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FEDERAL RESERVE SYSTEM

12 CFR Part 204

[Regulation D; Docket No. R-1467]

RIN No. 7100 AE 04

Reserve Requirements of Depository Institutions

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Final rule.

SUMMARY: The Board is amending Regulation D, Reserve Requirements of Depository Institutions, to reflect the annual indexing of the reserve requirement exemption amount and the low reserve tranche for 2014. The Regulation D amendments set the amount of total reservable liabilities of each depository institution that is subject to a zero percent reserve requirement in 2014 at \$13.3 million (from \$12.4 million in 2013). This amount is known as the reserve requirement exemption amount. The Regulation D amendments also set the amount of net transaction accounts at each depository institution (over the reserve requirement exemption amount) that is subject to a three percent reserve requirement in 2014 at \$89.0 million (from \$79.5 million in 2013). This amount is known as the low reserve tranche. The adjustments to both of these amounts are derived using statutory formulas specified in the Federal Reserve Act.

The Board is also announcing changes in two other amounts, the nonexempt deposit cutoff level and the reduced reporting limit, that are used to determine the frequency at which depository institutions must submit deposit reports.

DATES: *Effective date:* December 5, 2013.

Compliance dates: The new low reserve tranche and reserve requirement exemption amount will apply to the

fourteen-day reserve maintenance period that begins January 23, 2014. For depository institutions that report deposit data weekly, this maintenance period corresponds to the fourteen-day computation period that begins December 24, 2013. For depository institutions that report deposit data quarterly, this maintenance period corresponds to the seven-day computation period that begins December 17, 2013. The new values of the nonexempt deposit cutoff level, the reserve requirement exemption amount, and the reduced reporting limit will be used to determine the frequency at which a depository institution submits deposit reports effective in either June or September 2014.

FOR FURTHER INFORMATION CONTACT: Sophia H. Allison, Senior Counsel (202) 452-3565, Legal Division, or Ezra A. Kidane, Financial Analyst (202) 973-6161, Division of Monetary Affairs; for users of Telecommunications Device for the Deaf (TDD) only, contact (202) 263-4869; Board of Governors of the Federal Reserve System, 20th and C Streets NW., Washington, DC 20551.

SUPPLEMENTARY INFORMATION: Section 19(b)(2) of the Federal Reserve Act (12 U.S.C. 461(b)(2)) requires each depository institution to maintain reserves against its transaction accounts and nonpersonal time deposits, as prescribed by Board regulations, for the purpose of implementing monetary policy. Section 11(a)(2) of the Federal Reserve Act (12 U.S.C. 248(a)(2)) authorizes the Board to require reports of liabilities and assets from depository institutions to enable the Board to conduct monetary policy. The Board's actions with respect to each of these provisions are discussed in turn below.

Reserve Requirements

Pursuant to section 19(b) of the Federal Reserve Act (Act), transaction account balances maintained at each depository institution are subject to reserve requirement ratios of zero, three, or ten percent. Section 19(b)(11)(A) of the Act (12 U.S.C. 461(b)(11)(A)) provides that a zero percent reserve requirement shall apply at each depository institution to total reservable liabilities that do not exceed a certain amount, known as the reserve requirement exemption amount. Section 19(b)(11)(B) provides that, before December 31 of each year, the Board

shall issue a regulation adjusting the reserve requirement exemption amount for the next calendar year if total reservable liabilities held at all depository institutions increase from one year to the next. No adjustment is made to the reserve requirement exemption amount if total reservable liabilities held at all depository institutions should decrease during the applicable time period. The Act requires the percentage increase in the reserve requirement exemption amount to be 80 percent of the increase in total reservable liabilities of all depository institutions over the one-year period that ends on the June 30 prior to the adjustment.

Total reservable liabilities of all depository institutions increased 9.0 percent (from \$5,770 billion to \$6,289 billion) between June 30, 2012, and June 30, 2013. Accordingly, the Board is amending Regulation D to set the reserve requirement exemption amount for 2014 at \$13.3 million, an increase of \$0.9 million from its level in 2013.¹

Pursuant to Section 19(b)(2) of the Act (12 U.S.C. 461(b)(2)), transaction account balances maintained at each depository institution over the reserve requirement exemption amount and up to a certain amount, known as the low reserve tranche, are subject to a three percent reserve requirement. Transaction account balances over the low reserve tranche are subject to a ten percent reserve requirement. Section 19(b)(2) also provides that, before December 31 of each year, the Board shall issue a regulation adjusting the low reserve tranche for the next calendar year. The Act requires the adjustment in the low reserve tranche to be 80 percent of the percentage increase or decrease in total transaction accounts of all depository institutions over the one-year period that ends on the June 30 prior to the adjustment.

Net transaction accounts of all depository institutions increased 14.9 percent (from \$1,371 billion to \$1,575 billion) between June 30, 2012 and June 30, 2013. Accordingly, the Board is amending Regulation D to increase the low reserve tranche for net transaction accounts by \$9.5 million, from \$79.5

¹ Consistent with Board practice, the low reserve tranche and reserve requirement exemption amounts have been rounded to the nearest \$0.1 million.

million for 2013 to \$89.0 million for 2014.

The new low reserve tranche and reserve requirement exemption amount will be effective for all depository institutions for the fourteen-day reserve maintenance period beginning Thursday, January 23, 2014. For depository institutions that report deposit data weekly, this maintenance period corresponds to the fourteen-day computation period that begins December 24, 2013. For depository institutions that report deposit data quarterly, this maintenance period corresponds to the seven-day computation period that begins December 17, 2013.

2. Deposit Reports

Section 11(b)(2) of the Federal Reserve Act authorizes the Board to require depository institutions to file reports of their liabilities and assets as the Board may determine to be necessary or desirable to enable it to discharge its responsibility to monitor and control the monetary and credit aggregates. The Board screens depository institutions each year and assigns them to one of four deposit reporting panels (weekly reporters, quarterly reporters, annual reporters, or nonreporters). The panel assignment for annual reporters is effective in June of the screening year; the panel assignment for weekly and quarterly reporters is effective in September of the screening year.

In order to ease reporting burden, the Board permits smaller depository institutions to submit deposit reports less frequently than larger depository institutions. The Board permits depository institutions with net transaction accounts above the reserve requirement exemption amount but total transaction accounts, savings deposits, and small time deposits below a specified level (the “nonexempt deposit cutoff”) to report deposit data quarterly. Depository institutions with net transaction accounts above the reserve requirement exemption amount and with total transaction accounts, savings deposits, and small time deposits greater than or equal to the nonexempt deposit cutoff are required to report deposit data weekly. The Board requires certain large depository institutions to report weekly regardless of the level of their net transaction accounts if the depository institution’s total transaction accounts, savings deposits, and small

time deposits exceeds or is equal to a specified level (the “reduced reporting limit”). The nonexempt deposit cutoff level and the reduced reporting limit are adjusted annually, by an amount equal to 80 percent of the increase, if any, in total transaction accounts, savings deposits, and small time deposits of all depository institutions over the one-year period that ends on the June 30 prior to the adjustment.

From June 30, 2012 to June 30, 2013, total transaction accounts, savings deposits, and small time deposits at all depository institutions increased 7.0 percent (from \$8,890 billion to \$9,508 billion). Accordingly, the Board is increasing the nonexempt deposit cutoff level by \$16.2 million to \$306.7 million in 2014 (from \$290.5 million for 2013). The Board is also increasing the reduced reporting limit by \$91 million to \$1.719 billion for 2014 (from \$1.628 billion in 2013).²

Beginning in 2014, the boundaries of the four deposit reporting panels will be defined as follows. Those depository institutions with net transaction accounts over \$13.3 million (the reserve requirement exemption amount) or with total transaction accounts, savings deposits, and small time deposits greater than or equal to \$1.719 billion (the reduced reporting limit) are subject to detailed reporting, and must file a Report of Transaction Accounts, Other Deposits and Vault Cash (FR 2900 report) either weekly or quarterly. Of this group, those with total transaction accounts, savings deposits, and small time deposits greater than or equal to \$306.7 million (the nonexempt deposit cutoff level) are required to file the FR 2900 report each week, while those with total transaction accounts, savings deposits, and small time deposits less than \$306.7 million are required to file the FR 2900 report each quarter. Those depository institutions with net transaction accounts less than or equal to \$13.3 million (the reserve requirement exemption amount) and with total transaction accounts, savings deposits, and small time deposits less than \$1.719 billion (the reduced reporting limit) are eligible for reduced reporting, and must either file a deposit report annually or not at all. Of this group, those with total deposits greater than \$13.3 million (but with total transaction accounts, savings deposits, and small time deposits less than \$1.719 billion) are required to file the Annual Report of Deposits and Reservable

Liabilities (FR 2910a) report annually, while those with total deposits less than or equal to \$13.3 million are not required to file a deposit report. A depository institution that adjusts reported values on its FR 2910a report in order to qualify for reduced reporting will be shifted to an FR 2900 reporting panel.

Notice and Regulatory Flexibility Act. The provisions of 5 U.S.C. 553(b) relating to notice of proposed rulemaking have not been followed in connection with the adoption of these amendments. The amendments involve expected, ministerial adjustments prescribed by statute and by the Board’s policy concerning reporting practices. The adjustments in the reserve requirement exemption amount, the low reserve tranche, the nonexempt deposit cutoff level, and the reduced reporting limit serve to reduce regulatory burdens on depository institutions. Accordingly, the Board finds good cause for determining, and so determines, that notice in accordance with 5 U.S.C. 553(b) is unnecessary. Consequently, the provisions of the Regulatory Flexibility Act, 5 U.S.C. 601, do not apply to these amendments.

List of Subjects in 12 CFR Part 204

Banks, banking, Reporting and recordkeeping requirements.

For the reasons set forth in the preamble, the Board is amending 12 CFR part 204 as follows:

PART 204—RESERVE REQUIREMENTS OF DEPOSITORY INSTITUTIONS (REGULATION D)

- 1. The authority citation for part 204 continues to read as follows:

Authority: 12 U.S.C. 248(a), 248(c), 371a, 461, 601, 611, and 3105.

- 2. Section 204.4(f) is revised to read as follows:

§ 204.4 Computation of required reserves.

* * * * *

(f) For all depository institutions, Edge and Agreement corporations, and United States branches and agencies of foreign banks, required reserves are computed by applying the reserve requirement ratios below to net transaction accounts, nonpersonal time deposits, and Eurocurrency liabilities of the institution during the computation period.

² Consistent with Board practice, the nonexempt deposit cutoff level has been rounded to the nearest

\$0.1 million, and the reduced reporting limit has been rounded to the nearest \$1 million.

Reservable liability	Reserve requirement
NET TRANSACTION ACCOUNTS:	
\$0 to reserve requirement exemption amount (\$13.3 million)	0 percent of amount.
Over reserve requirement exemption amount (\$13.3 million) and up to low reserve tranche (\$89.0 million)	3 percent of amount.
Over low reserve tranche (\$89.0 million)	\$2,271,000 plus 10 percent of amount over \$89.0 million.
Nonpersonal time deposits	0 percent.
Eurocurrency liabilities	0 percent.

By order of the Board of Governors of the Federal Reserve System, under delegated authority, October 30, 2013.

Robert deV. Frierson,

Secretary of the Board.

[FR Doc. 2013-26404 Filed 11-4-13; 8:45 am]

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BUREAU OF CONSUMER FINANCIAL PROTECTION

12 CFR Part 1005

[Docket No. CFPB-2013-0032]

RIN 3170-AA33

Electronic Fund Transfers (Regulation E)

AGENCY: Bureau of Consumer Financial Protection.

ACTION: Notice of publication of remittance rule safe harbor list.

SUMMARY: On September 26, 2012, the Bureau of Consumer Financial Protection (Bureau) issued a safe harbor list of countries that qualify for an exception in subpart B of Regulation E, which implements the Electronic Fund Transfer Act, and published this list on its Web site. The Bureau is now publishing the current list, which is unchanged from the prior release, in the **Federal Register**. The Bureau recognizes that the list may change, and it intends to revise the list periodically.

DATES: This list is effective on October 28, 2013. The Bureau will next consider suggestions and input on additions or deletions made on or before March 17th, 2014. However, to facilitate compliance, the Bureau will not remove a country from the list before July 1st, 2014.

ADDRESSES: The Bureau welcomes your input related to whether it has included the appropriate countries and areas on the list. To provide input, please send your feedback and any supporting materials (in English) to:

—CFPB_CountriesList@cfpb.gov or
—Office of the Executive Secretary,
Bureau of Consumer Financial
Protection, 1700 G Street NW.,
Washington, DC 20552.

In general, all comments received will be posted without change to regulations.gov, including any personal information provided. Sensitive personal information, such as account numbers or social security numbers, should not be included.

FOR FURTHER INFORMATION CONTACT: Eric Goldberg or Lauren Weldon, Counsels, Division of Research, Markets, and Regulations, Bureau of Consumer Financial Protection, 1700 G Street NW., Washington, DC 20552, at (202) 435-7700 or at CFPB_RemittanceRule@cfpb.gov. The Bureau also allows interested parties to sign up to receive an alert by email any time the list changes. To receive an alert when the Bureau releases a revised countries list, please sign up for email updates on the Bureau's Web site at <http://www.consumerfinance.gov/remittances-transfer-rule-amendment-to-regulation-e/>.

SUPPLEMENTARY INFORMATION: The Bureau published its remittance rule on February 7, 2012 (77 FR 6194) implementing section 1073 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. The remittance rule, which includes several additional revisions and amendments published in the **Federal Register** on July 10, 2012 (77 FR 40459), August 20, 2012 (77 FR 50244), May 22, 2013 (78 FR 30662), and August 14, 2013 (78 FR 49365) (collectively the Final Rule), takes effect on October 28, 2013. Pursuant to the Final Rule, the Bureau determined it would publish a safe harbor list of countries that qualify for an exception in the rule.

That exception permits estimates of certain disclosures in lieu of exact amounts, unless the provider has information that a country's laws, or the method by which transactions are conducted in that country, permits a determination of the exact disclosure amount. The Final Rule, which goes into effect on October 28, 2013, generally requires remittance transfer providers to give consumers sending remittance transfers certain specified disclosures. Among other requirements,

a provider generally must disclose the applicable exchange rate, any fees imposed and taxes collected by the provider, and covered third-party fees.¹ In particular circumstances, the Final Rule permits providers to estimate certain amounts that the rule requires them to disclose.

As it relates to this notice, a permanent exception in the Final Rule permits estimates of certain disclosures when, among other circumstances, a remittance transfer provider cannot determine the exact amounts it must disclose at the time the disclosures are required because the laws of the recipient country do not permit such determinations. *See* 12 CFR 1005.32(b)(1)(i)(A).² The Bureau stated in the **Federal Register** notice published on February 7, 2012 (77 FR 6194) that it would provide a list of countries that qualify for this permanent exception to facilitate providers' compliance with the rule. The Bureau issued this list on its Web site on September 26, 2012.³

The Bureau is now publishing the list in the **Federal Register**. The list is unchanged from the list first released in September 2012.

The current list of countries and other areas contains: Aruba, Brazil, China, Ethiopia and Libya. This list is current as of the date of its publication in the **Federal Register**.

As noted in the Final Rule, the list contains countries and other areas whose laws the Bureau believes, based on its interpretation of the permanent exception and relevant countries' laws,

¹ As described in the Final Rule, the term "covered third party fees" includes all fees charged by persons other than the provider except for fees imposed by the designated recipient's institution for receiving a remittance transfer into an account unless the institution acts as an agent of the remittance transfer provider. 12 CFR 1005.30(h)(1).

² *See generally* 12 CFR 1005.32 for the Final Rule's provisions on providing estimates for required disclosures.

³ *Working to Help Industry Understand and Comply with the New Remittance Rule: Countries List and Webinar*, available at: <http://www.consumerfinance.gov/blog/working-to-help-industry-understand-and-comply-with-the-new-remittance-rule-countries-list-and-webinar/> (last visited October 22, 2013).