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August 19, 2014

Legislative and Regulatory Activities Division Office of the Comptroller of the Currency 400 7th Street SW., Suite 3E-218, Mail Stop 9W-11 Washington, DC 20219

Board of Governors of the Federal Reserve System 20th Street and Constitution Avenue N.W. Washington, DC 20551 Attention: Robert DeV. Frierson, Secretary,

Federal Deposit Insurance Corporation 550 17th Street N.W. Washington, DC 20429 Attention: Gary A. Kuiper, Counsel (Comments, Room NYA–5046)

RE: Comments on Proposed Revisions to Risk-Weighted Assets Portion of Schedule RC-R for Call Reports – Bank-Owned Life Insurance Assets

Ladies and Gentlemen:

On June 23, 2014, the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation (collectively, the "agencies") approved the publication for public comment of proposed revisions to the risk-weighted assets portion of Schedule RC–R, Regulatory Capital in the Consolidated Reports of Condition and Income ("Revised Schedule RC–R").

Once finalized, the Revised Schedule RC–R will implement the reporting of risk-weighted assets (RWA) consistent with the Standardized Approach which will become effective and replace the existing risk-weighting (commonly referred to as "Basel I") on January 1, 2015.

Established in 1992, MB Schoen & Associates, Inc. provides consulting and administrative services specifically related to Bank Owned Life Insurance (BOLI) programs. Our clients include community banks, large regional banks and banks that are among the largest in the world. We presently provide administrative services for more than \$18 billion of BOLI assets. We appreciate the opportunity to provide comments and suggestions on the Revised Schedule RC–R, specifically as it relates to the reporting of risk-weighted assets for BOLI assets.

Comments on Proposed Revisions to Risk-Weighted Assets Portion of Schedule RC-R for Call Reports – Bank-Owned Life Insurance Assets August 19, 2014 Page 2

Collectively, regulated financial institutions own approximately \$160 billion of BOLI.¹ There are three types of BOLI: general account, separate account, and hybrid. As discussed further below, there are certain aspects of incorporating BOLI in the Revised Schedule RC–R that may require regulatory clarification. Additionally, we provide a specific recommendation applicable to separate account BOLI programs.

Discussion of Current (Basel I) RWA Reporting for BOLI

In accordance with the FFIEC 031 and 041 instructions, BOLI assets are reported under Other Assets (Schedule RC-F) and are distinguished between general account, separate account, and hybrid.

Specific instructions are not provided for incorporating BOLI into the Risk-Weighted Assets schedule (Schedule RC-R-Part II – June 2014). However, consistent with the "Other Assets" classification, it is our understanding that banks include BOLI in the "All other assets" line of the Risk-Weighted Assets schedule (line 42 in the June 2014 form).

	(Column A) Totals									C)	(C	olumn	D)	(C	olumn	E)	(Column F)			
											Allo	cation I	oy Risk	-Weigh	nt Cate	gory				
	(110	m Sch	equie	RC)		sk vvei	gnung		0%		20%			50%			100%		,	
Dollar Amounts in Thousands	Tril	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	
Balance Sheet Asset Categories																				
		RCFD			D(CED B	40	PC	ED B	44	BC	ED B6	42	BC	ED B	- 42	PC	FD 53	20	
		ROFL	0039				940	RC	FU BU	41	RU	FDBU	42	RU	FUB	043	RC	/FD 00	39	
42. All other assets ¹																				

As shown above, this line requires the underlying asset values to be reported in specific risk-weight categories. The categories shown on the form are consistent with Basel I risk-weights.

Discussion of RWA Reporting for BOLI in Revised Schedule RC-R

The Revised Schedule RC–R does not provide specific instructions for incorporating BOLI into the RWA schedule. With specific exceptions that we will discuss further below, barring additional clarification, we would expect BOLI assets to continue to be reported in the "All other assets" line (line 8). Below is a screen print of line 8.²

	(Co	olumi	n A)	(Column B)			(Column C)		C)	(Column D)			(Column E)		(Column F)		(Column G)			(Column H)			(Column I)			(Column J)				
		Total				nts to									4	llocat	ion b	y Risk	Weig	ht Ca	tegor	y								
	Fron	n Sch RC	edule		s rep Colum			0%			2%			4%			10%			20%			50%			100%	5	1	50%	
Dollar Amounts in Thousands	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou	Bil	Mil	Thou
8. All other assets ⁴	RC	XX XX	xxx	RC	XX X)	XX	RC	xx xx	хх					-					RC	xx xx	xx	RC	xx xx	XX	RC	XX X)	xx			

Similar to the current reporting, this line requires the underlying asset values to be reported in specific risk-weight categories. In the following subsections, we identify

¹ Total BOLI holdings are the sum of BOLI reported by bank holding companies in Y-9C reports and BOLI reported by standalone banks in call reports. Values are as of 3/31/2014.

² Line 8 spans two pages in the Revised Schedule RC–R; the second page includes risk-weight categories ranging from 250% to 1250%.

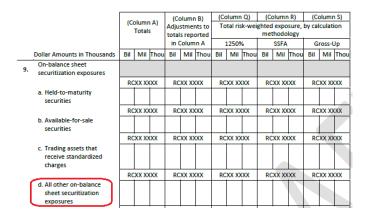
Comments on Proposed Revisions to Risk-Weighted Assets Portion of Schedule RC-R for Call Reports – Bank-Owned Life Insurance Assets August 19, 2014 Page 3

specific issues with respect to utilizing this line item for separate account BOLI assets, which, as clarified in the final regulatory rules, must be treated as investment fund exposures.

Separate Account Securitization Exposures

Certain separate account BOLI plans include investments in high-quality securitization exposures. Under the Standardized Approach, securitization exposures may be risk-weighted in three ways: the Gross Up Approach, the Simplified Supervisory Formula Approach ("SSFA") or by assigning a risk-weight of 1250%. The computational results of the Gross Up Approach and SSFA will vary based on the input parameters at an applicable point in time. As such, it is understood that they likely will not fall into the prescribed risk-weight categories.

We note that the Revised Schedule RC–R includes a line item (Line 9.d) which the agencies may intend to be used to capture securitization exposures within separate account BOLI plans ("All other on-balance sheet securitization exposures").



Other Exposures in Separate Account BOLI Plans

Separate account BOLI plans may have underlying exposures to investments that have risk-weight categories that are currently marked as closed in line 8 of the Revised Schedule RC–R. These may include:

- Exchange traded interest rate futures contracts that might qualify for either the 2% or 4% risk-weight;
- Publicly traded equity securities (used in connection with hedging certain deferred compensation plan liabilities) that receive a 300% risk-weight; and
- Investments that might receive a 150% risk-weight (including, as an example, a foreign sovereign following an event of default).

Comments on Proposed Revisions to Risk-Weighted Assets Portion of Schedule RC-R for Call Reports – Bank-Owned Life Insurance Assets August 19, 2014 Page 4

Given the potential to encounter additional risk-weight categories, we think it would be helpful if the agencies clarified their intentions with respect to reporting such exposures.

Suggested Resolution – Add Investment Fund Line Items

Under the Advanced Approaches reporting (FFIEC 101), there are distinct line items for "Equity Exposures to Investment Funds" (lines 12-14 of Schedule R).

	Simple	Risk Weight Ap	proach	Full Inte	ernal Models Ap	oproach	Publicly Trad	dels Approach		
	(Column A)	Risk Weight	(Column B)	(Column C)	Risk Weight	(Column D)	(Column E)	Risk Weight	(Column F)	
	Exposure	or Multiplier	Risk- Weighted	Exposure	or Multiplier	Risk- Weighted	Exposure	or Multiplier	Risk- Weighted	
		wundpher	Assets		wundpiter	Assets		wundplier	Assets	
Dollar Amounts in Thousands	Bil Mil Thou		Bil Mil Thou	Bil Mil Thou		Bil Mil Thou	Bil Mil Thou		Bil Mil Thou	
Envite Evenes to Investment Events	AARA J063		AARB J063	AARC J063		AARD J063	AARE J063	1	AARF J063	
Equity Exposures to Investment Funds 12. Full look-through approach	A410A 3003		AA10 3003	AARC 3003		AARD 3003	AARE 3003	-	AAIXI 3003	
12. Full look-ullough approach	AARA J064		AARB J064	AARC J064		AARD J064	AARE J064		AARF J064	
13. Simple modified look-through approach								1		
. 511	AARA J065		AARB J065	AARC J065		AARD J065	AARE J065	1	AARF J065	
14. Alternative modified look-through approach										

We think it would be helpful to add similar line items in the Standardized Approach forms. Benefits include:

- 1. Better regulatory visibility into investment fund RWA treatment (as opposed to the funds being dispersed across a number of line items and incorporated along with fixed assets, intangibles, etc.);
- 2. Better alignment between Standardized Approach and Advanced Approach methodologies for banks that are subject to both approaches; and
- 3. Potentially more efficient administration and recordkeeping since the values would more directly align with general ledger asset accounts.

Conclusion

As discussed in this letter, we recommend adding specific line items for Equity Exposures to Investment Funds in the revised risk-weighted asset schedule that was proposed for comment. If the agencies choose not to add such line items, we recommend opening up additional risk-weight categories in the "All other assets" line (line 8.) and/or providing additional guidance regarding how underlying exposures within separate account BOLI programs should be reported in the revised schedule.

Again, we appreciate the opportunity to submit comments on this matter and would be happy to discuss our observations and recommendations further if it would be of assistance to the agencies.

Sincerely,

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Tradyn Foley Vice President