



## **Billing Codes**

OCC: 4810-33-P 1/3  
Board: 6210-01-P 1/3  
FDIC: 6714-01-P 1/3

## **DEPARTMENT OF THE TREASURY Office of the Comptroller of the Currency**

### **FEDERAL RESERVE SYSTEM**

### **FEDERAL DEPOSIT INSURANCE CORPORATION**

#### **Agency Information Collection Activities; Submission for OMB Review; Comment Request**

**AGENCY:** Office of the Comptroller of the Currency (OCC), Treasury; Board of Governors of the Federal Reserve System (Board); and Federal Deposit Insurance Corporation (FDIC).

**ACTION:** Joint notice and request for comment.

**SUMMARY:** In accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), the OCC, the Board, and the FDIC (the agencies) may not conduct or sponsor, and the respondent is not required to respond to, an information collection unless it displays a currently valid Office of Management and Budget (OMB) control number. On June 25, 2019, the agencies, under the auspices of the Federal Financial Institutions Examination Council (FFIEC), requested public comment for 60 days on a proposal to extend for three years without revision the Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule (FFIEC 102), which is currently an approved collection of information for each agency. The comment period for the June 2019 notice ended on August 26, 2019. As described in the **SUPPLEMENTARY INFORMATION** section, no comments were received on the proposal; therefore, the FFIEC and the agencies will proceed with the extension of the FFIEC 102 as proposed. In addition, the agencies are giving notice that they are sending the collections to OMB for review.

**DATES:** Comments must be submitted on or before [INSERT DATE 30 DAYS FROM DATE OF PUBLICATION IN THE **FEDERAL REGISTER**.]

**ADDRESSES:** Interested parties are invited to submit written comments to any or all of the agencies. All comments, which should refer to the OMB control number(s), will be shared among the agencies.

OCC: Commenters are encouraged to submit comments by e-mail, if possible. You may submit comments, which should refer to “1557-0325” or “FFIEC 102,” by any of the following methods:

- E-mail: *prainfo@occ.treas.gov*.
- Mail: Chief Counsel’s Office, Office of the Comptroller of the Currency, Attention: 1557-0100, 400 7th Street, SW, suite 3E-218, Washington, DC 20219.
- Hand Delivery/Courier: 400 7th Street, SW, suite 3E-218, Washington, DC 20219.

Instructions: You must include “OCC” as the agency name and “1557-0325” in your comment. In general, the OCC will publish comments on *www.reginfo.gov* without change, including any business or personal information provided, such as name and address information, e-mail addresses, or phone numbers. Comments received, including attachments and other supporting materials, are part of the public record and subject to public disclosure. Do not include any information in your comment or supporting materials that you consider confidential or inappropriate for public disclosure.

You may review comments and other related materials that pertain to this information collection beginning on the date of publication of the second notice for this collection by any of the following methods:

- Viewing Comments Electronically: Go to *www.reginfo.gov*. Click on the “Information Collection Review” tab. Underneath the “Currently under Review” section heading, from the drop-down menu select “Department of Treasury” and then click “submit”. This information collection can be located by searching by OMB control number “1557-0325” or “FFIEC 102”. Upon finding the appropriate information collection, click on the related “ICR Reference Number.” On the next screen, select “View Supporting Statement and Other Documents” and then click on the link to any comment listed at the bottom of the screen.
- For assistance in navigating *www.reginfo.gov*, please contact the Regulatory Information Service Center at (202) 482-7340.
- Viewing Comments Personally: You may personally inspect comments at the OCC, 400 7th Street, SW, Washington, DC. For security reasons, the OCC requires that visitors make an appointment to inspect comments. You may do so by calling (202) 649-6700 or, for persons who are deaf or hearing impaired, TTY, (202) 649-5597. Upon arrival, visitors will be required to present valid government-issued photo identification and submit to security screening in order to inspect comments.

Board: You may submit comments, which should refer to “FFIEC 102,” by any of the following methods:

- Agency Website: <http://www.federalreserve.gov>. Follow the instructions for submitting comments at: <http://www.federalreserve.gov/generalinfo/foia/ProposedRegs.cfm>.
- Email: [regs.comments@federalreserve.gov](mailto:regs.comments@federalreserve.gov). Include “FFIEC 102” in the subject line of the message.
- Fax: (202) 452-3819 or (202) 452-3102.

- Mail: Ann E. Misback, Secretary, Board of Governors of the Federal Reserve System, 20th Street and Constitution Avenue, NW, Washington, DC 20551.

All public comments are available from the Board's website at [www.federalreserve.gov/generalinfo/foia/proposedregs.cfm](http://www.federalreserve.gov/generalinfo/foia/proposedregs.cfm) as submitted, unless modified for technical reasons. Accordingly, your comments will not be edited to remove any identifying or contact information. Public comments may also be viewed electronically or in paper form in Room N146, 1709 New York Avenue, NW, Washington, DC 20006, between 9:00 a.m. and 5:00 p.m. on weekdays. For security reasons, the Board requires that visitors make an appointment to inspect comments. You may do so by calling (202) 452-3684. Upon arrival, visitors will be required to present valid government-issued photo identification and to submit to security screening in order to inspect and photocopy comments.

FDIC: You may submit comments, which should refer to "FFIEC 102," by any of the following methods:

- Agency Website: <https://www.fdic.gov/regulations/laws/federal/>. Follow the instructions for submitting comments on the FDIC's website.
- Federal eRulemaking Portal: <https://www.regulations.gov>. Follow the instructions for submitting comments.
- Email: [comments@FDIC.gov](mailto:comments@FDIC.gov). Include "FFIEC 102" in the subject line of the message.
- Mail: Manuel E. Cabeza, Counsel, Attn: Comments, Room MB-3128, Federal Deposit Insurance Corporation, 550 17th Street, NW, Washington, DC 20429.

- Hand Delivery: Comments may be hand delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7:00 a.m. and 5:00 p.m.

Public Inspection: All comments received will be posted without change to <https://www.fdic.gov/regulations/laws/federal/> including any personal information provided. Paper copies of public comments may be requested from the FDIC Public Information Center, 3501 North Fairfax Drive, Arlington, VA 22226, or by telephone at (877) 275-3342 or (703) 562-2200.

Additionally, commenters may send a copy of their comments to the OMB desk officers for the agencies by mail to the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, New Executive Office Building, Room 10235, 725 17th Street, NW, Washington, DC 20503; by fax to (202) 395-6974; or by email to [oir\\_submission@omb.eop.gov](mailto:oir_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** For further information about the information collections discussed in this notice, please contact any of the agency staff whose names appear below. In addition, copies of the FFIEC 102 reporting forms and instructions can be obtained at the FFIEC's website ([https://www.ffiec.gov/ffiec\\_report\\_forms.htm](https://www.ffiec.gov/ffiec_report_forms.htm)).

*OCC:* Kevin Korzeniewski, Counsel, Chief Counsel's Office, (202) 649-5490, or for persons who are deaf or hearing impaired, TTY, (202) 649-5597.

*Board:* Nuha Elmaghrabi, Federal Reserve Board Clearance Officer, (202) 452-3884, Office of the Chief Data Officer, Board of Governors of the Federal Reserve System, 20th and C Streets,

NW, Washington, DC 20551. Telecommunications Device for the Deaf (TDD) users may call (202) 263-4869.

*FDIC:* Manuel E. Cabeza, Counsel, (202) 898-3767, Legal Division, Federal Deposit Insurance Corporation, 550 17th Street, NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:**

On June 25, 2019, the agencies requested public comment on a proposal to extend for three years, without revision, the FFIEC 102. The comment period expired on August 26, 2019 and no comments were received. The FFIEC and the agencies will proceed with the extension of the FFIEC 102 as proposed and the agencies are sending the collections to OMB for review.

*Report Titles:* Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule.

*Form Numbers:* FFIEC 102.

*Frequency of Response:* Quarterly.

*Affected Public:* Business or other for profit.

**OCC**

*OMB Number:* 1557-0325.

*Estimated Number of Respondents:* 13 national banks and federal savings associations.

*Estimated Average Time per Response:* 12 hours per quarter.

*Estimated Total Annual Burden:* 624 hours.

**Board**

*OMB Number:* 7100-0365.

*Estimated Number of Respondents:* 38 state member banks, bank holding companies, savings and loan holding companies, and intermediate holding companies.

*Estimated Average Time per Response:* 12 hours per quarter.

*Estimated Total Annual Burden:* 1,824 hours.

## **FDIC**

*OMB Number:* 3064-0199.

*Estimated Number of Respondents:* 1 insured state nonmember bank and state savings association.

*Estimated Average Time per Response:* 12 hours per quarter.

*Estimated Total Annual Burden:* 48 hours.

### *General Description of Reports*

The Market Risk Regulatory Report for Institutions Subject to the Market Risk Capital Rule (FFIEC 102) is filed quarterly with the agencies and provides information for market risk institutions, defined for this purpose as those institutions that are subject to the market risk capital rule as incorporated into Subpart F of the agencies' regulatory capital rule<sup>1</sup> (market risk institutions). Each market risk institution is required to file the FFIEC 102 for the agencies' use in assessing the reasonableness and accuracy of the institution's calculation of its minimum capital requirements under the market risk capital rule and in evaluating the institution's capital in relation to its risks. Additionally, the market risk information collected in the FFIEC 102: (a) permits the agencies to monitor the market risk profile of, and evaluate the impact and competitive implications of, the market risk capital rule on individual market risk institutions and the industry as a whole; (b) provides the most current statistical data available to identify areas of market risk on which to focus for onsite and offsite examinations; (c) allows the agencies to

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<sup>1</sup> [12 CFR 3.201](#) (OCC); [12 CFR 217.201](#) (Board); and [12 CFR 324.201](#) (FDIC). The market risk capital rule generally applies to any banking institution with aggregate trading assets and trading liabilities equal to (a) 10 percent or more of quarter-end total assets or (b) \$1 billion or more.

assess and monitor the levels and components of each reporting institution's risk-based capital requirements for market risk and the adequacy of the institution's capital under the market risk capital rule; and (d) assists market risk institutions in validating their implementation of the market risk framework.

### *Statutory Basis and Confidential Treatment*

The quarterly FFIEC 102 information collection is mandatory for market risk institutions: 12 U.S.C. 161 (national banks), 12 U.S.C. 324 (state member banks), 12 U.S.C. 1844(c) (bank holding companies), 12 U.S.C. 1467a (b) (savings and loan holding companies), 12 U.S.C. § 5365 (U.S. intermediate holding companies), 12 U.S.C. 1817 (insured state nonmember commercial and savings banks), and 12 U.S.C. 1464 (savings associations). The FFIEC 102 information collections are not given confidential treatment.

### *Request for Comment*

The agencies invite comment on the following topics related to these collections of information:

- (a) Whether the information collections are necessary for the proper performance of the agencies' functions, including whether the information has practical utility;
  - (b) The accuracy of the agencies' estimates of the burden of the information collections, including the validity of the methodology and assumptions used;
  - (c) Ways to enhance the quality, utility, and clarity of the information to be collected;
  - (d) Ways to minimize the burden of information collections on respondents, including through the use of automated collection techniques or other forms of information technology;
- and

(e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Comments submitted in response to this joint notice will be shared among the agencies. All comments will become a matter of public record.

Dated: October 9, 2019.

Theodore J. Dowd,  
Deputy Chief Counsel,  
Office of the Comptroller of the Currency.

Board of Governors of the Federal Reserve System, October 9, 2019.

Ann Misback,  
Secretary of the Board.

Federal Deposit Insurance Corporation.  
Dated at Washington, DC, on October 9, 2019.

**Annmarie H. Boyd,**  
*Assistant Executive Secretary.*

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