



Capital One Financial Corporation
1680 Capital One Drive
McLean, VA 22102

January 2, 2007

Office of the Comptroller of the Currency
Communications Division
Public Information Room, Mailstop 1-5
250 E Street, SW
Washington, DC 20219
Attention: 1557-0081
regs.comments@occ.treas.gov

Information Collection Comments
Chief Counsel's Office
Office of Thrift Supervision
1700 G Street, NW
Washington, DC 20552
Attention: No. 1550-0023 (TFR: Schedule
DI Revisions)
infocollection.comments@ots.treas.gov

Steven F. Hanft
Clearance Officer
Federal Deposit Insurance Corporation
Room MB-2088
550 17th Street, NW
Washington, DC 20429
Attention: Comments, Consolidated
Reports of Condition and Income,
3064- 0052
comments@FDIC.gov

Ms. Jennifer J. Johnson, Secretary
Board of Governors of the Federal Reserve
System
20th Street and Constitution Avenue, NW
Washington, DC 20551
regs.comments@federalreserve.gov

Re: Proposed agency Information Collection: Consolidated Reports of Condition and Income

Ladies and Gentlemen:

Capital One Financial Corporation ("Capital One") is pleased to submit comments on the federal banking agencies' (the "Agencies") proposed Call Report and Thrift Financial Report revisions.

Capital One Financial Corporation is a financial holding company whose subsidiaries, Capital One Bank, Capital One, F.S.B., Capital One Auto Finance, Inc., and Capital One, N.A. (formerly Hibernia National Bank), offer a broad spectrum of financial products and services to consumers, small businesses, and commercial clients. As of

September 30, 2006, Capital One's subsidiaries collectively had \$48.2 billion in deposits and \$112.2 billion in managed loans outstanding, and operated more than 300 retail bank branches. In addition, on December 1, 2006, Capital One acquired North Fork Bancorporation, Inc., which operates over 300 bank branches throughout New York, New Jersey, and Connecticut, and is the third-largest depository institution in the greater New York City region. As part of that acquisition, which makes Capital One one of the dozen largest banking institutions in the country by deposits, Capital One has acquired GreenPoint Mortgage Funding Inc., a major nationwide originator of residential mortgages, including some mortgages that allow for negative amortization over limited periods.

Capital One generally supports the Agencies' proposed changes to the Call Report and the TFR. One issue in the Agencies' proposal is how the Agencies define a "significant volume" of negatively amortizing 1 - 4 family residential mortgage loans for purposes of the requirement that additional memorandum items be reported with respect to those loans. The Agencies appear to propose that the additional items be reported if the volume of such loans exceeds either a fixed dollar amount or a percentage of total loans and leases (71 Fed. Reg. at 63854).

Capital One believes that the proposed methodology using a certain percentage of total loans and leases is more in line with the Agencies' goals of ensuring the safety and soundness of institutions while minimizing the burden of information collection. As the Agencies stated in their proposal, "when loans with negative amortization are not prudently underwritten and not properly monitored, they raise safety and soundness concerns." These safety and soundness concerns become prominent only as an institution's concentration of these loans increases relative to the rest of its portfolio. Should the Agencies set a fixed dollar amount to define "significant volume," large banks might be required to complete the additional reporting even though their concentration and associated risk was small relative to their size. Therefore, Capital One believes that the Agencies' proposed methodology, should base the threshold for a "significant volume" only on a percentage of an institution's total loans and leases.

Capital One appreciates the opportunity to comment on the proposed revisions. If you have any questions about this matter and our comments, please call me at (703) 720-2255.

Sincerely,

/s/

Christopher T. Curtis
Associate General Counsel
Policy Affairs