

**Meeting Between Staff of the Federal Reserve Board,  
the Federal Deposit Insurance Corporation,  
and The Risk Management Association  
July 26, 2016**

**Participants:** Felton Booker, Will Giles, Anna Harrington, and Lucy Chang (Federal Reserve Board)

R. Penfield Starke (FDIC)

Fran Garritt (The Risk Management Association); Lisa Stephenson (J.P. Morgan Chase); Alina Casner (Bank of New York Mellon); Gregory Lyons and Chen Xu (Debevoise & Plimpton)

**Summary:** Staff of the Federal Reserve Board and the FDIC met with representatives of The Risk Management Association and its members to discuss the proposed rule imposing restrictions on qualified financial contracts (“QFCs”) of systemically important U.S. banking organizations and the U.S. operations of systemically important foreign banking organizations (“covered entities”) that the Board issued for public comment pursuant to section 165 of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Docket No. R-1538, RIN 7100 AE-52).

Among the issues raised by the representatives of The Risk Management Association and its members regarding the proposed rule were:

- The application of the requirements for contractual provisions related to the U.S. special resolution regimes to certain QFCs entered into by covered entities when those covered entities are acting as agents;
- The scope of default rights that would be subject to a stay under the U.S. special resolution regimes;
- The enforceability of a covered QFC that fails to meet the requirements of the proposed rule;
- The possibility of provisions excluding certain contracts from the requirements for certain contractual provisions related to the U.S. special resolution regimes (i.e., securities lending authorization agreements, agreements without applicable default rights, U.S. law governed agreements, and sovereigns and central banks); and
- The proposed conformance period.