

Law, Regulation and Guidance
Referencing \$10B and \$50B Thresholds
DRAFT 11-12-2013

| Topic | \$10B Threshold | \$50B Threshold | Dodd Frank | Non-Dodd Frank | Final or Proposed |
|--|--------------------|--------------------|----------------|---------------------------------------|--|
| Regulatory Capital and Stress Testing: | | | | | |
| a) Annual capital plans for holding companies demonstrating their ability to maintain capital above minimum capital ratios under baseline and adverse scenarios | | X | Section 165 | | Final and implemented |
| b) Annual supervisory stress tests (CCAR): Federal Reserve capital stress tests conducted under at least three economic scenarios over a forward looking nine quarter period | | X | Section 165 | In place prior to Dodd Frank | Final and implemented |
| c) Company directed capital stress tests twice per year for bank holding companies and banks | | X | Section 165 | | Final and implemented |
| d) Company directed capital stress annually for banks and their holding companies | X | | Section 165 | | Final and implemented |
| e) Capital surcharges (GSIB and/or DSIB) | | X (or higher) | Section 165 | | TBD |
| f) Enhanced capital disclosures | | X | | Basel III | Final Rule, 2015 implementation |

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| Liquidity: a) Holding companies are required to establish liquidity buffers, cash flow projections and specific limits on liquidity sources, conduct liquidity stress testing, and establish and maintain liquidity contingency funding plans b) Implementation of the Basel III Liquidity Coverage Ratio "LCR" c) Implementation of the Basel III Liquidity Framework (i.e., Liquidity Coverage Ratio "LCR" and Net Stable Funding Ratio "NSFR") | | X X X | Section 165 Section 165 | X X | Proposed (Proposal would generally codify 2010 interagency guidance on liquidity risk management for bank holding company's greater than \$50B) Proposed (Fed, FDIC and OCC have proposed an LCR based on the Basel standard for large banks with greater than \$250B in assets or more and the Fed has issued a separate modified LCR for bank holding companies with \$50-\$250B) TBD |
| Single Counterparty Concentration Limits ("SCCL"): Limits the credit exposure to a single unaffiliated counterparty to 25% of capital and surplus (for institutions with \$500 billion or more in assets, credit exposure to another holding company larger than \$500 billion is limited to 10%) | | X | Section 165 | | Proposed |

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| Risk Management Requirements: a) Establish a separate risk committee of the board of directors | X (publicly traded companies) | | Section 165 | | Proposed |
| b) Appoint a qualified chief risk officer | | X | Section 165 | | Proposed |
| Short Term Debt Limits: Federal Reserve is authorized but not required to establish limits | | X | Section 165 | | TBD |
| Contingent Capital: Federal Reserve is authorized but not required to establish contingent capital standards | | X | Section 165 | | TBD |
| Enhanced Public Disclosures: Federal Reserve is authorized but not required to establish enhanced holding company public disclosure standards | | X | Section 165 | | TBD |
| Counterparty Credit Exposure Reports: Periodic reporting to the Federal Reserve, FDIC and FSOC on holding company's exposure to other significant holding companies and nonbank companies and the nature and extent their exposure to the company | | X | Section 165 | | TBD |

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| Resolution Plans “Living Wills”: | | | | | |
| a) Required to submit to the Federal Reserve detailed resolution plans of bank holding companies | | X | Section 165 | | Final and in process of implementing |
| b) Required to submit to the FDIC detailed resolution plans of insured depository institutions | | X | | X | Final and in process of implementing |
| Federal Reserve Enhanced Reporting: | | | | | |
| a) FRY-15: collection of detailed information used to 1) monitor and identify systemic risk, and 2) Basel GSIB designations and capital surcharges | | X | | X | Final and in process of implementation |
| b) FRY-14: CCAR data collection for use in Federal Reserve annual stress test exercise | | X | | X | Final and implemented |
| c) FRY-2052b: enhanced liquidity reporting to assess ability to meet liquidity needs | X | | | X | Proposed |
| OFR/FSOC Assessments: Funding for OFR and FSOC operations and start-up of FDIC orderly liquidation authority through assessments on certain bank holding companies | | X | Section 155 | | Final and implemented |
| Federal Reserve Assessments: Assessment on certain holding companies for the supervision and regulation of such holding companies | | X | Section 318 | | Final and implemented |
| Derivatives Clearing: Required clearing of derivatives and swaps through a central clearing party | X | | Section 723 | | Final and being implemented |

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| Change in FDIC Assessment Base: FDIC premium insurance assessments are now based on assets less tier 1 capital | | | Section 331 | | Final and implemented |
| FDIC Large Bank Pricing: Heightened requirements for determination of the premium assessment rate involving significant increase in financial reporting burden | X | | | X | Final and implemented |
| Higher Minimum Target for FDIC Insurance Fund: FDIC to assess premiums to raise the fund to 1.35%, larger institutions to pay for the difference | X | | Section 334 | | TBD |
| CFPB: Subject to exclusive supervision and examination and primary enforcement by the CFPB | X | | Section 1025 | | Final and implemented |
| Durbin Amendment: limits debit interchange fees that may be charged to merchants | X | | Section 1075 | | Final, however subject to litigation |