

RESCINDED



Outdated - See OCC 2015-38

OCC BULLETIN 2010-10

Subject: Risk Weight for FDIC Claims and Guarantees
Date: March 2, 2010

To: Chief Executive Officers of All National Banks, Federal Branches and Agencies, Department and Division Heads, and All Examining Personnel

Description: Joint Interagency Statement

The guidance attached to this bulletin continues to apply to federal savings associations.

Purpose

The federal banking agencies (Office of the Comptroller of the Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation (FDIC), and the Office of Thrift Supervision) are clarifying the risk weights for claims on or guaranteed by the FDIC for purposes of banking organizations' risk-based capital requirements.

Joint Statement on Clarification of the Risk Weight for FDIC Claims and Guarantees

Under the agencies' risk-based capital guidelines, direct claims on and claims unconditionally guaranteed by the FDIC, such as FDIC-insured deposits, pre-paid assessments of deposit insurance premiums, debt guaranteed under the FDIC's Temporary Liquidity Guarantee Program, and similarly guaranteed debt, may be assigned a zero percent risk weight.

By contrast, recent loss sharing agreements entered into by the FDIC with acquirers of assets from failed institutions are considered conditional guarantees for risk-based capital purposes due to contractual conditions that acquirers must meet. The guaranteed portion of assets subject to a loss-sharing agreement may be assigned a 20% risk weight. Because the structural arrangements for these agreements vary depending on the specific terms of each agreement, institutions should consult with their primary federal regulator to determine the appropriate risk-based capital treatment for specific loss-sharing agreements.

Additional Information

For additional information, please contact your supervisory office or the Capital Policy Division at (202) 649-6370.

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