

MEMO# 28010

April 2, 2014

Member Call to Discuss Potential Comments on SEC's Proposed Standards for "Covered Clearing Agencies" on Thursday, April 10 at 2:00 p.m. ET

[28010]

April 2, 2014

TO: CLOSED-END INVESTMENT COMPANY COMMITTEE No. 12-14
DERIVATIVES MARKETS ADVISORY COMMITTEE No. 25-14
SEC RULES COMMITTEE No. 12-14 RE: MEMBER CALL TO DISCUSS POTENTIAL COMMENTS ON SEC'S PROPOSED STANDARDS FOR "COVERED CLEARING AGENCIES" ON THURSDAY, APRIL 10 AT 2:00 P.M. ET

Recently, the Securities and Exchange Commission ("SEC") proposed to amend Rule 17Ad-22 and adopt Rule 17Ab2-2 under the Securities Exchange Act of 1934 to establish standards for the operation and governance of registered clearing agencies that meet the definition of a "covered clearing agency." [1] Covered clearing agencies would include registered clearing agencies that (1) have been designated as systemically important by the Financial Stability Oversight Council ("FSOC") and for which the SEC is the supervisory agency; [2] (2) provide central counterparty ("CCP") services for security-based ("SB") swaps or are involved in activities the SEC determines to be a more complex risk profile, where in either case the Commodity Futures Trading Commission ("CFTC") is not the supervisory agency for such clearing agency; or (3) are otherwise determined to be covered clearing agencies by the SEC pursuant to procedures under proposed Rule 17Ab2-2. Comments on the Proposal are due by May 27, 2014. ICI's Memorandum summarizing the Proposal is available at http://www.ici.org/my_ici/memorandum/memo27991.

A member call to discuss potential ICI comments is scheduled for Thursday, April 10 at 2:00 p.m. ET. If you plan to attend the conference call, please respond to Ruth Tadesse at rtadesse@ici.org or (202) 326-5836 to obtain the dial-in information.

Jennifer S. Choi
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endnotes

[1] Standards for Covered Clearing Agencies, 79 FR 16865 (Mar. 26, 2014), available at <http://www.gpo.gov/fdsys/pkg/FR-2014-03-26/pdf/2014-05806.pdf> ("Proposal").

[2] In 2012, FSOC designated as systemically important the following clearing agencies: CME, The Depository Trust Company ("DTC"), Fixed Income Clearing Corporation ("FICC"), ICE, National Securities Clearing Corporation ("NSCC"), and the Options Clearing Corporation ("OCC"). The SEC is the supervisory agency for DTC, FICC, NSCC and OCC.

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