

IMPORTANT NOTICE

National Securities Clearing Corporation



A#: 6826 REVISED 6/1/09
P&S# 6396
Date: May 22, 2009
To: All Participants
Attention: Managing Partner/Officer, Operations Officer, Compliance Officer
From: General Counsel's Office
Subject: Implementation of Confirmation of an OFAC Program SR-NSCC-2009-03

On April 1, 2009, the National Securities Clearing Corporation ("NSCC") notified Members and Limited Members of its Rule change (rule filing SR-NSCC-2009-03, effective upon filing) which clarified NSCC rules regarding the economic sanctions and embargo programs administered and enforced by the Office of Foreign Assets Control ("OFAC"). The purpose of this notice is to announce the upcoming implementation date for Members and Limited Members subject to the jurisdiction of the United States to provide NSCC with a "Confirmation of an OFAC Program" Certification (the "Certification"). Please refer to rule filing NSCC-2009-03 available at www.dtcc.com for more information.

The Confirmation of an OFAC Program that Members and Limited Members must sign is intended to document that the Members and Limited Members have the primary relationship with the customers for whom they conduct activity through NSCC and have implemented a risk-based program reasonably designed to comply with applicable OFAC sanctions regulations.

The OFAC Compliance Officer, Chief Compliance Officer or other individual with responsibility for managing the OFAC compliance program for U.S. Members or Limited Members are now required to submit the Certification to NSCC. NSCC will begin distributing the Certification to U.S. Members and Limited Members on or before October 1, 2009. The executed Confirmation must be returned to NSCC, **no later than March 31, 2010**. Failure to provide NSCC with the completed Certification on or before this date will result in NSCC imposing a fine of \$5,000.

Following the initial Certification, each Member or Limited Member will be required to execute an updated Confirmation of an OFAC Program Certification, at least every two years. NSCC will issue an Important Notice on or about the first day of October every other year to provide Members and Limited Members advanced notice that the Confirmation of an OFAC Program must be completed.

General questions regarding this notice may be directed to your Relationship Manager. Specific questions related to the completion of the Confirmation of an OFAC Program Certification should be directed to Peter Le Piane (212-855-5606) or Grace Santiago-Darvish (212-855-2653).