



May 18, 2020

William Bestani
Desk Officer
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, D.C. 20530

Subject: Emergency PRA Clearance Request, OCC Collection Nos. 1557-0081 and 1557-0239

Dear Mr. Bestani:

The Office of the Comptroller of the Currency (OCC), in coordination with the Board of Governors of the Federal Reserve System (Board), and the Federal Deposit Insurance Corporation (FDIC), (collectively, the "agencies"), each of which is submitting a separate request, hereby requests approval for revisions to the following currently approved collection of information pursuant to the Office of Management and Budget's (OMB) Paperwork Reduction Act (PRA) emergency processing procedures at 5 CFR § 1320.13:

Consolidated Reports of Condition and Income (Call Report) - FFIEC 031, FFIEC 041, and FFIEC 051 [OMB Nos. 7100-0036 (Board), 3064-0052 (FDIC), and 1557-0081 (OCC)]
Regulatory Capital Reporting for Institutions Subject to the Advanced Capital Adequacy Framework – FFIEC 101 [OMB Nos. 7100-0319 (Board), 3064-0159 (FDIC), and 1557-0239 (OCC)].

The OCC has determined that (1) the collection of information within the scope of this request is needed prior to the expiration of time periods established under 5 C.F.R. § 1320.12; (2) this collection of information is essential to the mission of the OCC; and (3) the OCC cannot reasonably comply with the normal clearance procedures because an unanticipated event has occurred and the use of normal clearance procedures is reasonably likely to prevent or disrupt the collection of information.

Summary of Revisions

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security Act (CARES Act)¹ became law. Various provisions of the CARES Act led to the banking agencies issuing implementing regulations, many of which have impacts on regulatory reporting in the Call Report and FFIEC 101. In addition, the agencies have issued additional interim final rules to assist banks with managing market disruptions related to COVID-19 while continuing to provide access to funds and lending to consumers and businesses.

¹ Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281 (March. 27, 2020).

In connection with the CARES Act provisions and the agencies' interim final rules, the agencies are requesting the addition of nine new data items for the June 30, 2020, Call Report. The agencies estimate these new items would increase quarterly reporting burden by approximately 0.92 hours per bank:

- Under Section 1102 (Paycheck Protection Program) – 5 new items on the number and balance of loans, the balance of loans pledged to the Board's liquidity facility, the amount of the liquidity facility maturing in up to a year or more than a year, and the average balance excluded from a bank's leverage ratio.
- Money Market Liquidity Facility – 2 new items on the amount of assets purchased and the average amount excluded from a bank's leverage ratio.²
- Under Section 4013 (Troubled Debt Restructuring) – 2 new items on the amount and balance of loans restructured under this provision.³

In addition, the following interim final rules issued by the agencies or the FRB alone affect instructions for regulatory reporting for all banks for the June 30, 2020, Call Report. The agencies believe these instructional changes would not create a material change in burden.

- Community Bank Leverage Ratio – Revisions to the qualifying ratio in 2020 and 2021.
- Federal Reserve Regulation D – Revisions to the classification of deposit liabilities
- Federal Reserve Regulation O – Revision to the exemptions for classification of loans to directors and executive officers

The following interim final rules issued by the agencies would affect instructions for regulatory reporting for all banks for the June 30, 2020, Call Report and FFIEC 101. The agencies believe these instructional changes would not create a material change in burden.

- Supplementary Leverage Ratio - Revisions to average total assets used to calculate the leverage ratio and supplementary leverage ratio, and to risk-weighted assets and advanced approaches risk-weighted assets.
- Section 1102 loans pledged to the Board's PPP liquidity facility – Revisions to average total assets used to calculate the leverage ratio and supplementary leverage ratio, and to risk-weighted assets and advanced approaches risk-weighted assets.
- Money Market Liquidity Facility – Revisions to average total assets used to calculate the leverage ratio and supplementary leverage ratio, and to risk-weighted assets and advanced approaches risk-weighted assets.

A more detailed summary of the final rules and related reporting changes are provided in the attached memorandum.

The revisions to this information collection through interim final rules prevent the OCC from clearing the collection under 5 C.F.R. § 1320.11, which covers only collections of information contained in proposed rules. As noted in 5 C.F.R. § 1320.5(c)(1), the OCC must clear the collection under 5 C.F.R. § 1320.10, which relates to information collections not contained in

² OMB previously approved the addition of these two items in the agencies' prior request for emergency clearance submitted on April 1, 2020. The agencies had requested the collection on a voluntary basis, but are revising the request to be a required collection in the Call Report.

³ OMB previously approved the addition of one of these items, the outstanding balance of Section 4013 loans, in the agencies' prior requests for emergency clearance submitted on April 1, 2020.

proposed rules or current rules. There is insufficient time to obtain clearance under 5 C.F.R. § 1320.10 prior to the rules' effective dates in the second quarter of 2020. Therefore, the OCC is requesting emergency clearance for these revisions. The agencies plan to request comment on the revisions after the emergency clearance through the standard PRA process, including both 60-day and 30-day notices with requests for comment.