

Dino Kos
Chief Regulatory Officer
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December 3, 2018

Via email

Ann E. Misback
Secretary
Board of Governors of the Federal Reserve System
20th Street and Constitution Avenue NW
Washington, DC 20551
regs.comments@federalreserve.gov

Re: Potential Federal Reserve Actions to Support Interbank Settlement of Faster Payments, Request for Comments (Docket No. OP-1625)

Dear Ms. Misback:

CLS Bank International ("CLS") appreciates the opportunity to comment on the *Potential Federal Reserve Actions to Support Interbank Settlement of Faster Payments*, issued by the Board of Governors of the Federal Reserve System (the "Board") and published in the Federal Register on November 15, 2018.¹

CLS was established by the private sector, in cooperation with a number of central banks, to mitigate the settlement risk (loss or principal) associated with the settlement of payments relating to foreign exchange transactions. CLS operates the world's largest multicurrency cash settlement system (the "CLS system") and provides payment-versus-payment ("PvP") settlement in 18 currencies directly to 71 members, some of which provide access to the CLS system for over 25,000 third-party institutions.

As an Edge Act corporation established under Section 25A of the Federal Reserve Act, CLS is regulated and supervised by the Board and the Federal Reserve Bank of New York (collectively, the "Federal Reserve"). Additionally, the central banks whose currencies are settled in the CLS system have established the CLS Oversight Committee, organized and administered by the Federal Reserve pursuant to the *Protocol for the Cooperative Oversight Arrangement of CLS*,² as a mechanism to carry out the central banks' individual responsibilities to promote safety, efficiency, and stability in the local markets and payments systems in which CLS participates.

As a systemically important financial market infrastructure ("FMI"), CLS is subject to the CPMI-IOSCO *Principles for financial market infrastructures* (the "PFMI"), as applicable to payment systems. In addition, CLS was designated a systemically important financial market utility ("DFMU") by the Financial Stability Oversight Council in July 2012 under Title VIII of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the "Dodd-

¹ 83 Fed. Reg. 57351.

² https://www.federalreserve.gov/paymentsystems/cls_protocol.htm.

Frank Act"). The Board is CLS's "Supervisory Agency" (as defined by the Dodd-Frank Act), and CLS is subject to the risk management standards set forth in Regulation HH, which are based on the PFMI.

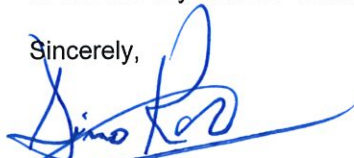
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CLS generally supports the Board's efforts to develop ubiquitous, nationwide access to safe and efficient faster payments in the United States. Although CLS does not expect to become a participant in the proposed service, or otherwise develop and maintain direct connectivity for contingency measures, we note that some of the potential features and functionalities contemplated in the Request for Comments may similarly be applied in the context of the Fedwire Funds Service to further promote the Board's broader policy objectives. Specifically, CLS recommends that the Board consider extending the operating hours of Fedwire to 24 hours a day on all business days³, which would further increase the overlap with the operating hours of large-value payment systems in other countries and, in turn, support the elimination of current risks associated with non-PvP settlement for intraday transfers between those systems. In 2019, CLS plans to launch CLSNow⁴ – a new service that will allow participants to mitigate settlement risk associated with certain same-day FX transactions. The service will facilitate the exchange of liquidity across currencies with PvP settlement, providing reductions in settlement risk and improved liquidity management. CLSNow will initially settle payment instructions in five currencies (CAD, CHF, EUR, GBP, and USD); however, the objective is to eventually expand the service to all CLS-eligible currencies, based on market demand. Unlike the current CLS settlement service, CLSNow will not utilize specific payment grids and timelines.⁵ Instead, the service will be able to settle payment instructions for a given currency pair so long as the hours of the respective RTGS systems overlap. Extending the operating hours of Fedwire (as well as the other applicable RTGS systems) to 24x5.5 would maximize the window in which participants could utilize the service and enable CLSNow to realize its full potential to mitigate systemic risk in the global FX market.

* * *

We appreciate the Board's consideration of the views set forth in this letter and would welcome the opportunity to discuss any of these comments in further detail.

Sincerely,



Dino Kos
Chief Regulatory Officer

cc: Andy Cooper, UK Head of Operations
Amolak Roopra, Senior Product Manager
Craig Rubin, Senior Legal Counsel
Kerry F. Denerstein, Regulatory Affairs Lead

³ CLS does not believe there is a demand for 24x7 operating hours; 24x5.5 with scheduled periods of weekend downtime is sufficient to facilitate the settlement of high-value FX payments. The drivers for 24x7 capabilities are primarily in the retail space and the additional redundancy needed to support this timeline would add complexity and impose costs on wholesale market participants.

⁴ Launch of the CLSNow service is subject to regulatory approval.

⁵ Although the CLS settlement service remains open 24x5.5, settlement and funding take place each business day during a defined five-hour window (7:00-12:00 CET). Therefore, extending the operating hours of Fedwire would not yield any additional business value for CLS in this context.