



December 30, 2010

Jennifer J. Johnson
Secretary
Board of Governors
of the Federal Reserve System
20th Street and Constitution Avenue, NW
Washington, DC 20551

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

Re: Request for Comment: FR Y-9C, FR Y-9LP, FR Y-11 and FR 2314 Reports

Dear Ms. Johnson:

The Clearing House Association L.L.C. (“The Clearing House”)¹, an association of major commercial banks, appreciates the opportunity to comment on the proposed revisions (the “Proposal”) to certain of the Federal Reserve Board’s (the “Board’s”) regulatory reports. Our comments to the Proposal are presented below.

Executive Summary

The Clearing House supports the Board’s objective to analyze a bank holding company’s overall financial condition to ensure safety and soundness through additional disclosures. Additionally, The Clearing House appreciates the Board’s efforts to conform the proposed revisions to the FR Y-9C, Financial Statements for Bank Holding Companies with the proposed

¹ Established in 1853, The Clearing House is the nation’s oldest banking association and payments company. It is owned by the world’s largest commercial banks, which collectively employ 1.4 million people in the United States and hold more than half of all U.S. deposits. The Clearing House Association is a nonpartisan advocacy organization representing – through regulatory comment letters, amicus briefs and white papers – the interests of its owner banks on a variety of systemically important banking issues. Its affiliate, The Clearing House Payments Company L.L.C., provides payment, clearing and settlement services to its member banks and other financial institutions, clearing almost \$2 trillion daily and representing nearly half of the automated-clearing-house, funds-transfer and check-image payments made in the U.S. See The Clearing House’s web page at www.theclearinghouse.org.

changes to the Consolidated Reports of Condition and Income (Call Report), so that there is consistency between the FR Y-9C Report and the Call Report. The Clearing House submitted comments on the proposed revisions to the Call Report in its letter dated November 29, 2010, a copy of which is attached for your convenience ("TCH November 29 Letter"), and has included comments from that letter that are related to the Board's Proposal in this letter. The Clearing House respectfully requests that our comments on the Proposal set forth below be considered before finalizing the revisions to the Board's regulatory reports. Specifically, The Clearing House:

- *strongly recommends* that the Proposal's revisions relating to troubled debt restructurings ("TDRs") be deferred until after the Financial Accounting Standards Board (the "FASB") has finalized its accounting for TDRs under U.S. GAAP;
- *recommends* that the effective date for the proposed new Schedule HC-V, Variable Interest Entities be delayed until the September 30, 2011 FR Y-9C Report;
- *disagrees* with the Proposal's revision to the instructions for maturity and repricing data for financial instruments at contractual ceilings and floors; and
- *urges* the Board to consider our recommendation that the FR Y-11, Financial Statements for Nonbank Subsidiaries of U.S. Bank Holding Companies and the FR 2314, Financial Statements of Foreign Subsidiaries of U.S. Banking Organizations become a single form with designation as to whether the subsidiary is domestic or foreign.

We provide further detail on each of these points below.

A. Changes to TDRs should be deferred until the FASB has finalized its accounting for TDRs under U.S. GAAP.

The Clearing House recommends that the provisions of the Proposal relating to TDRs be deferred for both the FR Y-9C and FR Y-9LP Reports until after the FASB has made its final decisions about its exposure draft regarding TDRs². The Proposed ASU provides that it would be effective for interim and annual periods ending after June 15, 2011.³ Since the Proposal contemplates that it would be effective for March 31, 2011 reporting, The Clearing House is concerned that its members would need to make changes in their data collection processes to

² Proposed Accounting Standards Update, Receivables (Topic 310), Clarifications to Accounting for Troubled Debt Restructurings by Creditors issued on October 12, 2010 (the "Proposed ASU").

³ ASU 310-40-65-1.

implement the changes under the Proposal for the March 31, 2011 FR Y-9C and FR Y-9LP Reports and then perhaps again for June 30, 2011 reporting in the event that the FASB modifies the U.S. GAAP standard regarding TDRs. Accordingly, The Clearing House strongly recommends that the Board defer issuance of the proposed change on TDRs in final form until the FASB has finalized its accounting for TDRs under U.S. GAAP.

B. Changes to Schedule HC-V, Variable Interest Entities should be deferred until the September 30, 2011 FR Y-9C Report.

Since the final FR Y-9C Report changes will not be published in the Federal Register until at the earliest in January 2011, some data requested for this new schedule will not be readily available for several of our members for the March 31, 2011 FR Y-9C Report. Although certain categories of assets and liabilities of consolidated variable interest entities are currently reported on our members' Form 10-Qs, this information is not as granular as that required in the proposed changes to the FR Y-9C Report. For example, the information requested in Line 1, subparagraphs (b), (c), (e), (h), (i) and (j) and Line 2, subparagraphs (a), (b), (c) and (d) are not available currently in separate general ledger accounts for several of our members. In addition, for some of our members, there is no distinction in the general ledger for the type of variable interest entities specified in Column A, Securitization Trusts, Column B, ABCP Conduits and Column C, Other VIES of the proposed schedule. As a result, this information would need to be collected via manual templates from each entity's business lines for the March 31, 2011 FR Y-9C Report. At the same time, The Clearing House members will be implementing a significant number of other changes for the March 31, 2011 FR Y-9C Report. A sufficient amount of time should be allowed to ensure that entities can implement the new requirements in a manner that will allow them to produce reliable information that has been tested within the entities' internal control systems. Accordingly, we request that this proposed revision be delayed until the September 30, 2011 FR Y-9C Report.

C. Maturity and Repricing Data for Assets and Liabilities at Contractual Ceilings and Floors Instructions should remain unchanged.

As stated in our TCH November 29 Letter commenting on the proposed revisions to the Call Report, The Clearing House does not support the Proposal's revision to the instructions for maturity and repricing data for assets and liabilities at contractual ceilings and floors. The Clearing House does not believe that the benefits of these provisions of the Proposal have been sufficiently and clearly articulated, since the information requested would be commingled within the maturity and repricing information for loans, securities and deposits. The Board's Proposal contemplates revising the instructions for reporting maturity and repricing data on Schedule HC-B, Securities in order to conform with the proposed revisions to the Call Report.

However, this Proposal, if implemented as published, would result in differing methodologies in calculating maturity and repricing data on Schedule HC-B, Securities and Schedule HC-H, Interest Sensitivity on the FR Y-9C Report, since both require the reporting of maturity and repricing data. The Proposal would require that bank holding companies develop and maintain different system reports for reporting maturity and repricing data for securities for the two schedules. Additionally, banks would need to develop and maintain different system reports for reporting maturity and repricing of loans, securities and deposits for the Call Reports and for Schedule HC-H on the FR Y-9C Report. Therefore, The Clearing House strongly opposes implementation of any changes to the instructions for maturity and repricing for both the FR Y-9C Report and Call Report until further analysis of the impact and usefulness of the information has been completed, including identification of all related line items of the FR Y-9C Report and Call Reports.

- D. FR Y-11, Financial Statements for Nonbank Subsidiaries of U.S. Bank Holding Companies and FR 2314, Financial Statements of Foreign Subsidiaries of U.S. Banking Organizations should be combined into a single report.

The Clearing House would like to urge the Board to consider our recommendation that FR Y-11, Financial Statements for Nonbank Subsidiaries of U.S. Bank Holding Companies and FR 2314, Financial Statements of Foreign Subsidiaries of U.S. Banking Organizations become a single form with designation as to whether the subsidiary is domestic or foreign. The Clearing House has made this recommendation informally in previous discussions with the Board (i.e., at a May 19, 2010 meeting at the Federal Reserve Bank of New York). Currently, the forms are very similar. However, while there is vendor software and the ability to electronically submit the FR Y-11 Reports, this same functionality is not available for the FR 2314 Reports. This requires the completion of manual forms and submission of hard copy reports. Furthermore, the software edit checks are not available for the FR 2314 Reports. We recommend that the forms be combined into a single report to enable the use of vendor software, including the functionality of the edit checks, and electronic submission. We recommend that in order to distinguish between the forms, a check-box or other identifier could be incorporated to indicate whether the entity is an FR Y-11 filer or an FR 2314 filer. We believe that the Board, as well as the bank holding companies, would benefit from this change by increased efficiency and enhanced controls.

We also would appreciate the opportunity to discuss with you a comprehensive review of the FR Y-9C Report, in a collaborative effort to determine whether any information

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requested is duplicative or no longer necessary and whether certain reporting thresholds should be reviewed.⁴

We greatly appreciate your consideration of our comments and would welcome the opportunity to discuss them further with you at your convenience. If we can facilitate arranging for those discussions, or if you have any questions or need further information, please contact me at 212.613.9883 (email: david.wagner@theclearinghouse.org) or Gail Haas at 212. 612.9233 (email: gail.haas@theclearinghouse.org).

Sincerely yours,



David Wagner
Senior Vice President,
Financial and Tax Affairs

Attachment

cc: Mr. Arthur Lindo
Associate Director and Chief Accountant of Banking Supervision and Regulation
Federal Reserve Board

Mr. Kenneth Lamar
Senior Vice President
Federal Reserve Bank of New York

Mr. Philip Jasienczyk,
Director, Reporting and Reserves Statistics
Federal Reserve Bank of San Francisco

⁴ We would appreciate the opportunity to work with you to avoid duplication or unnecessary overlap between the FR Y-9C Reports and other information to be requested pursuant to various provisions of H.R. 4173, the Dodd-Frank Wall Street Reform and Consumer Protection Act, including but not limited to the Office of Financial Research.

Ms. Cynthia Ayouch
Acting Federal Reserve Board Clearance Officer
Federal Reserve Board

Ms. Karen Nelson, Wells Fargo Bank, N.A.
Chairperson, Regulatory Reporting Committee
The Clearing House Association L.L.C.

Ms. Gail Haas
Financial Specialist
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