

**MEMO# 29391**

October 1, 2015

## **Comments Requested on Section 871(m) ISDA Protocol and Call to Discuss**

[29391]

October 1, 2015

TO:

TAX COMMITTEE No. 31-15

DERIVATIVES MARKETS ADVISORY COMMITTEE No. 71-15

RE:

COMMENTS REQUESTED ON SECTION 871(m) ISDA PROTOCOL AND CALL TO DISCUSS

The Treasury Department and IRS issued the attached final regulations under section 871(m) on September 17, 2015.

The ISDA North American Tax Committee (NATC) has asked the ICI and its members for comments on the attached revised ISDA protocol to address section 871(m) and the final regulations. The goal is create a revised protocol that enjoys both buy side and sell side support, since mutual adherence to the protocol streamlines the document remediation process. Because ISDA document remediation for section 871(m) must generally be accomplished by January 1, 2016, the NATC is moving on an abbreviated timetable and has asked for our comments to be submitted next week. Please provide any comments on the revised protocol to me by the close of business on Tuesday, October 6, 2015. I can be reached at [ryan.lovin@ici.org](mailto:ryan.lovin@ici.org) or 202-326-5826.

We will have a conference call on Wednesday, October 7th, 2015, at 1:00 p.m. ET, to discuss suggested changes. The dial-in number for the call is 1-888-324-8510 and the passcode is 34572. Ezella Wynn will send a calendar invitation for the call; if you wish to participate, simply accept the invitation. If you do not receive the invitation, please contact Ms. Wynn directly (202-218-3560 or [ewynn@ici.org](mailto:ewynn@ici.org)).

Ryan Lovin  
Assistant General Counsel

## [Attachment](#)

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