannot currently hedge. Finally, I use market-implied probabilities as one input when estimating insurance premiums.

Those last two applications mirror benefits the Proposal already identifies. The Commission discusses the value of event contracts as commercial hedging tools and recognizes that market prices generate probability estimates with value beyond the immediate participants in the trade. I can confirm that those uses exist in practice. Their usefulness depends on having enough information to understand what actually happened in the market.

The published dataset does not provide enough information for several of the analyses I perform.

When I look for unusual trading behavior, I need to know who initiated a trade. A series of executions at the same price and quantity tells one story if buyers repeatedly lifted resting offers. It tells another if sellers kept hitting resting bids, or if passive liquidity absorbed incoming orders. Trade direction and a liquidity indicator provide that context. Without them, many trading patterns become impossible to distinguish.

Businesses and insurers care about economic exposure rather than quoted prices alone. Building a hedge or estimating a premium requires knowing how much capital traded at a particular price. That information is unavailable whenever contract values differ from one dollar because the published fields do not include notional value. Part 43 requires that field today. Proposed § 16.03(f) does not.

Execution prices also need market context. The same trade can carry very different informational value depending on the quoted bid and offer at that moment. A fill inside a narrow spread communicates something different from a fill that crossed a wide market with little displayed liquidity. Without contemporaneous quotes, there is no reliable way to judge how informative a particular execution really was. That matters when the data feeds models used for insurance pricing or other financial decisions.

Many event contracts trade on more than one DCM. A stable identifier shared across venues would allow those records to be combined into a single view of market expectations. Without one, each venue becomes an isolated dataset and broader market analysis becomes far more difficult.

Historical data becomes more valuable after an event has finished. Once the outcome is known, it becomes possible to examine how information entered the market, how expectations evolved, and whether trading behavior changed before important developments. A one-year minimum retention period allows much of that history to disappear shortly after it becomes most useful.

Each of these examples comes from work I already perform. The limiting factor is not analytical methodology. It is the information available in the published record.

III. The cost-benefit analysis evaluates the Commission's information. It does not evaluate the public's.

Proposed § 16.03(a) removes Covered Event Contracts from Parts 43 and 45. Part 43 governs public real-time reporting. As the Proposal notes, Congress authorized that reporting so swap transaction data could be made available to the public and improve price discovery.

The Proposal discusses what this change means for the Commission's oversight responsibilities. It concludes that information collected under Parts 16, 17, and 18 will continue to support market surveillance and that the agency's ability to monitor these markets should remain substantially unchanged.

That analysis addresses the Commission's access to information. It says very little about everyone else's.

The Proposal measures reduced SDR reporting costs, lower compliance burdens, and the Commission's continued surveillance capability. It does not examine what changes for researchers, traders, commercial hedgers, insurers, software developers, or other members of the public who rely on transaction data.

Moving away from Part 43 affects more than the reporting obligation. It changes how the information reaches the public. Instead of one consolidated source operating under a single technical specification, each DCM would publish its own files through its own systems. That change removes a consolidated tape across venues, eliminates a common reporting format, replaces one point of access with many, and omits fields such as notional value that currently appear in Part 43 reporting.

Section 15(a) of the Commodity Exchange Act directs the Commission to consider costs and benefits in light of price discovery and the protection of market participants and the public. Those considerations extend beyond the agency's internal surveillance needs. They include the value of public access to market information.

The final rule would benefit from evaluating those effects directly. The Commission also asks whether Covered Event Contracts could instead be reported through DCM registration as an SDR or through an SDR reporting framework designed specifically for these products. Either approach could preserve centralized public access while avoiding reporting requirements under Part 45 that do not fit event contracts.

IV. The Commission already receives this information. A delayed public version would require only a limited additional step.

Proposed § 16.02 already requires reporting markets to provide the Commission with transaction-level trade data together with related order information. The Proposal does not create a new reporting obligation. The no-action

letters already required these submissions. Matching engines already generate the data, registrants already extract it, the information already conforms to a Commission specification, and the reports already move to the Commission each day.

Publishing an anonymized subset of that existing dataset would build on work registrants already perform. The additional burden comes from selecting which fields to disclose and delivering them to the public rather than generating an entirely new reporting system.

I understand why the Commission may hesitate to require publication of a complete order book in real time. Immediate disclosure of resting depth raises legitimate concerns about market quality and trading behavior. Those concerns deserve separate consideration from two much narrower forms of transparency.

The first is a real-time top-of-book feed. Publishing the best bid and offer, together with displayed size, either continuously or at fixed intervals, gives the public enough information to determine whether an execution occurred at, inside, or outside the prevailing market. That information forms the starting point for execution-quality analysis and market surveillance. It does not reveal deeper resting liquidity.

The second is a delayed order-event feed. I recommend that DCMs publish anonymized order submissions, cancellations, and modifications on a T+15 minute delay. Fifteen minutes preserves the historical record needed to reconstruct market activity around news events while removing the value of the data for trading against live orders. Researchers could study how liquidity evolved, how orders entered and left the book, and how the market responded to new information without exposing active trading interest as events unfold.

The Commission has already recognized that some market data can be published after a delay when immediate dissemination would create unnecessary risk. Part 43 follows that approach for block trades and large notional swaps. The same principle fits delayed order-event data for Covered Event Contracts.

V. A maker/taker flag would make liquidity concentration measurable. The Commission should also examine affiliate participation.

Among the fields proposed in Appendix A, one deserves particular attention. Each execution should indicate whether the passive side supplied resting liquidity and whether the aggressive side removed it.

The matching engine already makes that determination when a trade occurs. No additional reporting infrastructure is needed to identify it. The field contains no customer identity, account information, or other personally identifying data.

It would allow the public to measure something that cannot currently be observed.

Liquidity concentration matters because a market can appear competitive while resting liquidity comes from only a small number of participants. A simple maker/taker indicator allows researchers to estimate whether liquidity provision is broadly distributed or increasingly concentrated over time without identifying any individual trader.

That question has added significance for Covered Event Contracts. In the Commission's approved pre-publication version of the companion proposal, Prediction Markets; Public Interest Determinations (RIN 3038-AF65), the Commission distinguishes CFTC-regulated prediction markets from sports wagering by explaining that sports betting operators typically set and adjust prices themselves, while prediction market prices emerge through trading among independent participants.

That distinction depends on how liquidity forms in practice.

The current reporting framework does not allow the public to evaluate whether persons affiliated with a DCM, or entities under common control with it, participate in trading on that venue. It also provides no information about whether those participants receive different market data, connectivity, fee schedules, or order functionality. Covered Event Contract markets operate without a futures commission merchant standing between the exchange and the customer, so there is little opportunity for those relationships to become visible through other channels.

The absence of publicly available information leaves an important structural question unanswered. Market confidence depends in part on participants believing that trading occurs on equal terms. Transparency helps establish that confidence because it allows structural claims to be examined rather than accepted on faith.

The Commission has addressed similar issues before. As described in the companion AF65 proposal, the Commission approved rules governing MDEX's box office receipt contracts that required traders with control over key information affecting settlement values to disclose those relationships to the exchange. Studios trading contracts tied to their own films also had to maintain firewall procedures that separated employees involved in settlement information from trading activity. Those measures addressed structural conflicts before any finding of misconduct.

For those reasons, I ask the Commission to take two additional steps.

First, include a maker/taker indicator as one of the required published fields under § 16.03(f). The field improves market transparency while preserving participant anonymity.

Second, use the Commission's existing examination, reporting, and special call authorities to determine whether persons affiliated with DCMs listing Covered Event Contracts participate in trading on those venues and whether they receive market data, connectivity, order types, or fee arrangements that differ from those available to unaffiliated participants. Publishing those findings in aggregate form would inform the public without identifying individual firms or traders. Question 12 already asks what additional information DCMs should collect to support surveillance programs. Affiliation with the listing venue is a logical area for further examination, particularly because proposed § 16.03(g) already requires information about persons holding a financial interest of ten percent or more in a trader or trading account.

The results would be useful regardless of what the Commission finds. Evidence that affiliated trading does not occur, or occurs on the same terms as every other participant, would strengthen confidence in these markets. Evidence pointing in a different direction would help inform future regulatory decisions. Either outcome provides more information than the current record.

VI. Public data allows independent analysis to supplement the Commission's oversight.

The Proposal acknowledges that the Commission will have less visibility into these markets than it has for traditional futures markets. The proposed reporting thresholds exclude most participants from the large trader reporting regime. As a result, the Commission states that it "would not have a steady stream of trader information" and that § 16.02 would become its primary source of trader-identifying information for Covered Event Contracts. The Proposal also expects that less liquid event contract markets will generate no large trader reporting at all. 91 FR at 40110, 40112.

I support the Commission's reasoning for those reporting thresholds, which I discuss further in Section VII. Their practical effect, however, makes publicly available transaction data more valuable. When regulatory reporting becomes more targeted, outside analysis can help identify patterns that deserve additional attention.

Event contracts settle on observable real-world events that occur at known times. That characteristic makes unusual trading behavior easier to study after the fact than in many other markets. Position building shortly before material non-public information becomes public often leaves recognizable patterns in the timing, direction, and size of trades. Independent researchers can identify those patterns when the published data contains enough information to reconstruct market activity. Their work complements the Commission's surveillance program, generates referrals, and can examine activity across multiple venues at the same time.

The Commission has already recognized the importance of this issue. The Proposal cites the Enforcement Division's Prediction Markets Advisory addressing the misuse of confidential information in these markets. 91 FR at 40117 n.149. The companion AF65 proposal also discusses an enforcement action involving allegations that a U.S. service member traded event contracts using confidential information about a military operation.

The data fields required by proposed § 16.03(f) do not provide enough information for this type of analysis. Evaluating trading around a news event requires knowing which side initiated each trade and, when contracts are not denominated at one dollar, the amount of capital committed. Neither field appears in the proposed public dataset. Adding them would make independent analysis substantially more useful while preserving the Commission's own surveillance role.

VII. The proposed reporting thresholds eliminate a source of public market transparency.

Proposed §§ 15.03 and 15.04 would increase the large trader position reporting threshold from 25 contracts to 125,000 contracts and the reportable trading volume threshold from 50 contracts to 125,000 contracts. The Commission estimates that these changes would reduce the number of potentially reportable special accounts by 97 to 99 percent and expects no large trader reporting in less liquid event contract markets. 91 FR at 40110.

I agree with the Commission's reasoning. A 25-contract threshold for one-dollar event contracts would subject many retail participants with only modest positions to ownership and control reporting requirements that were designed for a very different market. Raising the threshold avoids collecting large amounts of information with limited surveillance value.

The Proposal does not discuss another consequence of that decision.

Part 17 reporting supplies the information the Commission uses to produce aggregate public statistics. The Proposal notes that ownership and control reporting allows the Commission both to monitor market integrity and to publish statistics that improve market transparency. 91 FR at 40108. In futures markets, one well-known example is the Commitments of Traders report, which provides an anonymized summary of open interest across broad participant categories.

Under the proposed thresholds, the information needed to produce a comparable public report for Covered Event Contracts would rarely exist. The issue is not whether the Commission has decided against publishing aggregate statistics. The underlying reporting data would no longer be available in most cases.

Aggregate transparency does not require identifying individual traders. It requires only aggregated position information.

For that reason, I recommend in response to Question 8 that the Commission require DCMs listing Covered Event Contracts to submit periodic aggregate open interest by broad participant category. Weekly reporting would be sufficient. The Commission could define the reporting categories and publish the results in a format similar to the Commitments of Traders report without identifying any individual account.

DCMs already maintain the underlying account information needed to prepare those aggregates. This approach would not require Form 102, Form 40, ownership reporting, or control reporting. Retail participants would have no additional reporting obligations. The Commission would preserve the reduction in regulatory burden that motivates the higher thresholds while maintaining a valuable source of public market transparency.

VIII. Identifiers, format, and archiving determine whether the published data can be used.

Three parts of proposed § 16.03(f) will have a significant effect on whether the published data is practical for research and analysis. Each would benefit from additional specificity.

Identifiers. Proposed § 16.03(f)(2) defines the contract ticker symbol as "a code or symbol assigned by the designated contract market." The preamble adds that the symbol should, where practicable, correspond to the unique instrument code used for Part 17 reporting. 91 FR at 40111–12. The Proposal carefully standardizes numerical formatting for price and quantity so data from different DCMs can be used together. The identifier field, however, remains discretionary.

The Proposal notes that at least three DCMs list event contracts based on United States Gross Domestic Product growth reported by the Bureau of Economic Analysis. It also explains that cross-market surveillance becomes more important when multiple venues list contracts tied to the same underlying event. 91 FR at 40112–13. Separate ticker conventions make it difficult for anyone outside the Commission to combine those datasets into a single market view.

I recommend requiring correspondence with the unique instrument code rather than leaving it optional. The Commission should also publish or designate a mapping convention that identifies contracts referencing the same underlying event across different venues.

Format and delivery. Proposed § 16.03(f) requires DCMs to publish data on their websites without charge and to provide instructions explaining how it can be downloaded, stored, and searched. The Proposal does not specify a machine-readable format, require bulk downloads or programmatic access, or address registration requirements and retrieval limits.

The rule should ensure that the published data remains practical to obtain and analyze. I recommend requiring a documented machine-readable format such as CSV or JSON together with either bulk download capability or a documented programmatic interface. The published dataset should be available without registration, authentication, or usage restrictions that prevent complete retrieval.

Archiving. A one-year minimum retention period does not provide enough time for many of the analytical uses discussed throughout the Proposal. Event contracts often become most valuable for research after they have settled because that is when the sequence of public information and market reactions can be examined in full. I recommend increasing the minimum retention period to five years so it aligns with the recordkeeping period proposed in § 16.03(g). As an alternative, the Commission could maintain a permanent archive of all data published under § 16.03(f).

IX. The Proposal's discussion of prior comments does not align with Questions 8 and 10.

Footnote 123 summarizes comments submitted in response to the March 2026 ANPRM. Those comments requested reporting sufficient to detect insider trading and fraud, reporting thresholds that vary by contract category, mandatory reporting by participants using AI-driven trading strategies, and a standardized contract identifier modeled on systems such as CUSIP, LEI, or UPI. The Proposal states that these requests are otherwise outside the scope of this rulemaking. 91 FR at 40113 n.123.

At least two of those topics fall within the questions presented in this Proposal.

Question 8 asks whether reporting thresholds should vary across subcategories of Covered Event Contracts. Standardized contract identifiers are directly related to proposed § 16.03(f)(2), which defines the contract ticker symbol, and to Question 10, which asks whether additional data elements should be included in the public dataset.

I raise this point because the standardized identifier proposal deserves consideration on its merits. It addresses a practical obstacle to cross-venue analysis that the Proposal otherwise seeks to improve. I encourage the Commission to respond directly to that recommendation in the final rule.

Conclusion

I support retaining the provisions of proposed § 16.03(f) that require public access without charge, establish a minimum retention period, and require DCMs to publish instructions explaining how the data can be downloaded, stored, and searched.

I also recommend expanding the published dataset as described in Appendix A. A maker/taker liquidity flag, a trade direction indicator, notional value, standardized cross-venue instrument identifiers, and machine-readable delivery would substantially improve the usefulness of the data while imposing only limited additional burden. The information underlying those fields is already generated by matching engines, already collected under the Proposal, or already maintained as part of existing reporting processes.

Thank you for the opportunity to comment.
Respectfully submitted,
Steven Shaw
Houston, Texas

Appendix A — Recommended Additions to Publicly Disseminated Data

A.1 Per-transaction fields (additions to § 16.03(f))

#	Field	Definition	Basis for low incremental burden
1	Liquidity flag	Whether each side was passive (resting/maker) or aggressive (marketable/taker)	Determined by the matching engine at match time
2	Trade direction	Whether the transaction was buyer-initiated or seller-initiated	Follows directly from field 1
3	Unique trade identifier	Persistent identifier for each transaction	Required for the record to be joinable, correctable, and auditable
4	Notional value (USD)	Total dollar value of the transaction	Required by Part 43 appendix A today; not derivable from published fields where contract size ≠ $1
5	Contract size / multiplier	Dollar value of one contract at full payout	Static per contract; the Proposal expressly contemplates sizes other than $1
6	Venue identifier	Identifier of the DCM publishing the record	Necessary once records from multiple venues are combined
7	Cross-venue instrument identifier	UIC or equivalent, mandatory rather than "where practicable"	Already assigned for Part 17 reporting
8	Self-match / cross indicator	Whether the transaction resulted from a cross or self-match	Already identified by the venue for surveillance purposes

A.2 Quote and order data

#	Item	Recommended timing
9	Best bid and offer, with size	Real time, or snapshots at a fixed interval (1-second or 1-minute)
10	End-of-day depth summary	Daily

11	Anonymized order, cancellation, and modification events	Delayed — T+15 Minutes. Derived from data already collected under § 16.02

A.3 Aggregate and periodic data

#	Item	Recommended timing
12	Open interest by contract, in the public transaction feed	Daily
13	Aggregate open interest by broad participant category — no individual account identification	Weekly; Commitments of Traders model. Reported by the DCM; imposes no obligation on retail participants

A.4 Delivery and access

#	Requirement
14	Documented machine-readable format (CSV or JSON)
15	Bulk download or documented programmatic interface
16	No registration, authentication, or usage-based restriction preventing complete retrieval
17	Minimum five-year retention, or a Commission-hosted permanent archive
18	Published field specification and change log

Appendix B — Proposed Replacement Text for § 16.03(f)

Additions to the proposed text are shown in bold. Deletions are shown in strikethrough.

(f) In connection with any Covered Event Contract, the designated contract market shall publish, as soon as technologically practicable, for each Covered Event Contract transaction, the execution timestamp, contract ticker symbol, trade quantity, trade direction, liquidity flag, unique transaction identifier, notional value in United States dollars, contract size, and designated contract market identifier, and price. The designated contract market shall also publish, as soon as technologically practicable, the best bid price, best offer price, and the aggregate quantity available at each, either continuously or as snapshots at intervals of not more than one minute. The designated contract market shall make such data publicly available on its website for a period of time that is at least one year five years after the initial public dissemination of such data and shall make instructions freely available on its website on how to download, save, and search such data. Data that is publicly disseminated pursuant to this paragraph shall be made available free of charge, in a documented, machine-readable format, by bulk download or documented programmatic interface, and without any registration, authentication, or usage-based limitation that would prevent a member of the public from retrieving the complete disseminated dataset.

(5) As used in paragraph (f) of this section, *liquidity flag* means an indication of whether each side of the transaction was passive, having rested in the order book prior to execution, or aggressive, having been marketable against resting interest upon entry.

(6) As used in paragraph (f) of this section, *trade direction* means whether the transaction was buyer-initiated or seller-initiated, determined by reference to the liquidity flag.

(7) As used in paragraph (f) of this section, *notional value* means the product of trade quantity and contract size, expressed in United States dollars.

(8) The contract ticker symbol reported under paragraph (f)(2) of this section shall correspond to the unique instrument code used for purposes of part 17 of this chapter.

Proposed new paragraph (i):

(i) In connection with any Covered Event Contract, the designated contract market shall make publicly available, not later than [T+15 Minutes] following the trading day to which the data relates, anonymized records of orders, cancellations, and modifications entered in such contract, in a documented machine-readable format. Records disseminated under this paragraph shall not include any information identifying, or facilitating the identification of, any trader or account.

Proposed new paragraph (j):

(j) In connection with any Covered Event Contract, the designated contract market shall report to the Commission, not less frequently than weekly, aggregate open interest in such contract disaggregated by participant categories designated by the Commission. Reports under this paragraph shall not include any information identifying, or facilitating the identification of, any individual trader or account. The Commission shall publish such aggregated data.