BANKING LEGISLATION & POLICY

Second Quarter 2013 **Volume 32, Number 2**

HIGHLIGHTS

This issue contains detailed information on the following:

- Fed, FDIC, and OCC Finalize U.S. Basel III Capital Standards, including:
  - Minimum Risk-Based Capital Ratios, Leverage Ratios, and Supplementary Leverage Ratios for Advanced Approaches Banking Organizations
  - Capital Conservation and Countercyclical Buffer Requirements
  - Regulatory Burdens Lessened on Smaller Financial Institutions
  - Timeline of Implementation
- Fed, FDIC, and OCC Propose Strengthening Leverage Ratio Standards for Largest Systemically Important U.S. Financial Institutions
- Basel Committee Revises Leverage Ratio Framework and Publishes Disclosure Requirements, including:
  - Revisions to the Leverage Ratio
  - Public Disclosure Requirements
- Basel Committee Proposes Changes to the Treatment of Derivative Transactions in Capital Rules, including:
  - The Non-Internal Model Method for Capitalizing Counterparty Credit Risk Exposures
- Basel Committee Proposes Revised Capital Requirements for Equity Investments in Funds

In addition, it summarizes other notable legislative, regulatory, and judicial developments that occurred during the second quarter of 2013.

Fed, FDIC, and OCC Finalize U.S. Basel III Capital Standards

On July 2, 2013, the Federal Reserve Board approved a final rule that would implement heightened capital standards on U.S. banks consistent with the global regulatory capital reforms of Basel III and with changes as required by the Dodd-Frank Wall Street Reform and Consumer Protection Act. The final rule consolidates three separate notices of proposed rulemaking that the Federal Reserve Board, the Office of the Comptroller of the Currency (OCC), and the Federal Deposit Insurance Corporation

(FDIC) published jointly in the Federal Register on August 30, 2012.[1]

The final rule applies to U.S. banks and bank holding companies (BHCs) as well as to banks and BHCs that are subsidiaries of foreign banks. The new regulation imposes a new common equity tier 1 (CET1) minimum capital ratio as well as a higher minimum tier 1 capital ratio for all affected U.S. banking organizations.[2] In addition, for advanced approaches banking organizations, the new regulation also imposes a supplementary leverage ratio on top of the minimum tier 1 capital ratio required for all U.S. banks. Advanced approaches banking organizations include two types of banking organizations: core banks that are required to use the advanced approaches to risk measurement and capital regulation and other banking organizations that voluntarily adopt the advanced approach. Core banks are those U.S. banking organizations with total consolidated assets of at least $250 billion, have consolidated on-balance-sheet foreign exposures of at least $10 billion, or are subsidiaries of core banks. While the rule tightens some measures of capital for banking organizations, the final rule relaxes some of the regulatory burdens for smaller financial institutions compared with earlier proposals.

Lastly, the final regulation describes the timeline for when all affected banks must implement the new requirements. Advanced approaches banking organizations must start following higher capital standards as soon as January 1, 2014, while all other impacted banks may have an extra year to begin following the new requirements.

Minimum Risk-Based Capital Ratios, Leverage Ratios, and Supplementary Leverage Ratios for Advanced Approaches Banking Organizations

Under the final rule, all banks must have a CET1 capital to risk-weighted assets ratio of 4.5 percent, a tier 1 capital to risk-weighted assets ratio of 6 percent, and a total capital to risk-weighted assets ratio of 8 percent. In addition, advanced approaches banking organizations must calculate these three risk-based capital ratios under both the advanced approaches and the standardized approach models and use the lower of each risk-weighted capital ratio to determine the minimum capital requirement that these financial institutions must follow.

The new regulation adds a minimum leverage ratio of tier 1 capital to average total consolidated assets of 4 percent for all U.S. banking organizations. In addition, all advanced approaches banking organizations must have a minimum supplementary leverage ratio of tier 1 capital to total leverage exposure ratio of at least 3 percent. The total leverage exposure is a broader measure of total assets that includes certain off-balance-sheet exposures not included in average total consolidated assets.

Capital Conservation and Countercyclical Buffer Requirements

On top of the new risk-based capital ratios and leverage ratio requirements, all U.S. banking organizations will have to maintain a CET1 capital conservation buffer of 2.5 percent of total risk-weighted assets. Failure to meet the threshold of

[1] For more information on the three proposals, see the Federal Reserve Board's press release from June 7, 2012, which provides links to each of the three proposals.

[2] CET1 capital includes financial instruments such as common stock and related surplus and retained earnings, while additional tier 1 capital includes financial instruments such as noncumulative perpetual preferred stock. In addition, the final rule clarifies the treatment of various types of capital so that banking organizations may determine their different capital ratios. For example, goodwill and other intangibles, other than mortgage servicing assets, net of associated deferred tax liabilities would be deducted from a bank's CET1 capital level.

2.5 percent would result in limitations on capital distributions, such as dividend payments, as well as limitations on discretionary bonus payments to the executive officers of the banking organization.

During periods of high credit growth, regulators may require advanced approaches institutions to maintain an additional countercyclical buffer as an extension of the capital conservation buffer. The countercyclical buffer ranges from 0 percent up to 2.5 percent of the banking organization's total risk-weighted assets. Similar to the capital conservation buffer, any failure to maintain a countercyclical buffer would result in limitations on capital distributions and discretionary bonus payments to executive officers.

Regulatory Burdens Lessened on Smaller Financial Institutions

The final rule relaxed the regulatory burden for smaller financial institutions. For example, regulators would allow banks with under $15 billion of assets as of December 31, 2009, to keep trust-preferred securities in tier 1 capital if the financial instruments were issued before May 19, 2010.[3] In addition, the agencies decided not to adopt the proposed treatment of residential mortgages. Instead, banks will maintain the current system in which first liens have a 50 percent risk weight and second liens have a 100 percent risk weight.

Timeline of Implementation

Advanced approaches banking organizations have to begin the transition period for the revised minimum regulatory capital ratios, definitions of regulatory capital, and regulatory capital adjustments and deductions as well as begin compliance with the revised advanced approaches rule for determining risk-weighted assets by January 1, 2014. All other affected banking organizations have to begin compliance for the revised minimum capital ratios, definitions of regulatory capital, and regulatory capital adjustments and deductions by January 1, 2015. All banking organizations will have to begin compliance with the standardized approach for determining risk-weighted assets by January 1, 2015. In addition, all banking organizations will have to begin the transition period for their capital conservation buffers by January 1, 2016, while advanced approaches banking organizations will have to begin to prepare for countercyclical buffers by January 1, 2016, as well.

Fed, FDIC, and OCC Propose Strengthening Leverage Ratio Standards for Largest Systemically Important U.S. Financial Institutions

On July 9, 2013, the Federal Reserve Board, the FDIC, and the OCC jointly issued a proposal that would strengthen the supplementary leverage ratio requirements for the largest, most systemically important financial institutions in the United States. According to the proposal, BHCs with at least $700 billion in total consolidated assets or at least $10 trillion in assets under custody would be required to maintain a minimum supplementary leverage ratio of tier 1 capital to total assets of at least 5 percent instead of 3 percent. Failure to maintain the minimum supplementary leverage ratio of 5 percent would result in restrictions for the covered BHC on capital distributions and discretionary bonus payments to executive officers. In addition, any insured depository institutions of covered BHCs would be required to maintain a minimum supplementary leverage ratio of 6 percent to be considered "well capitalized" under the three agencies' prompt corrective action framework.

[3] Trust-preferred securities are a type of debt security that BHCs have been permitted to include in tier 1 capital.

Currently, the proposal would affect eight financial institutions in the United States.[4] As of now, the three agencies are proposing an effective date of January 1, 2018, for the proposal to take effect. The three agencies will accept comments on the proposal for 60 days after publication of the proposal in the Federal Register.

Basel Committee Revises Leverage Ratio Framework and Publishes Disclosure Requirements

On June 26, 2013, the Basel Committee on Banking Supervision (Basel Committee) published changes that would revise a bank's leverage ratio and how a bank would publicly disclose its leverage ratio. The leverage ratio requirement, defined as a bank's tier 1 capital (the Capital Measure) by a bank's average total consolidated assets (the Exposure Measure), was created as part of the Basel III reforms to supplement a bank's risk-based capital requirements.[5] The changes to the definition of a bank's leverage ratio primarily focus on a bank's Exposure Measure, which is defined as the sum of a bank's on-balance-sheet exposures, derivative exposures, securities financing transaction exposures, and other off-balance-sheet exposures. The Basel Committee will accept comments on the proposed changes to Basel III until September 20, 2013.

Revisions to the Leverage Ratio

Under the proposed changes, the Exposure Measure would prohibit netting of loans and deposits for on-balance-sheet exposures. Banks would have to calculate their derivatives exposures at replacement value — the current market value of the exposure — as well as calculate an add-on for potential future changes in the market value of the exposure, in particular, should the counterparty default. Collateral received in connection with derivative contracts would not be allowed to be netted against derivative exposures, since the collateral can typically be reused, thereby increasing the bank's leverage.

The proposal prescribes a somewhat different treatment for written credit derivatives. Written credit derivatives would be treated the same way as cash instruments, such as loans and bonds, for the purposes of measuring exposure. As a result, written credit derivatives would be included at their effective notional values. Securities financing transactions (SFTs), in which the value of the transactions depends on the market valuation of the securities underlying the transactions and is often subject to margin agreements, are given special treatment. In general, where the bank acts as the principal agent, SFT exposures are calculated as the sum of the gross SFT assets recognized for accounting purposes and of the measure of counterparty credit risk calculated as current exposure without an add-on for potential future exposure.

Public Disclosure Requirements

Banks would have to provide a summary comparison table that would compare their total accounting assets to their total leverage ratio exposures and a disclosure template that would provide a breakdown of the main leverage ratio regulatory items, incorporating all on- and off-balance-sheet exposures. There is also a reconciliation requirement that would disclose and detail the source of material differences between on-balance-sheet exposures in the common disclosure template and total on-balance-sheet assets in their financial statements.

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[4] The eight banks are Bank of America Corporation, the Bank of New York Mellon Corporation, Citigroup Inc., the Goldman Sachs Group Inc., JPMorgan Chase & Co., Morgan Stanley, State Street Corporation, and Wells Fargo & Company.

[5] For more information on the leverage ratio as originally released by Basel III, see *Banking Legislation & Policy*, Volume 29, Number 3.

Starting January 1, 2015, banks would be required to comply with these public disclosure requirements from the date of publication of their first set of financial statements relating to a balance sheet on or after January 1, 2015. Banks would be required to disclose their leverage ratios at the same frequency and at the same time that the banks publish their financial statements (which would be quarterly or semi-annually).

Basel Committee Proposes Changes to the Treatment of Derivative Transactions in Capital Rules

On June 28, 2013, the Basel Committee released a proposal to change the treatment of derivatives-related transactions in the calculation of a bank's capital reserve requirements under the existing Basel capital adequacy framework. The proposal, called The Non-Internal Model Method for Capitalizing Counterparty Credit Risk Exposures (NIMM), would replace the existing Current Exposure Method (CEM) and Standardized Method (SM) to better assess counterparty credit risk associated with derivative transactions. The Basel Committee will accept comments until September 27, 2013.

The Non-Internal Model Method for Capitalizing Counterparty Credit Risk Exposures

Under the Basel II counterparty credit risk framework for derivatives, banks must calculate their credit exposures arising from bilateral transactions under an Exposure at Default (EAD) measure. Currently, banks could choose from the CEM, the SM, or an Internal Model Method (IMM) to calculate the EAD for derivatives. Under the CEM, the EAD is defined as the sum of the current market value of a financial instrument and a potential future exposure add-on component that would reflect potential changes in the financial instrument's market value between the computation date and a future date on which the contract is replaced or a counterparty defaults. Under the SM, the EAD is defined as the sum of the net exposure calculated for each "hedging set," which is defined as positions with common market risk factors.

However, both the CEM and the SM have been criticized for failing to differentiate between margined and unmargined transactions and because they do not adequately capture the volatilities that have been observed in recent market stress periods. The Basel Committee is proposing to replace the CEM and the SM with the NIMM. While the NIMM would retain a similar structure to the CEM, the NIMM would be calibrated to a stress period. The NIMM would also adjust the calculation of the add-on for potential future exposure to take account of diversification within a hedging set and to take account of a margin that has been posted as part of a netting agreement.

Basel Committee Proposes Revised Capital Requirements for Equity Investments in Funds

On July 5, 2013, the Basel Committee published a set of proposals that would revise the prudential treatment of banks' equity investments in funds. The proposals are designed to make bank capital more sensitive to the underlying risks of the investment, notably the degree of leverage of the fund. In addition, the proposal is designed to reduce banks' discretion in choosing among various approaches to investments in funds. The proposal clarifies that whenever possible, banks must use the "look through" approach in which the capital requirement is determined as if the bank held the assets directly. Where the fund assets are too opaque for the look through approach to be feasible, such as when the fund's assets can't be adequately verified by a third party, banks would be permitted to use either the "mandate-based" approach or the "fall-back" approach. Under the mandate-based approach, information from the fund's own mandate or national regulations over

the funds' permissible investments would govern the risk weights. In this case, the risk weights would be set conservatively. For example, one option is to value the investment on the assumption that the fund is fully invested in assets, with the highest risk weights among those within its mandate. Finally, if neither of these approaches is feasible, the proposal would require the bank to use the fall-back approach, which simply uses a risk weight of 1250 percent.

Once any of these three approaches are used to determine a bank's equity investments in funds, then a bank would have two options to calculate its capital requirements for equity investments in funds. Under the first option, banks would apply a leverage adjustment to the average risk weight of the fund (up to a cap of 1250 percent) and would determine the total risk-weighted assets of a fund by multiplying the average risk weight scaled up by an appropriate leverage measure with the invested amount. Under the second option, banks would apply a leverage adjustment to the total risk-weighted assets of the fund. The second option would result in a higher capital requirement than the first option for all cases in which the fund has leverage and the cap of 1250 percent does not bind.

Federal Legislation

Proposed Legislation

Sens. Corker, Warner Unveil GSE Reform Bill to Unwind Fannie Mae and Freddie Mac

On June 25, 2013, Senators Bob Corker (R-Tennessee) and Mark Warner (D-Virginia) released the Housing Finance Reform and Taxpayer Protection Act of 2013 (S. 1217), which would replace Fannie Mae and Freddie Mac with a newly created government agency, the Federal Mortgage Insurance Corporation (FMIC). Under the legislation, the FMIC would oversee a common securitization platform developed by the Federal Housing Finance Agency (FHFA) for Fannie Mae and Freddie Mac. This platform would eventually take over responsibility for insuring the secondary mortgage market. After this transition, the legislation would abolish the FHFA, and the FMIC would take over all of the FHFA's duties.

While the FMIC would not engage in mortgage origination, the agency would provide a catastrophic guarantee by insuring all mortgage-backed securities from approved private mortgage insurers if the principal or face value of any eligible mortgage-backed securities falls more than 10 percent in value. To fund this mortgage insurance fund, the legislation would allow the FMIC to charge fees on private mortgage insurers in a style similar to the FDIC charging fees on member banks for deposit insurance. The legislation also would allow the FMIC to securitize eligible mortgages from institutions such as credit unions and community banks that do not have securitization capabilities.

In addition to any fees collected by the FMIC for the mortgage fund insurance, the FMIC would collect an extra fee on private mortgage insurers to fund the Housing Trust Fund and the Capital Magnet Fund. Although the Corker-Warner bill would abolish the mandatory housing goals of Fannie Mae and Freddie Mac, the Housing Trust Fund and the Capital Magnet Fund would be used to provide affordable housing for lower- and middle-income buyers. The legislation would, however, continue Fannie Mae and Freddie Mac's existing multifamily business guarantees.

Sens. Brown, Vitter Release "Too-Big-to-Fail" Legislation

On April 24, 2013, Senators Sherrod Brown (D-Ohio) and David Vitter (R-Louisiana) unveiled the Terminating Bailouts for Taxpayers Fairness Act of 2013 (S. 798) that would, among other measures, increase the capital requirements for large banks. Also known as the Too-Big-to-Fail Act, the legislation would establish a 15 percent capital requirement for banks with more than $500 billion in assets and an 8 percent requirement for regional banks with between $50 billion and $500 billion in assets. The Brown-Vitter bill would largely eliminate risk-weighted capital requirements, thereby scrapping the proposed Basel III framework, by focusing on a bank's total consolidated assets instead of a bank's risk-weighted assets in determining a bank's capital ratio. At the same time, the legislation would allow regulators to use risk-based capital as a supplement for banks with more than $20 billion in assets. The legislation does not set any new minimum capital requirements for banks that have less than $50 billion in assets.

The Brown-Vitter bill would require bank subsidiaries and affiliates to be separately capitalized and would make it impermissible for bank holding companies to transfer assets or liabilities between its banking and nonbanking affiliates. Under the legislation, the extension of federal assistance, such as federal deposit insurance and loans from the Federal Reserve's discount window, would be limited to banks, and a number of regulatory relief provisions would be provided for community banks.

Rep. Miller Announces Regulatory Relief Legislation for Credit Unions

On June 28, 2013, Representative Gary Miller (R-California) introduced the Regulatory Relief for Credit Unions Act of 2013 (H.R. 2572) in the House of Representatives. The legislation would establish a risk-based capital system for credit unions and would require the National Credit Union Administration (NCUA) and the Consumer Financial Protection Bureau (CFPB) to modify their regulations if the costs of compliance are too high. The NCUA would have to conduct a cost-benefit analysis of any new regulation for credit unions both at the time that the regulation would take effect and three years after the regulation has taken effect. Should the costs of compliance be 20 percent higher than original estimates, the legislation would force the NCUA to revise that particular regulation. The same standard would apply for any CFPB regulations that concern credit unions.

In addition, the bill would revise capital standards for credit unions and would establish a two-tiered system with both risk-based net worth and net-worth capital ratio components that would not be necessarily identical to leverage standards for banks under the Federal Deposit Insurance Act. The bill also would authorize the NCUA to delay application of a CFPB rule should the rule cause undue hardship to credit unions. In addition, NCUA would be granted the authority to modify a CFPB rule as long as the modification does not interfere with the CFPB's objective in issuing the regulation. The bill would also allow the NCUA to grant federal credit unions a waiver to follow a state rule instead of a federal rule under some circumstances.

Federal Regulation

Securities and Exchange Commission

SEC Proposes Money Fund Reforms

On June 5, 2013, the Securities and Exchange Commission (SEC) unanimously approved a proposal that would reform regulation of the money market mutual fund (MMF) industry. The proposal, designed to avoid future runs on the MMF industry, offers two different alternatives that could be approved separately or combined into a single reform. The first alternative would require institutional prime MMFs to change from a fixed price

of $1 per share to a floating net asset value (NAV). Retail and government MMFs, however, would be exempt from the proposed floating NAV. The second alternative would require nongovernment MMFs to impose a 2 percent liquidity fee on all redemptions should the level of weekly liquid assets fall below 15 percent of total assets. This alternative would also allow an MMF's board to suspend redemptions for up to 30 days.

In addition, the proposal contains several measures to increase the transparency of MMFs. Proposed disclosures would require MMFs to disclose their levels of daily and weekly liquid assets and market-based NAVs per share each day on their websites. In addition, they would require MMFs to report certain events, such as a decline in an MMF's market-based NAV below $0.9975, on a new Form N-CR. The proposal also would enhance stress testing requirements adopted by the SEC in 2010 and change diversification requirements. Comments on this proposal are due by September 17, 2013.

Financial Stability Oversight Committee

FSOC Designates AIG, GECC as Systemically Important Financial Institutions

On July 9, 2013, the Financial Stability Oversight Council (FSOC) designated American International Group (AIG) and GE Capital Corporation (GECC) as systemically important financial institutions, the first nonbanking institutions to be given that distinction.[6] In a unanimous vote, the FSOC agreed to subject AIG and GECC to tougher standards and enhanced supervision by the Federal Reserve because of these two institutions' ability to threaten the financial system during a crisis. AIG and GECC as well as a third nonbanking institution, Prudential Financial Inc., were notified in June 2013 that the FSOC had identified these nonbanking institutions as systemically important after being under consideration since September 2012. All three nonbanking institutions were given a 30-day opportunity to appeal the FSOC's designation, but only Prudential decided in early July 2013 to challenge the FSOC's designation.

According to the FSOC, AIG is the third-largest insurance company in the U.S. and one of the largest insurers in the world. Since AIG's core insurance operations such as life insurance and annuity products are intended to be long-term liabilities, the FSOC was concerned by the possibility of rapid and early withdrawals by policyholders that could force AIG to sell a substantial portion of its large portfolio of assets that would disrupt financial markets. Also according to the FSOC, GECC, a wholly owned subsidiary of the General Electric Co., is a savings and loan holding company and is one of the largest holding companies in the U.S. as defined by assets. Since GECC is a big issuer of commercial paper, the FSOC was concerned that financial distress at GECC could cause a run on MMFs and a withdrawal of investments from the commercial paper market.

Due to their designation as systemically important, both AIG and GECC will be required to keep larger capital reserves and will have to prepare institutional living wills, among other supervisory requirements.[7]

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[6] The FSOC designated the following banking institutions as systemically important on July 18, 2012: the Clearing House Payments Company LLC, CLS Bank International, Chicago Mercantile Exchange, the Depository Trust Company, Fixed Income Clearing Corporation, ICE Clear Credit LLC, National Securities Clearing Corporation, and the Options Clearing Corporation.

[7] A living will is a resolution plan that dictates how an institution will be dissolved in case an institution becomes financially insolvent. For more information, see *Banking Legislation & Policy*, Volume 30, Number 4.

Meanwhile, the FSOC will continue to review additional companies for possible designation as systemically important.

Basel Committee

Basel Committee Refines 2011 Rules for Global Systemically Important Banks

On July 3, 2013, the Basel Committee issued refinements that would revise the Basel Committee's November 2011 rules for minimizing shocks to the global financial system due to "too-big-to-fail" banks.[8] The revised rules maintain most key elements of the original 2011 rule. Namely, a bank designated as a global systemically important bank (G-SIB) will still have to hold between 1 percent and 2.5 percent of CET1 capital as a percentage of the G-SIB's risk-weighted assets. The actual percentage would depend on a bank's systemic importance and would be in addition to any minimum capital requirements under Basel III. Also, the Basel Committee could require an additional 1 percent of CET1 capital on the biggest G-SIBs. The additional capital requirements would be phased in starting January 1, 2016, and would still take full effect starting January 1, 2019.

Federal Reserve System

Fed Clarifies Treatment of U.S. Branches of Foreign Banks

On June 5, 2013, the Federal Reserve Board approved an interim final rule that clarifies the treatment of uninsured U.S. branches and agencies of foreign banks under Section 716 of the Dodd-Frank Act. Also known as the Swaps Push-out Rule, Section 716 of the Dodd-Frank Act generally prohibits the provision of certain types of federal assistance, such as discount window lending and deposit insurance, to swaps entities.[9] However, insured depository institutions that are swaps entities are eligible for a transition period of up to two years before these institutions have to cease all nonexempt swap activities. The provisions of Section 716 went into effect on July 16, 2013.

Uninsured U.S. branches and agencies of foreign banks also will be eligible to apply for a transition period of up to two years before they have to cease all nonexempt swap activities. The interim final rule took effect June 5, 2013. Comments will be accepted on the interim final rule through August 4, 2013.

Consumer Financial Protection Bureau

CFPB Determines Authority to Begin Oversight of Nonbanks

On June 26, 2013, the CFPB completed a regulation establishing how the agency will notify and respond to nonbank entities that are being considered for supervision. According to the regulation, the CFPB will issue a "Notice of Reasonable Cause" if the agency receives information that a nonbank entity may have engaged or is engaging in conduct that poses risks to consumers. Under the Dodd-Frank Act, the CFPB is authorized to require reports from and conduct examinations of nonbank entities subject to its supervision. The regulation also outlines the appeal process for institutions that wish to contest the CFPB's ruling. The regulation went into effect on August 2, 2013.

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[8] For more information on the original November 2011 rule, see the Basel Committee's Global systemically important banks: Assessment methodology and the additional loss absorbency requirement.

[9] Swap entities refer to swap dealers and major swap participants. For a more in-depth description of swap dealers and major swap participants, see *Banking Legislation & Policy*, Volume 31, Number 2.

Office of the Comptroller of the Currency

OCC Issues Final Rule on Lending Limits

On June 20, 2013, the OCC issued a final rule extending the deadline for banks to comply with a Dodd-Frank Act requirement that limits credit exposure per customer. The final rule, which revises an OCC interim final rule from June 21, 2012, implements Section 610 of the Dodd-Frank Act by requiring banks to take into consideration derivative and securities financing transactions when calculating how much they can lend to another counterparty.[10] While most clauses of the interim final rule remain in effect, the final rule has delayed enforcement of the provisions from Section 610 from July 1, 2013, until October 1, 2013.

[10] For more information on the OCC interim final rule, see *Banking Legislation & Policy,* Volume 31, Number 2.

Prepared by the Research Department. For further information, contact Michael Slonkosky at 215-574-3450 or michael.slonkosky@phil.frb.org. To subscribe to this publication, go to http://www.philadelphiafed.org/philscriber/user/dsp_content.cfm.