

MEMO# 31565

January 16, 2019

Draft Comment Letter to CFTC on Post-Trade Name Give-Up - Your Comments Requested by January 23

[31565]

January 16, 2019 TO: Derivatives Markets Advisory Committee RE: Draft Comment Letter to CFTC on Post-Trade Name Give-Up - Your Comments Requested by January 23

In November, the Commodity Futures Trading Commission (CFTC or “Commission”) requested public comment on the practice of post-trade name give-up on swap execution facilities (SEFs) for swaps that are executed anonymously on the SEF and are intended to be cleared.^[1] Comments on the CFTC’s release are due on January 29th. ICI has drafted the attached comment letter, which is summarized briefly below. **Please send your written comments on the draft letter by Wednesday, January 23rd to sarah.bessin@ici.org and george.gilbert@ici.org.**

Under the practice of post-trade name give-up, the identity of each swap counterparty is disclosed to the other after a trade has been matched anonymously on a SEF. In its request for comment, the CFTC asks (i) whether post-trade name give-up is needed; (ii) the costs of this practice; and (iii) whether the CFTC should intervene regarding the use of this practice. ICI’s draft letter explains that post-trade name give-up is unnecessary and harms regulated funds and their shareholders. We urge the CFTC to issue a proposal abolishing this practice with respect to swaps that are intended to be cleared and are executed anonymously on SEFs.

The letter explains that, while the identities of the parties to a swap is an important term for uncleared swaps, disclosure of the parties is unnecessary for swaps that are executed anonymously on a SEF and intended to be cleared. The letter further explains that post-trade name give-up harms buy-side market participants, including regulated funds and their shareholders, by resulting in information leakage and less favorable trading terms.

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[Attachment](#)

endnotes

[1] *Post-Trade Name Give-Up on Swap Execution Facilities*, 83 Fed. Reg. 61571 (Nov. 30, 2018), available at <https://www.cftc.gov/sites/default/files/2018-11/2018-24643a.pdf>.

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