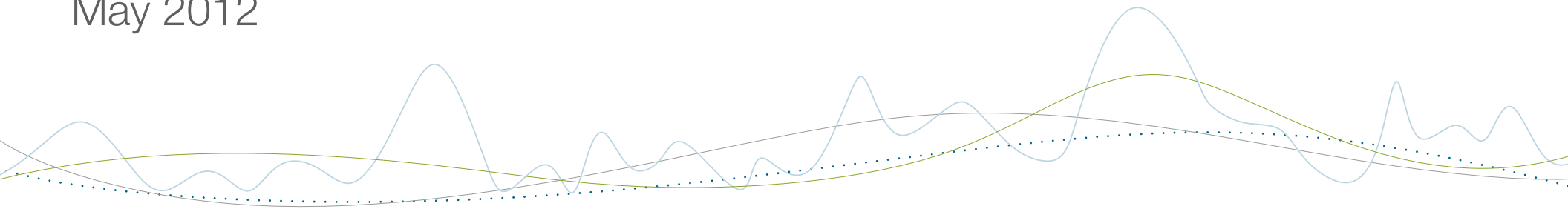


# Dodd-Frank **Progress Report**

May 2012



## In Brief: April 2012

- **No New Deadlines.** No new rulemaking requirements were due in April.
- **8 Requirements Met.** In a major Title VII rulemaking development, the CFTC and SEC approved final rules further defining the terms “swap dealer,” “security-based swap dealer,” “major swap participant,” “major security-based swap participant” and “eligible contract participant.” In addition, the FDIC and Treasury released a final rule that will govern the maximum obligation the FDIC may incur in liquidating a covered financial company.
- **1 Study.** The SEC released a study on the extraterritorial scope of private rights of action under Section 10(b) of the Securities Exchange Act of 1934.

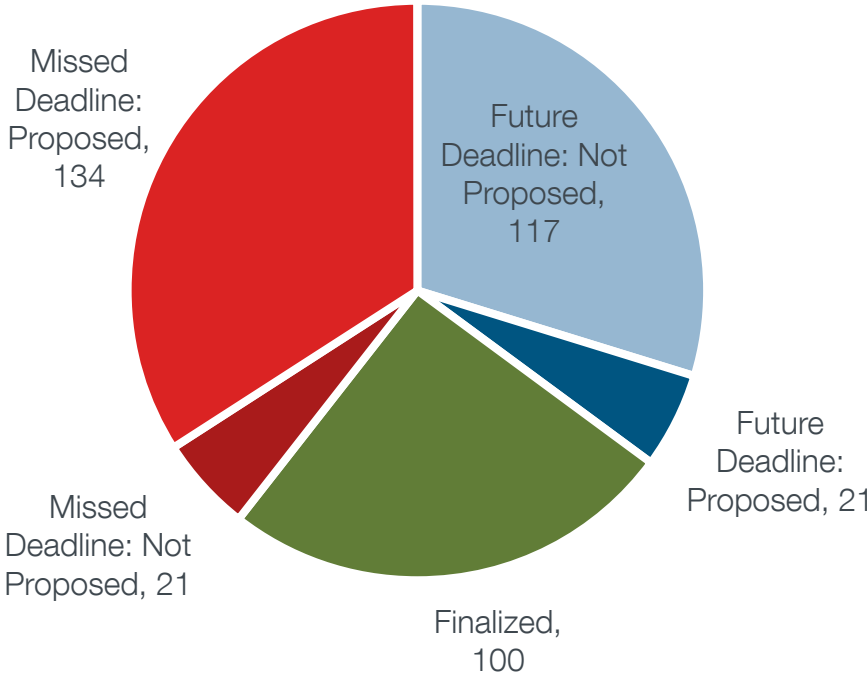
### State of Play to Date:

- As of May 1, 2012, a total of 221 Dodd-Frank rulemaking requirement deadlines have passed. This is 55.5% of the 398 total rulemaking requirements, and 78.9% of the 280 rulemaking requirements with specified deadlines.
- Of these 221 passed deadlines, 148 (67%) have been missed and 73 (33%) have been met with finalized rules. Regulators have not yet released proposals for 21 of the 148 missed rules.
- Of the 398 total rulemaking requirements, 108 (27.1%) have been met with finalized rules and rules have been proposed that would meet 146 (36.7%) more. Rules have not yet been proposed to meet 144 (36.2%) rulemaking requirements.

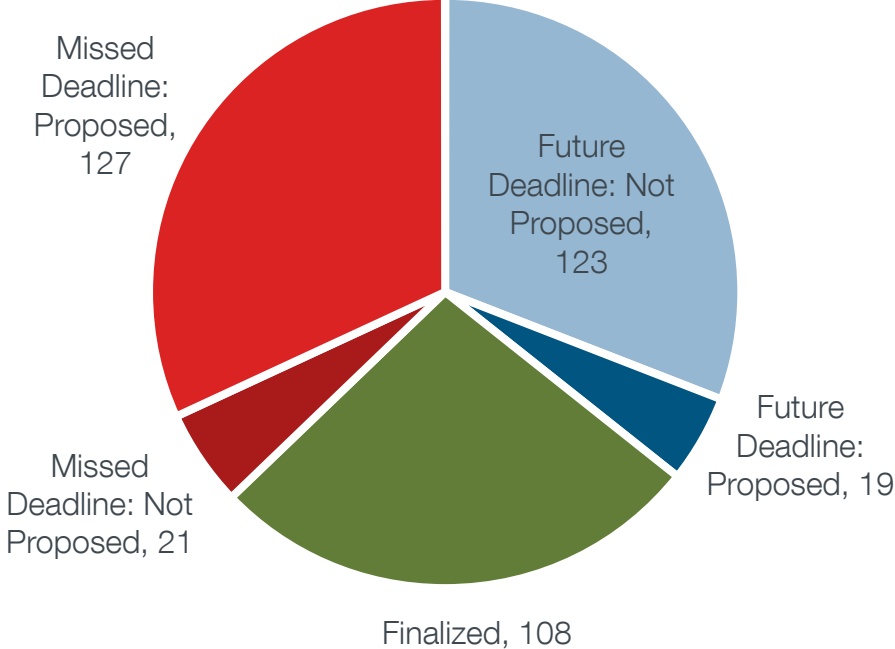
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As of April 2, 2012



As of May 1, 2012

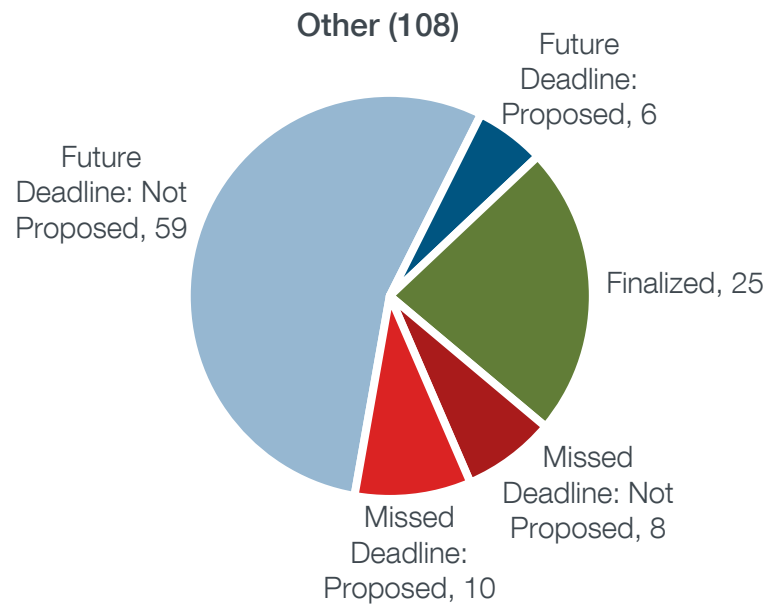
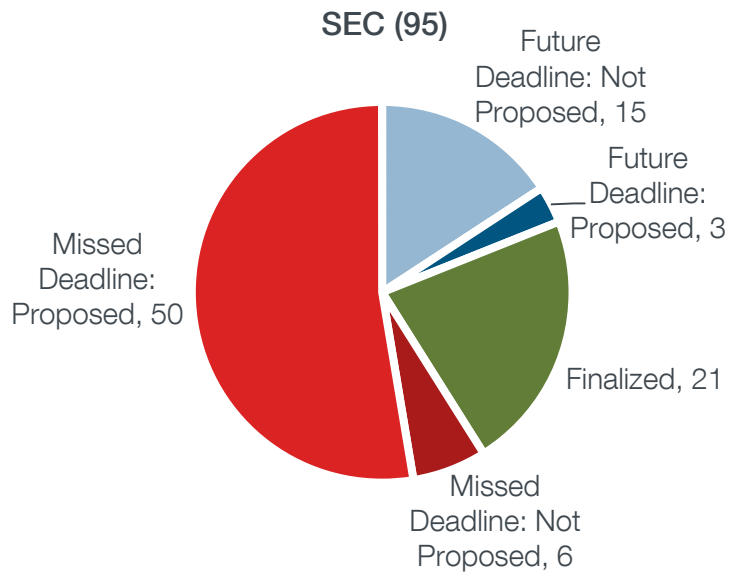
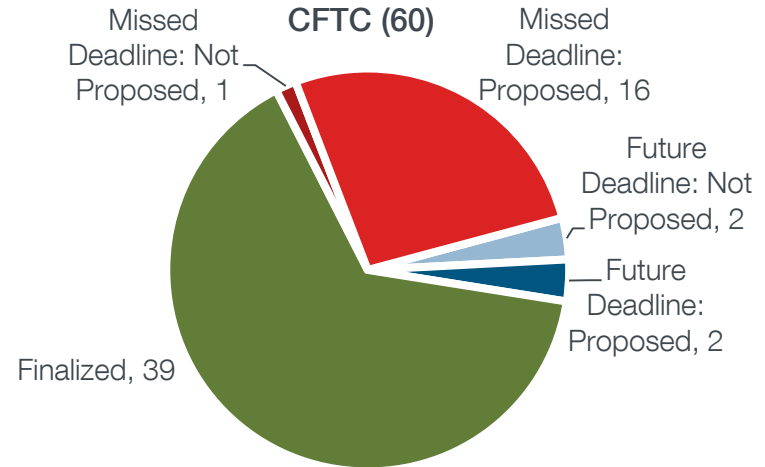
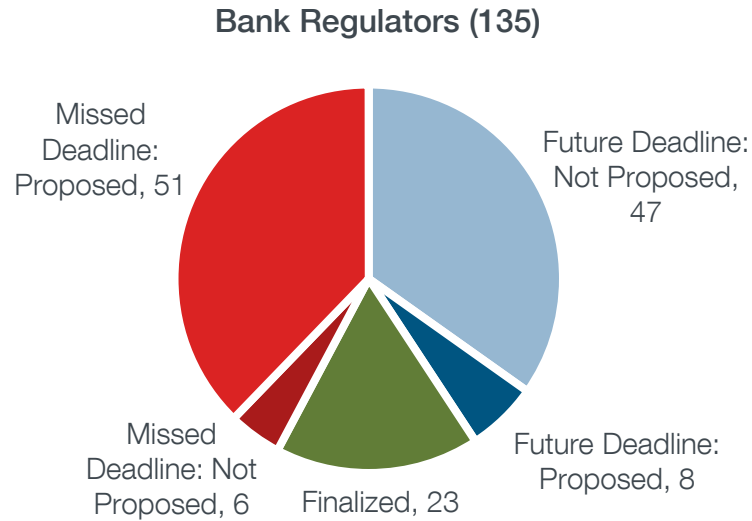


Rulemaking counts are based on estimates and require judgment.

Values Refer to Number of Rulemaking Requirements

## Dodd-Frank Rulemaking Progress by Agency

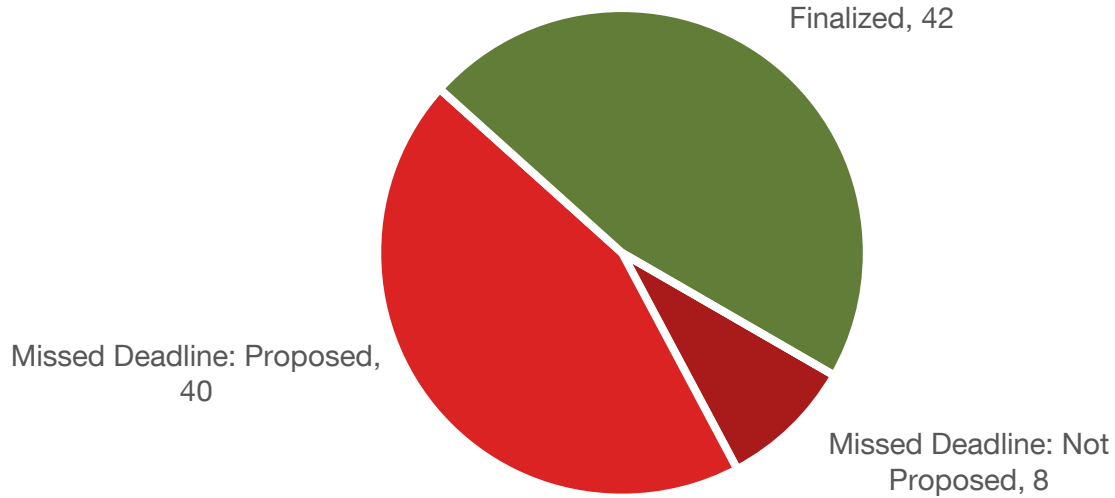
As of May 1, 2012



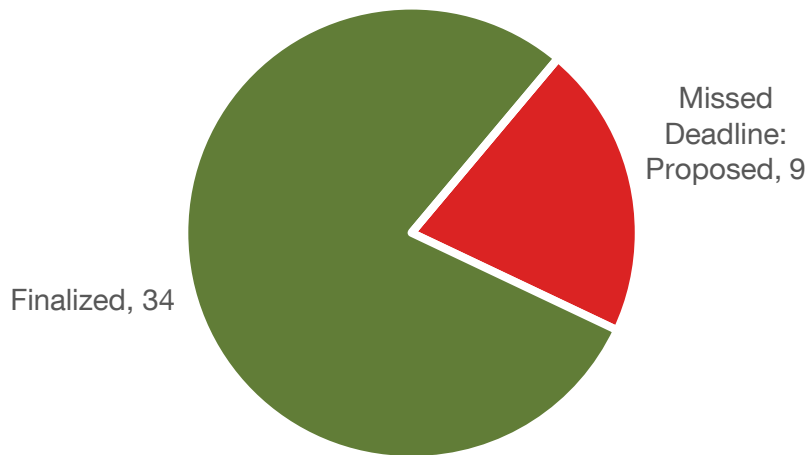
Values Refer to Number of Rulemaking Requirements

Rulemaking counts are based on estimates and require judgment.

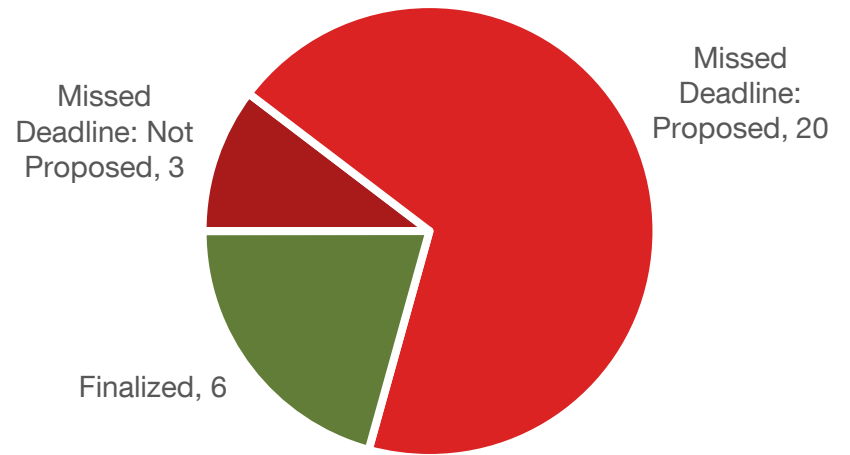
As of May 1, 2012



**CFTC Progress on Required Title VII Rulemakings**



**SEC Progress on Required Title VII Rulemakings**

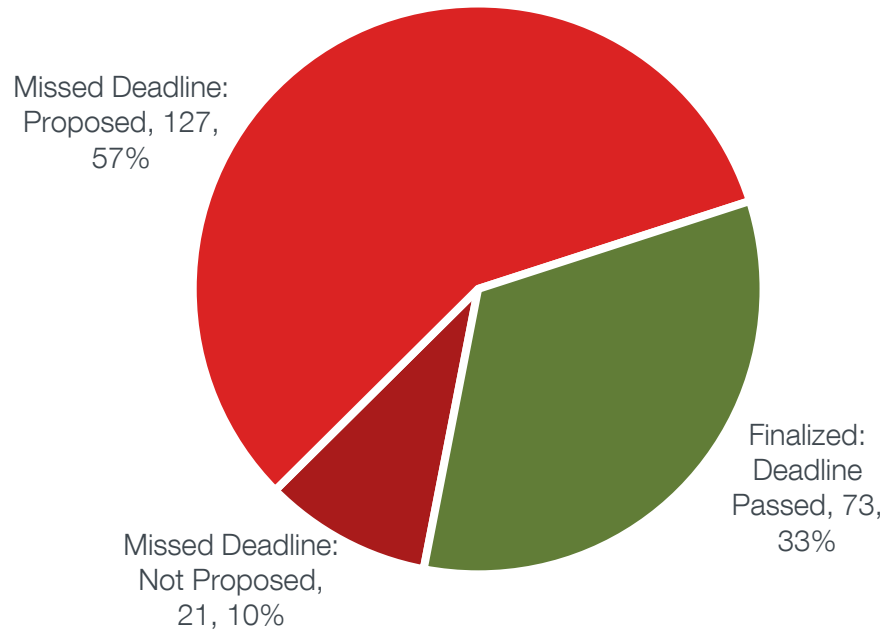


**Note:** Total pie chart includes requirements from the CFTC, SEC and other regulators with rulemaking requirements under Title VII.

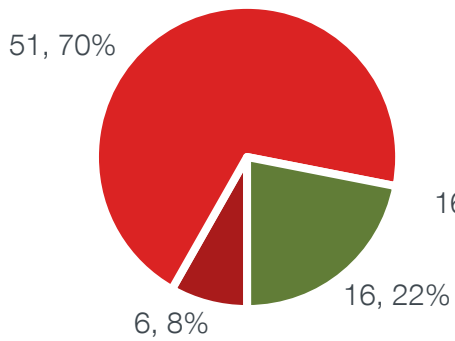
# Dodd-Frank Rulemaking Progress on Passed Deadlines

As of May 1, 2012

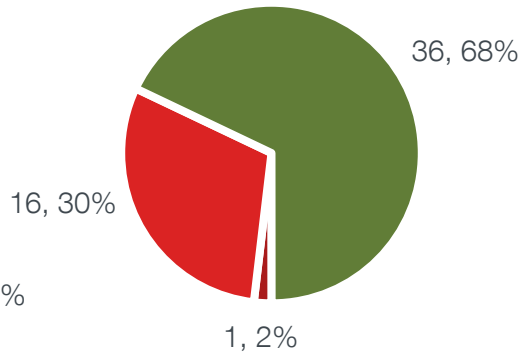
Total (221)



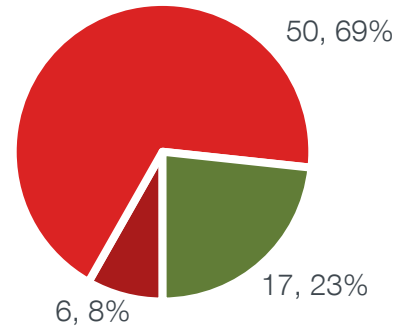
Bank Regulators (73)



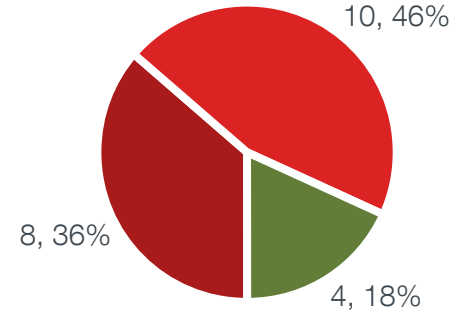
CFTC (53)



SEC (73)



Other (22)

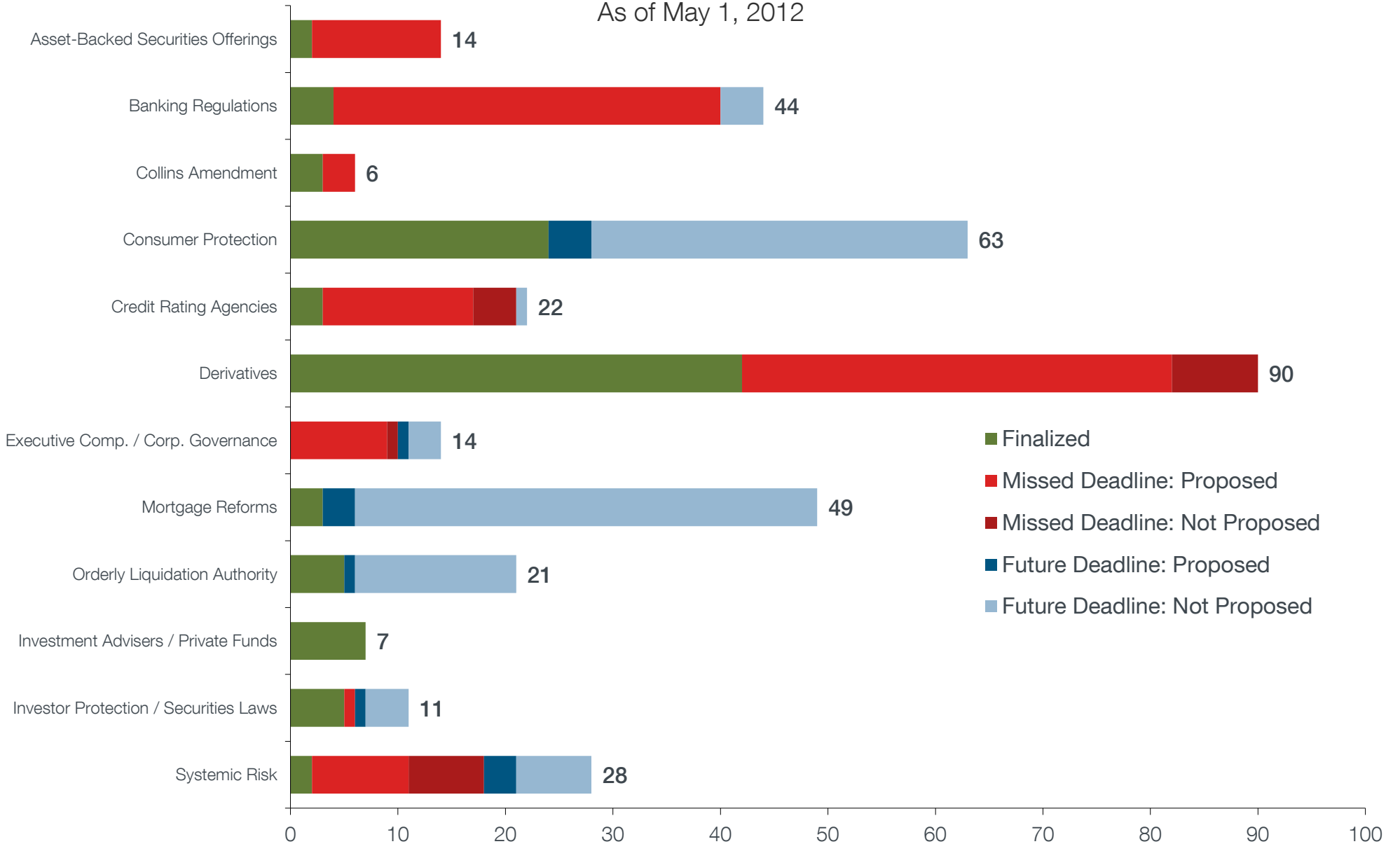


Rulemaking counts are based on estimates and require judgment.

Values Refer to Number of Rulemaking Requirements

## Dodd-Frank Rulemaking Progress in Select Categories

As of May 1, 2012



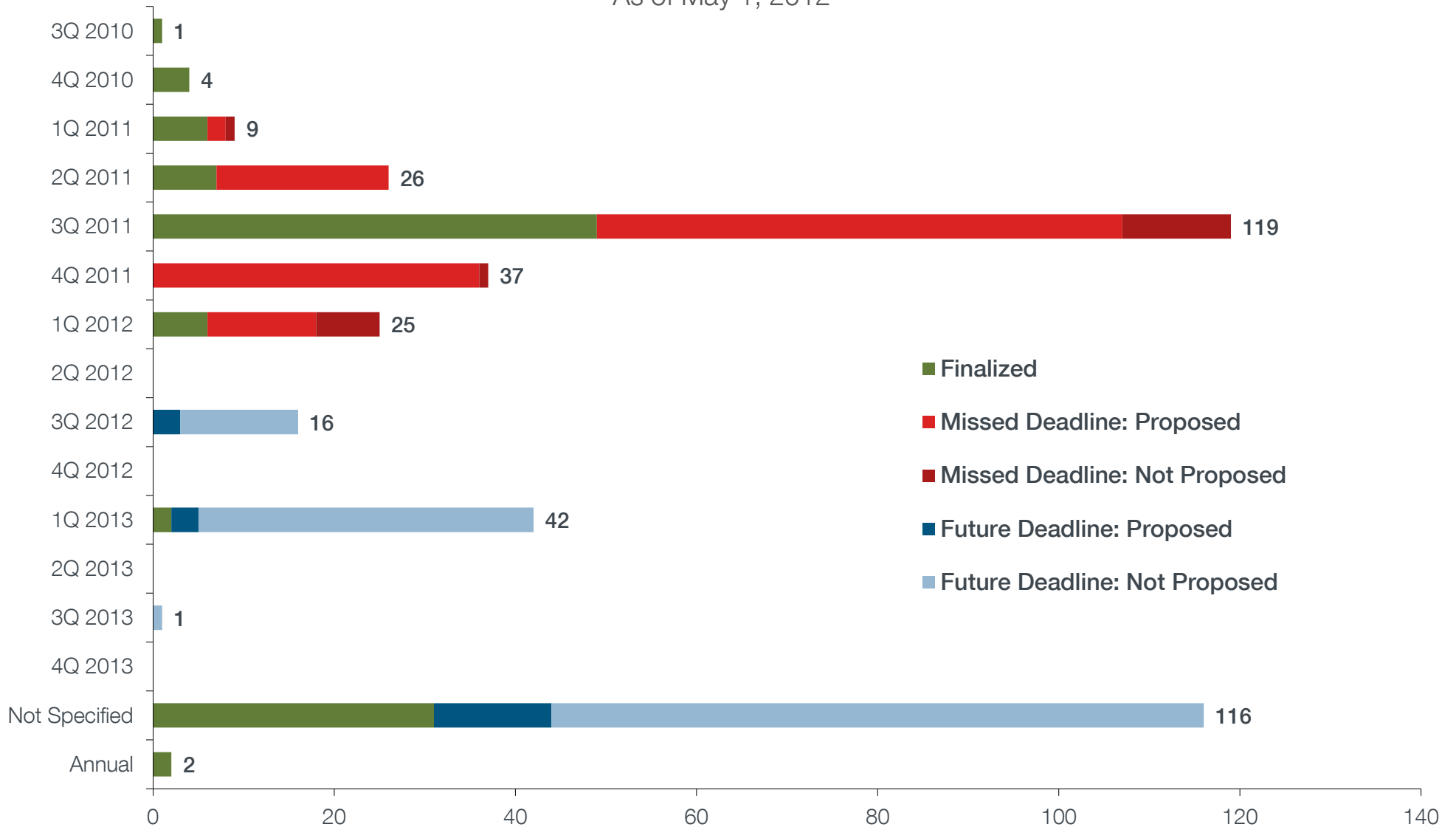
Rulemaking counts are based on estimates and require judgment.

Number of Required Rulemakings  
(Joint Rules are Counted for Each Applicable Agency)



# Davis Polk Dodd-Frank Rulemaking Progress by Due Date

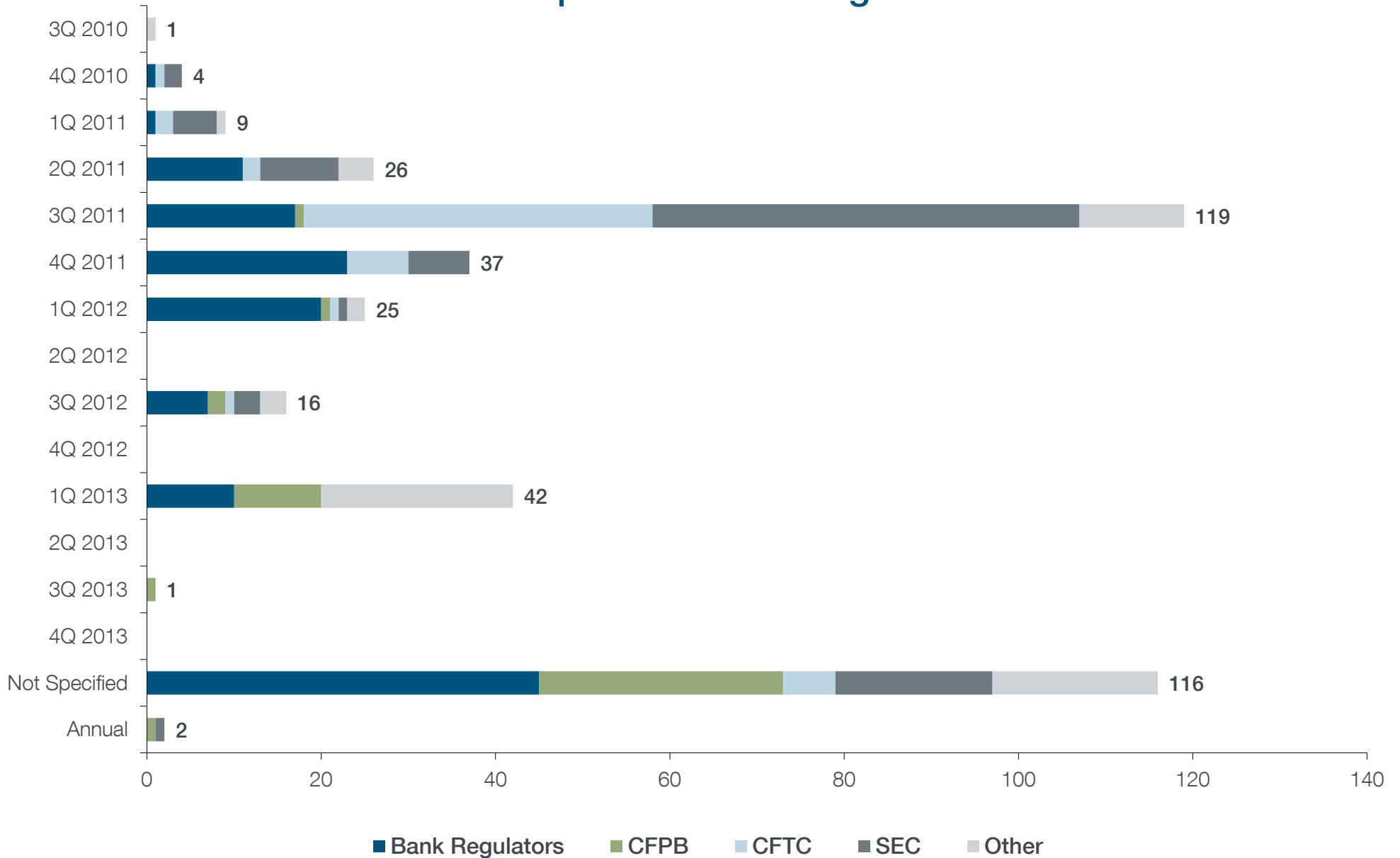
As of May 1, 2012



Rulemaking counts are based on estimates and require judgment.

Number of Required Rulemakings  
(Joint Rules are Counted for Each Applicable Agency)

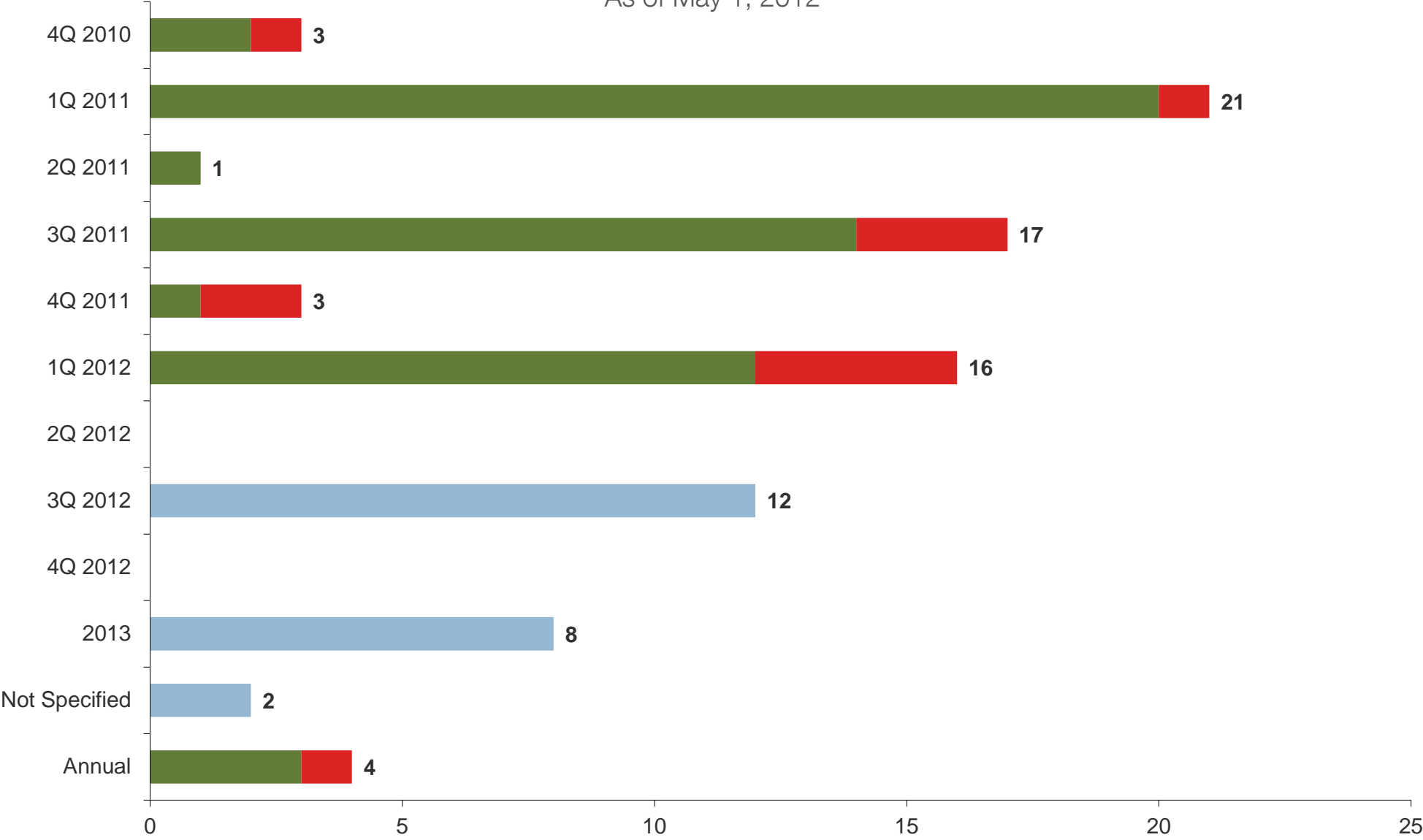
## Dodd-Frank Statutory Deadlines for Required Rulemakings



Rulemaking counts are based on estimates and require judgment.

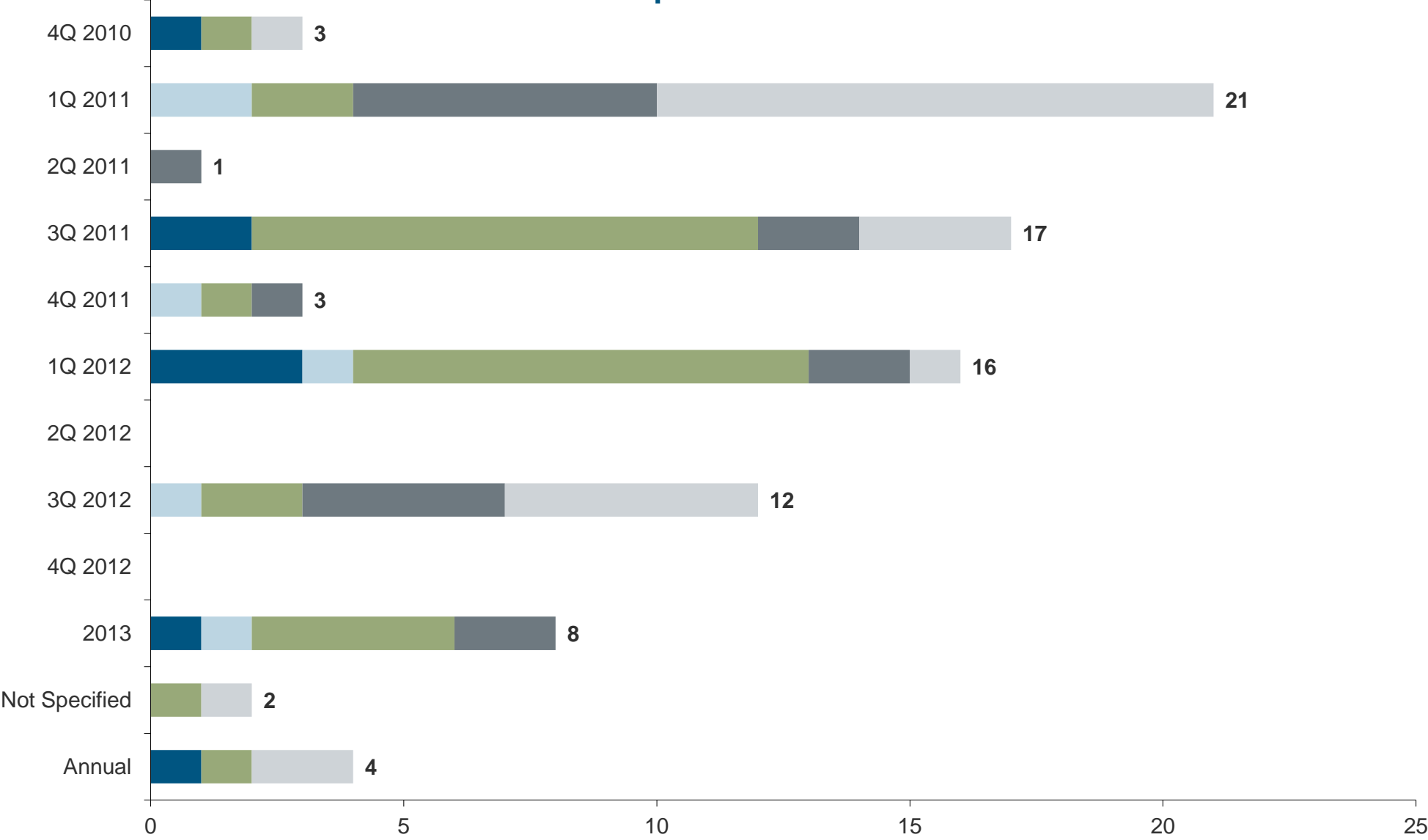
Number of Required Rulemakings  
(Joint Rules are Counted for Each Applicable Agency)

As of May 1, 2012



■ Finalized ■ Missed Deadline ■ Future Deadline  
Number of Required Studies  
(Joint Studies are Counted for Each Applicable Agency)

# Dodd-Frank Statutory Deadlines for Required Studies

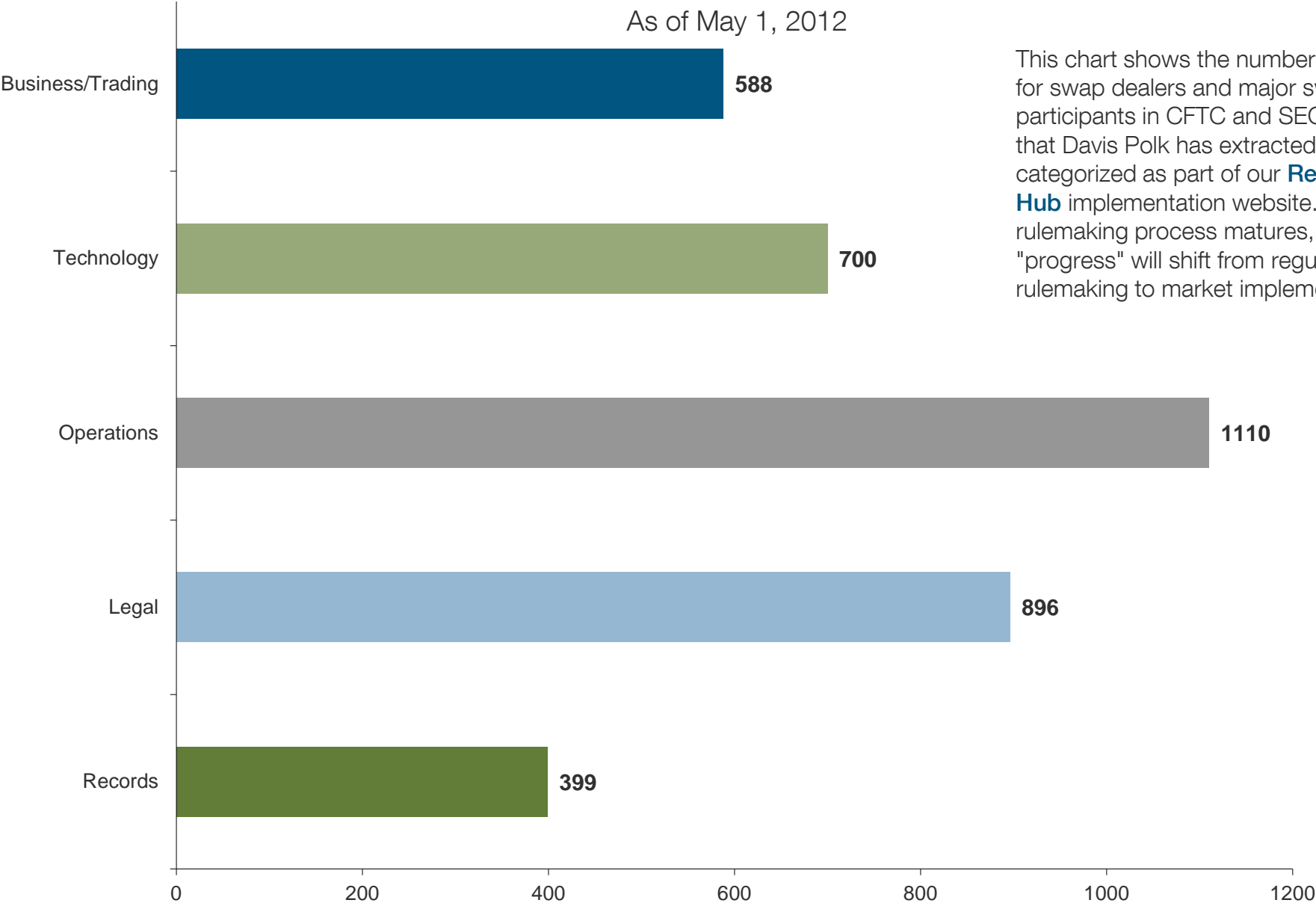


■ Bank Regulators ■ CFTC ■ GAO ■ SEC ■ Other

Number of Required Studies  
(Joint Studies are Counted for Each Applicable Agency)

## Tasks for Swap Dealers and Major Swap Participants

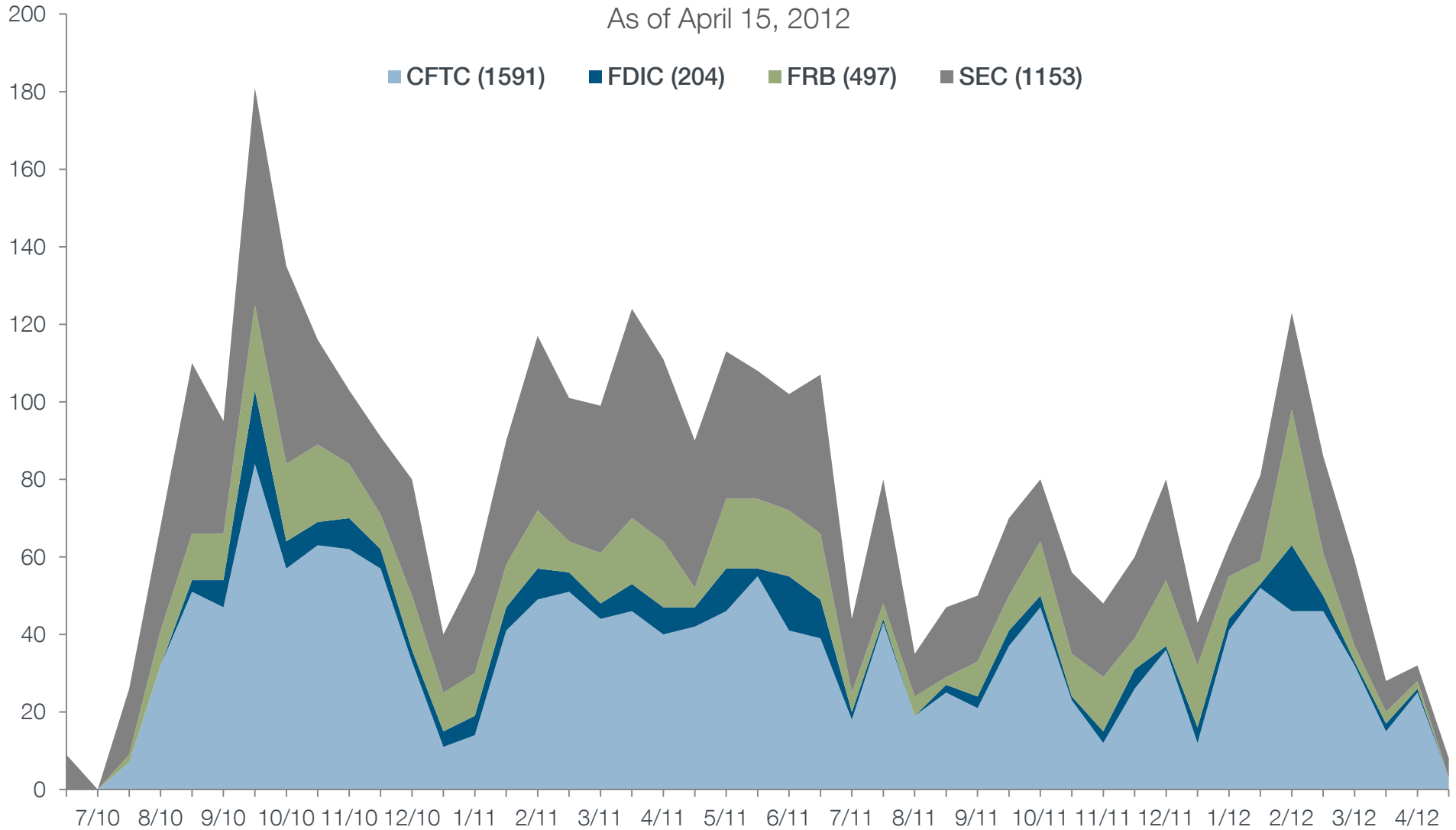
As of May 1, 2012



This chart shows the number of tasks for swap dealers and major swap participants in CFTC and SEC releases that Davis Polk has extracted and categorized as part of our **Regulatory Hub** implementation website. As the rulemaking process matures, "progress" will shift from regulatory rulemaking to market implementation.

## Regulator Meetings with Outside Participants Over Time

As of April 15, 2012



In the spirit of transparency, several financial regulators have released details of their meetings with outside participants on Dodd-Frank issues. Based on the information available, there have been at least 2800 meetings with these regulators since July 1, 2010. Joint meetings (of which there were more than 200) are counted separately for each participating regulator.

## About the Progress Report

- The Davis Polk Dodd-Frank Progress Report is a monthly publication that uses empirical data to help market participants and policymakers assess the progress of the rulemaking and other work that has been done by regulators under the Dodd-Frank Act.

**Access previous reports on our website.**

- The Progress Report was developed using information from Davis Polk's subscription-based Regulatory Tracker™ product. For more information on the Regulatory Tracker, please contact [tracker@davispolk.com](mailto:tracker@davispolk.com) or **view our brochure**.
- Required, proposed, final and missed rulemakings and studies are counted based on Davis Polk's tally of statutory requirements in the Davis Polk Regulatory Tracker™. An agency's rule release may satisfy several statutorily required rulemakings.
- Where multiple agencies are required to issue a rule or study jointly, the requirement appears in each of their totals, which we believe most accurately reflects the staff burden on regulatory agencies.
- The term *Bank Regulators* includes the Board of Governors of the Federal Reserve, the FDIC and the OCC.

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For more information regarding the Davis Polk Regulatory Tracker™, please contact [tracker@davispolk.com](mailto:tracker@davispolk.com).

## Questions?

If you have any questions regarding the matters covered in this Progress Report, please contact any of the lawyers listed below or your regular Davis Polk contact.

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