

# FINANCIAL INFORMATION FORUM

January 28, 2025

## By email

Office of Financial Research  
U.S. Department of the Treasury  
717 14<sup>th</sup> Street, NW  
Washington, DC 20220

Attn: Michael Passante, Chief Counsel  
Sriram Rajan, Associate Director of Financial Markets  
Laura Miller Craig, Senior Advisor  
Corey Garriott, Director of Research

**Re: U.S. Department of the Treasury, Office of Financial Research, Ongoing Data Collection of Non-Centrally Cleared Bilateral Transactions in the U.S. Repurchase Agreement Market, 12 CFR Part 1610**

Dear Mr. Passante, Mr. Rajan, Ms. Miller and Mr. Garriott,

Financial Information Forum (“FIF”) is submitting this letter on behalf of the members of FIF in response to (i) the rule adopted by the Office of Financial Research of the U.S. Department of the Treasury (the “OFR”) to require reporting of non-centrally cleared bilateral repos (the “NCCBR rule”),<sup>1</sup> (ii) FAQs published by the OFR relating to the NCCBR rule titled “Frequently asked questions about NCCBR reporting”,<sup>2</sup> and (iii) other documentation published by the OFR relating to the NCCBR rule. Under the NCCBR rule, firms that meet specified activity thresholds (“Covered Reporters”) are required to report to the OFR specified data relating to non-centrally cleared bilateral repurchase agreement transactions (“repos”). FIF is submitting this letter as a supplement to the letters that FIF submitted to the OFR on June 20, July 17, August 22, September 12, September 24, October 22, November 5 and December 20, 2024.<sup>3</sup>

---

<sup>1</sup> 12 CFR §1610.11 (Non-centrally Cleared Bilateral Repurchase Agreement Data).

<sup>2</sup> U.S. Treasury Department, Office of Financial Research, “Frequently asked questions about NCCBR reporting”, available at <https://www.financialresearch.gov/data/collections/nccbr-faq/>.

<sup>3</sup> Letter from FIF to the OFR dated June 20, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=2953:fif-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>.  
Letter from FIF to the OFR dated July 17, 2024, available at <https://fif.com/index.php/working->

In this letter, FIF requests written guidance on various interpretive questions. If guidance provided by the OFR requires a Covered Reporter to change its current operational set-up in place for reporting, this could require significant work for the Covered Reporter. Accordingly, Covered Reporters that are required to change their current operational set-up in place for reporting based on the OFR's guidance will require a reasonable amount of time to implement any required changes.

### **1. Overnight and intra-day repos that will not be reported**

FIF members have identified certain scenarios that will not be reportable to the OFR, as set forth in this section.

#### ***Scenario 1: Covered Reporter enters into an overnight repo on a date that is a U.S. holiday***

Example: A foreign branch of a Covered Reporter enters into an overnight repo on Thanksgiving or Martin Luther King Day, which are holidays in the U.S. but not in Europe.

#### ***Scenario 2: Covered Reporter enters into an intra-day repo on a date that is a U.S. holiday***

Example: A foreign branch of a Covered Reporter enters into an intra-day repo on Thanksgiving or Martin Luther King Day, which are holidays in the U.S. but not in Europe.

---

[groups/category/271-comment-letters?download=2967:fif-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category](https://fif.com/index.php/working-groups/category/271-comment-letters?download=2967:fif-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category). Letter from FIF to the OFR dated August 22, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=2990:fif-second-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>. Letter from FIF to the OFR dated September 12, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=3001:fif-third-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>. Letter from FIF to the OFR dated September 24, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=3010:fif-fourth-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>. Letter from FIF to the OFR dated October 22, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=3024:fif-fifth-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>. Letter from FIF to the OFR dated November 5, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=3030:fif-sixth-supplemental-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>. Letter from FIF to the OFR dated December 20, 2024, available at <https://fif.com/index.php/working-groups/category/271-comment-letters?download=3063:eighth-fif-letter-to-the-treasury-department-s-office-of-financial-research-relating-to-the-implementation-of-reporting-of-non-centrally-cleared-bilateral-repos&view=category>.

***Scenario 3: Covered Reporter enters into an overnight repo on a weekend in India***

Example: The repo market in India is open on Saturday and Sunday. The foreign branch of a Covered Reporter enters into an overnight repo with the India Central Bank on Saturday or Sunday.

***Scenario 4: Covered Reporter enters into an intra-day repo on a weekend in India***

Example: The repo market in India is open on Saturday and Sunday. The foreign branch of a Covered Reporter enters into an intra-day repo with the India Central Bank on Saturday or Sunday.

***Scenario 5: Covered Reporter enters into an overnight repo during a local holiday in India***

Example: Trades during local holidays in India are not booked until the next day. The foreign branch of a Covered Reporter enters into an overnight repo with the India Central Bank during a local holiday in India.

***Scenario 6: Covered Reporter enters into an intra-day repo during a local holiday in India***

Example: Trades during local holidays in India are not booked until the next day. The foreign branch of a Covered Reporter enters into an intra-day repo with the India Central Bank during a local holiday in India.

***Scenario 7: India Central Bank auto repo facility***

Example: The India Central Bank operates an auto repo facility provided at day end to support 24 by 7 real time gross settlement. The foreign branch of a Covered Reporter executes a trade with the India Central Bank on midnight of January 8 (IST) (end of January 8, start of January 9) through this facility. This is the afternoon of January 8 in the U.S. The trader in India enters the trade the morning of January 9 (IST). The trade matures January 9.

\* \* \* \* \*

FIF members understand that, in these scenarios, the repo would not be reportable to the OFR. FIF members request confirmation on this point. If the OFR determines that one or more of the scenarios above should be reported, this could require significant work for Covered Reporters that have these scenarios. Accordingly, Covered Reporters that have these scenarios would require a reasonable amount of time to implement any required changes.

**2. Repo that is cancelled after the start date**

FAQ 0057 provides as follows:

Should a covered reporter report a repo that is cancelled on a date prior to, or on the same day as, the start date of the repo?  
(NCCBRFAQ-0057, Updated 12/17/2024)

Repos that are cancelled are not reported on the business day of the cancellation.

FIF members assume that this guidance would also apply to a repo that is cancelled after the start date and request confirmation on this point. In other words, the Covered Reporter would cease reporting this repo on or after the date of cancellation. FIF members understand that a “cancel” for purposes of this FAQ means a scenario where the parties have entered into a valid repo transaction and have mutually agreed to terminate the repo prior to the maturity date.

### **3. Repo that is cancelled on the same day that it is entered into (FAQ 0055)**

FAQ 0055 provides as follows:

If a repo is cancelled on the same day that it is entered into, should it be reported?  
(NCCBRFAQ-0055, Updated 12/17/2024)

No. Repos that were not opened and closed on the same day (intraday repos) and that were not outstanding at the end of the day are not reported.

FIF members understand that in this response the phrase “intraday repos” refers to repos that were “opened and closed on the same day” and does not refer to repos that were “not opened and closed on the same day”. FIF members request confirmation on this point.

### **4. Reporting the Securities Quantity for repos collateralized by mortgage-backed securities**

FIF members have identified an issue that is similar to an issue previously raised by FIF members (in the December 20, 2024 FIF letter to the OFR) relating to reporting the Securities Quantity for repos that are collateralized by mortgage and asset-backed securities (“MBS” and “ABS”). The December letter focused on challenges with reporting the Securities Quantity on a daily basis based on the fact that the factored notional value for an MBS or ABS for a calendar month typically is determined and disseminated after the start of the calendar month.

A similar challenge arises for MBSs that are backed by adjustable-rate mortgages (“ARMs”) and accrue interest at an adjustable rate. Typically, the ARM is not computed until the following month. This creates a challenge for reporting the Securities Quantity, which can include accrued interest. The following scenario illustrates this challenge:

- A Covered Reporter enters into a repo collateralized by an ARM MBS on December 4, 2024
- The ARM coupon rate for the MBS for December 2024 is published on January 8, 2025.

FIF members request written confirmation that, in this scenario, a Covered Reporter would not be required on January 8 to resubmit this repo for every Observation Date in December and January (prior to January 8) as a result of a recalculation of the Securities Quantity for each Observation Date in December based on the published ARM coupon rate for December.

\* \* \* \* \*

FIF and our members appreciate the OFR's attention to the items set forth in this letter. Please contact me at [howard.meyerson@fif.com](mailto:howard.meyerson@fif.com) if you have any questions or would like further clarification as to any of the items above.

Very truly yours,

/s/ Howard Meyerson

Howard Meyerson  
Managing Director, Financial Information Forum