

## IDC UPDATE

November 10, 2022

# IDC Update: October 13, 2022

## IDC Governing Council Names Cynthia Plouché as Chair

The Governing Council of the Independent Directors Council (IDC) has [elected Cynthia Plouché](#) as its chair. Plouché, who has served as IDC Vice Chair for the past year, is an Independent Director of the Northern Trust mutual funds and MassMutual funds. Kathie Barr, who has just completed her second year as IDC Chair, is now Chair Emeritus. Barr is an Independent Director for William Blair Funds and Professionally Managed Portfolios. Please join IDC in congratulating Cynthia!

## There is Still Time to Register for the IDC Fund Directors Conference

Please join us for IDC's [2022 Fund Directors Conference](#) in Chicago, Monday, October 24 to Wednesday, October 26. This premier event for the independent director community will feature a stellar lineup of expert speakers and panelists who will address important issues facing fund directors and the fund industry at large. We will also hear from Dr. Sahar Yousef and Lucas Miller, Cognitive Neuroscientists at UC Berkeley's Haas School of Business, who will share leading research on the science of optimizing productivity and performance. Register [HERE](#).

## Register Now for IDC Chapter Meeting in New York

Registration is now open for IDC's Chapter meeting in New York on Wednesday, November 16, 10:00 a.m. to 2:00 p.m. (ET) at Baker McKenzie in New York City. Jen Klass, Partner at Baker McKenzie, will discuss distribution trends in the asset management industry and the impact on funds and fund directors. Register [HERE](#).

Directors attending the chapter meeting also may want to attend ICI's [Spotlight On Closed-End Funds](#) event immediately after the chapter meeting and [ICI's Closed-End Conference](#) the following day, both in New York City. The pre-conference Spotlight on Closed-End Funds will explain everything you want to know about closed-end funds—how they operate, how they might benefit investors, and some of their most pressing issues. Registration for the Spotlight event is complementary for independent directors of ICI member funds.

## IDC Speakers Series Event Held Featuring Roger Ferguson Jr.

On October 3, IDC presented the latest event in the popular Speaker Series, "A Conversation with Roger Ferguson Jr.," the immediate past President and Chief Executive Officer of TIAA and former Vice Chairman of the Board of Governors of the US Federal Reserve. Interviewed by Cynthia Plouché, Ferguson offered his insights on the current state of the economy as well as the future of financial services. Feedback from those who participated included the following comments: "Excellent conversation on topics that do not get enough attention (financial literacy, for example)," and "Roger Ferguson's remarks

were thoughtful, informed and very balanced – totally appropriate and helpful for this unruly and complicated time, both economically and otherwise.” If you were not able to participate in the Speakers Series, we encourage you to view the recording, which can be accessed [HERE](#) (login required).

Stay tuned for future Speakers Series events!

## **SEC Staff Issues FAQ on Investment Adviser Consideration of DEI Factors**

On October 12, the staff of the Securities and Exchange Commission (SEC) issued an [FAQ](#) addressing an investment adviser’s fiduciary duty when considering diversity, equity and inclusion (DEI) factors in the selection or recommendation of other investment advisers. SEC Commissioners Caroline Crenshaw and Jaime Lizárraga released a [statement](#) in support of the FAQ. Separately, Commissioner Lizárraga commented on the FAQ during his [remarks](#), “Raising the Bar on Diversity, Equity and Inclusion,” at the 2022 Securities Law Developments Conference hosted by the ICI.

## **Financial Stability Oversight Council Releases Report on Digital Asset Risks**

The Treasury Department’s Financial Stability Oversight Council (FSOC) recently released a [report](#) on “Digital Asset Financial Stability Risks and Regulation.” In the report, the FSOC recommends that Congress pass legislation addressing risks that digital assets pose to the financial system. The report identifies three gaps in cryptocurrency regulation: limited oversight of the spot market for crypto assets that are not securities; opportunities for regulatory arbitrage or taking advantage of favorable rules; and potential financial stability and investor protection concerns arising out of proposals by crypto asset trading platforms to integrate services traditionally provided by intermediaries. In a related [statement](#), SEC Chair Gary Gensler observed that the crypto market “is a highly volatile, speculative investment class” that “isn’t so decentralized” and “cannot exist outside of our public policy frameworks.”

## **Registration Now Open for IDC Industry Segment Calls**

IDC will be launching a new industry segment call for directors of Business Development Companies on November 10 at 3:00 p.m. ET. IDC’s industry segment calls are informal and director-driven discussion forums among independent fund directors. These calls, held over Zoom, offer directors an opportunity to exchange ideas and learn from peers across the industry. If you are interested in attending, please register [HERE](#).

Registration is also open for IDC’s industry segment calls for [ETF directors](#) on October 18 and for directors at [small funds complexes](#) on November 9.

## **ICI Submits Supplemental Comments on the SEC's 2020 Disclosure Proposal for Open-End Funds**

On October 10, ICI submitted supplemental comments on the SEC’s [2020 disclosure proposal for open-end funds](#). The supplemental comments focus on the September 15 [research paper](#) issued by the SEC’s Office of the Investor Advocate on funds’ choice of performance benchmarks and related impacts on investor decision-making. In the comments, ICI highlights the limitations and methodological shortcomings of the SEC paper. You can read more [here](#).

## Mark Your Calendar for Upcoming Events

*All times are shown in eastern time (ET), unless otherwise noted.*

### Conference

- [Fund Directors Conference: October 24–26](#)
- [ICI Closed-End Fund Conference: November 17](#)

### Chapter Meetings

- [New York, November 16, 10:00 a.m.](#)

### Industry Segment Calls

- [Directors of ETFs, October 18, 1:00 p.m.](#)
- [Directors at Small Fund Complexes, November 9, 2:00 p.m.](#)
- [Directors of BDCs, November 10, 3:00 p.m.](#)

Please contact [Paul Mussoni](#) for additional information. A list of IDC events can be found on [IDC's website](#).

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