

## MEMORANDUM

**TO:** Public File – Notice of Proposed Rulemaking:  
Prohibitions and Restrictions on Proprietary Trading and  
Certain Interests in, and Relationships with, Hedge Funds  
and Private Equity Funds (RIN 3064-AD85)

**FROM:** Michael B. Phillips, Counsel, FDIC Legal Division

**DATE:** November 18, 2011

**SUBJECT:** Conference Call with National Asian American Coalition

On November 17, 2011, staff from the FDIC’s Division of Risk Management Supervision/Capital Markets (Bobby Bean, Associate Director, and Karl Reitz, Senior Policy Analyst) and the Legal Division (Michael Phillips, Counsel) participated in a conference call with the following representatives for the National Asian American Coalition (“Coalition”): Robert Gnaiza (outside counsel for the Coalition); Mia Martinez, Deputy Director of the Coalition; Len Canty, Chairman of the Black Economic Council; and Faith Bautista, President and Chief Executive Officer of the Coalition.

The agenda for the meeting involved certain provisions of the interagency notice of proposed rulemaking (“NPR”) implementing section 619 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The NPR was published in the *Federal Register* of November 7, 2011 (76 FR 68846). The following topics involving the implementation of the NPR were discussed: (1) compensation of banking executives for risk-taking in securities trading and investment activities; (2) conflicts of interest by banking entities in securities trading and hedge fund/private equity investment activities; (3) the impact of the NPR on banking entities’ investments in hedge funds and private equity funds that support community development projects; and (5) whether the final rule should contain a chief executive officer attestation requirement to annually certify the banking entity’s compliance with the final rule.