

technology; and (e) Estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

**Theodore J. Dowd,**

*Deputy Chief Counsel, Office of the Comptroller of the Currency.*

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## DEPARTMENT OF THE TREASURY

### 2021 Terrorism Risk Insurance Program Data Call

**AGENCY:** Departmental Offices, U.S. Department of the Treasury.

**ACTION:** Data Collection.

**SUMMARY:** Pursuant to the Terrorism Risk Insurance Act of 2002, as amended (TRIA), insurers that participate in the Terrorism Risk Insurance Program (TRIP or Program) are directed to submit information for the 2021 TRIP Data Call, which covers the reporting period from January 1, 2020 to December 31, 2020. Participating insurers are required to register and report information in a series of forms approved by the Office of Management and Budget (OMB). All insurers writing commercial property and casualty insurance in lines subject to TRIP, subject to certain exceptions identified in this notice, must respond to this data call no later than May 15, 2021.

**DATES:** Participating insurers must register and submit data no later than May 15, 2021.

**ADDRESSES:** Participating insurers will register through a website that has been established for this data call. After registration, insurers will receive data collection forms through a secure file transfer portal, and they will submit the requested data through the same secure portal. Participating insurers can register for the 2021 TRIP Data Call at <https://tripsection111data.com>. Additional information about the data call, including sample data collection forms and instructions, can be found on the TRIP website at <https://home.treasury.gov/policy-issues/financial-markets-financial-institutions-and-fiscal-service/federal-insurance-office/terrorism-risk-insurance-program/annual-data-collection>.

#### FOR FURTHER INFORMATION CONTACT:

Richard Ifft, Senior Insurance Regulatory Policy Analyst, Federal Insurance Office, Room 1410, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, (202) 622-2922; or Lindsey Baldwin, Senior Insurance Regulatory

Policy Analyst, Federal Insurance Office, Room 1410, Department of the Treasury, 1500 Pennsylvania Avenue NW, Washington, DC 20220, (202) 622-3220. Persons who have difficulty hearing or speaking may access these numbers via TTY by calling the toll-free Federal Relay Service at (800) 877-8339.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

TRIA<sup>1</sup> created the Program within the U.S. Department of the Treasury (Treasury) to address disruptions in the market for terrorism risk insurance, to help ensure the continued availability and affordability of commercial property and casualty insurance for terrorism risk, and to allow for the private market to stabilize and build insurance capacity to absorb any future losses for terrorism events. The Program has been reauthorized on a number of occasions, and was most recently extended until December 31, 2027.<sup>2</sup> TRIA requires the Secretary of the Treasury (Secretary) to collect certain insurance data and information from insurers on an annual basis regarding their participation in the Program.<sup>3</sup> TRIA also requires the Secretary to prepare a biennial study on the competitiveness of small insurers in the terrorism risk insurance marketplace (Small Insurer Study).<sup>4</sup> The next Small Insurer Study must be submitted to Congress by June 30, 2021. The Federal Insurance Office (FIO) is authorized to assist the

Secretary in the administration of the Program,<sup>5</sup> including conducting the annual data call and preparing reports and studies required under TRIA.

FIO will be using the same data collection forms, without material changes, that were used during the 2020 TRIP Data Call. FIO solicited public comment concerning these forms, after their use during the 2020 TRIP Data Call,<sup>6</sup> and received no comments objecting to the continued use of these forms or proposing further revisions to the forms. The forms were then submitted for approval to the Office of Management and Budget (OMB),

<sup>1</sup> Public Law 107-297, 116 Stat. 2322, codified at 15 U.S.C. 6701, note. Because the provisions of TRIA (as amended) appear in a note, instead of particular sections, of the United States Code, the provisions of TRIA are identified by the sections of the law.

<sup>2</sup> Terrorism Risk Insurance Program Reauthorization Act of 2019, Public Law 116-94, 133 Stat. 2534.

<sup>3</sup> TRIA, sec. 104(h)(1). Treasury regulations also address the annual data collection requirement. See 31 CFR 50.51, 50.54.

<sup>4</sup> TRIA, sec. 108(h).

<sup>5</sup> 31 U.S.C. 313(c)(1)(D).

<sup>6</sup> 85 FR 41676 (July 10, 2020).

pursuant to the requirements of the Paperwork Reduction Act. The data collection forms have now been approved for use by OMB under Control Number 1505-0257 for a period ending November 30, 2023.<sup>7</sup>

##### II. Elements of 2021 TRIP Data Call

For purposes of the 2021 TRIP Data Call, FIO, state insurance regulators, and the National Association of Insurance Commissioners (NAIC) will again use the consolidated data call mechanism first developed for use in the 2018 TRIP Data Call. This approach relies on four joint reporting templates, to be completed by Small Insurers, Non-Small Insurers, Captive Insurers, and Alien Surplus Lines Insurers, each as defined below. The use of joint reporting templates is designed to satisfy the objectives of both Treasury and state insurance regulators, while also reducing burden on participating insurers. State insurance regulators or the NAIC will provide separate notification regarding the reporting of information into the state reporting portal, including any reporting requirements to state insurance regulators that are distinct from the Treasury requirements. Insurers subject to the consolidated data call that are part of a group will report on a group basis, while those that are not part of a group will report on an individual company basis.

##### A. Reporting of Workers' Compensation Information

The TRIP Data Calls request certain information relating to workers' compensation insurance. For the 2021 TRIP Data Call, Treasury will again work with the National Council on Compensation Insurance (NCCI), the California Workers' Compensation Insurance Rating Bureau (California WCIRB), and the New York Compensation Insurance Rating Board (NYCIRB) to provide workers' compensation data relating to premium and payroll information on behalf of participating insurers, either directly or through other workers' compensation rating bureaus. The data aggregator used by Treasury will provide such insurers with reporting templates that do not require them to report this workers' compensation data. Reporting insurers that write only workers' compensation policies are still required to register for the 2021 TRIP Data Call and provide general company information and data

<sup>7</sup> Office of Information and Regulatory Affairs, Office of Management & Budget, OMB Control No. 1505-0257, [https://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=202009-1505-002](https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202009-1505-002).

related to private reinsurance. The data received from NCCI, the California WCIRB, and the NYCIRB will be merged with the information provided by the insurers.

#### B. Reporting Templates

There are no material changes to the reporting templates used in the 2020 TRIP Data Call.<sup>8</sup> Each category of insurer is required to complete the same worksheets that they completed in the 2020 TRIP Data Call. The same reporting exceptions apply this year as applied in the 2020 TRIP Data Call, as specified further below in the discussions for each category of insurer.

Various worksheets used in the 2021 TRIP Data Call seek certain information relating to workers' compensation insurance. NCCI, the California WCIRB, and the NYCIRB will complete the workers' compensation elements of these worksheets on behalf of reporting insurers. Further information concerning the reporting templates for each category of insurer, and the individual worksheets contained within each, can be found in the instructions for the reporting templates for each category of insurer. The individual reporting templates and worksheets will also be addressed in the training webinars discussed below.

For the 2021 TRIP Data Call, an insurer will qualify as a Small Insurer if it had both 2019 policyholder surplus of less than \$1 billion and 2019 direct earned premiums in TRIP-eligible lines of insurance of less than \$1 billion.<sup>9</sup> Of this group, Small Insurers with TRIP-eligible direct earned premiums of less than \$10 million in 2020 will be exempt from the 2021 TRIP Data Call.<sup>10</sup> Neither

Captive Insurers nor Alien Surplus Lines Insurers are eligible for this reporting exemption. Insurers defined as Small Insurers for the 2021 TRIP Data Call will report the same information to Treasury and to state insurance regulators (in each case on a group basis), except as state insurance regulators may separately direct for purposes of the state data call.

The Non-Small Insurer template will be completed by insurance groups (or individual insurers not affiliated with a group) that are not subject to reporting on the Captive Insurer or Alien Surplus Lines Insurer reporting templates, and had either a 2019 policyholder surplus of greater than \$1 billion or 2019 direct earned premiums in TRIP-eligible lines of insurance equal to or greater than \$1 billion. Insurers defined as Non-Small Insurers for the 2021 TRIP Data Call will report the same information to Treasury and to state insurance regulators (in each case on a group basis), except as state insurance regulators may separately direct for purposes of the state data call.

Captive Insurers are defined in 31 CFR 50.4(g) as insurers licensed under the captive insurance laws or regulations of any state. Captive Insurers that wrote policies in TRIP-eligible lines of insurance during the reporting period (January 1, 2020 to December 31, 2020) are required to register and submit data to Treasury, unless they did not provide their insureds with any terrorism risk insurance subject to the Program.

Alien Surplus Lines Insurers are defined in 31 CFR 50.4(o)(1)(i)(B) as insurers not licensed or admitted to engage in the business of providing primary or excess insurance in any state, but that are eligible surplus line insurers listed on the NAIC Quarterly Listing of Alien Insurers. Alien Surplus Lines Insurers that are part of a larger group classified as a Non-Small Insurer or a Small Insurer should report to Treasury as part of the group, using the appropriate template. Therefore, the Alien Surplus Lines Insurer template should be used only by an Alien Surplus Lines Insurer that is not part of a larger group subject to the 2021 TRIP Data Call.

#### C. Supplemental Reference Documents

Treasury will continue to make available on the TRIP data collection website<sup>11</sup> documents providing a complete ZIP code listing for areas subject to reporting on the Geographic

Exposures (Nationwide) Worksheet, as well as several hypothetical policy reporting scenarios.

#### D. Training Webinars

As in prior years, Treasury will hold four separate training sessions corresponding to the four reporting templates that will be used by insurers (Small Insurers, Non-Small Insurers, Captive Insurers, and Alien Surplus Lines Insurers). The webinars will be held on April 15 and April 16, 2021 to assist reporting insurers in responding to the 2021 TRIP Data Call, with each webinar focusing on a specific reporting template. Specific times and details concerning participation in the webinars will be made available on the TRIP data collection website, and recordings of each webinar will be made available on the website following each training session.

### III. 2021 TRIP Data Call

Treasury, through an insurance statistical aggregator, will accept group or insurer registration forms through <https://tripsection111data.com>. Registration is mandatory for all insurers participating in the 2021 TRIP Data Call. Upon registration, the aggregator will transmit individualized data collection forms (in Excel format) to the reporting group or insurer via a secure file transfer portal. The reporting group or insurer may transmit a complete data submission via the same portal using either the provided Excel forms or a .csv file.<sup>12</sup>

Copies of the instructions and data collection forms are available on Treasury's website in read-only format. Reporting insurers will obtain the fillable reporting forms directly from the data aggregator only after registering for the data collection process.

Reporting insurers are required to register and submit complete data to Treasury no later than May 15, 2021. Because of the statutory reporting deadline for Treasury's 2021 Small Insurer Study to Congress, no extensions will be granted. Reporting insurers can ask the data aggregator questions about registration, form completion, and submission at [tripsection111data@iso.com](mailto:tripsection111data@iso.com). Reporting insurers may also submit questions to the Treasury contacts listed above. Questions regarding submission of data to state insurance regulators should be directed to the appropriate state insurance regulator or the NAIC.

<sup>8</sup> There is a new modeled loss scenario identified in the Reinsurance Worksheet that will be used in connection with the modeled loss questions (which have not changed from those posed in prior data collections). The modeled loss questions must be completed by Non-Small Insurers, Alien Surplus Lines Insurers, and Captive Insurers. As in prior years, Small Insurers complete a separate Reinsurance Worksheet that does not contain modeled loss questions.

<sup>9</sup> Small Insurers are defined in 31 CFR 50.4(z) as insurers (or an affiliated group of insurers) whose policyholder surplus for the immediately preceding year is less than five times the Program Trigger for the current year, and whose direct earned premiums in TRIP-eligible lines for the preceding year are also less than five times the Program Trigger for the current year. Accordingly, for the 2021 TRIP Data Call (covering the 2020 calendar year), an insurer qualifies as a Small Insurer if its 2019 policyholder surplus and 2019 direct earned premiums are less than five times the 2020 Program Trigger of \$200 million.

<sup>10</sup> Individual insurers with less than \$10 million in direct earned premiums in TRIP-eligible lines that are part of a larger group must still report as part of the group as a whole if the group's direct earned premiums in these lines are over \$10 million.

<sup>11</sup> See <https://home.treasury.gov/policy-issues/financial-markets-financial-institutions-and-fiscal-service/federal-insurance-office/terrorism-risk-insurance-program/annual-data-collection>.

<sup>12</sup> Specifications for submission of data using a .csv file will be provided to the insurer by the aggregator.

All data submitted to the aggregator is subject to the confidentiality and data protection provisions of TRIA and the Program Rules, as well as to section 552 of title 5, United States Code, including any exceptions thereunder. In accordance with the Paperwork Reduction Act (44 U.S.C. 3501–3521), the information collected through the web portal has been approved by OMB under Control Number 1505–0257. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a valid OMB control number.

Dated: March 9, 2021.

**Steven E. Seitz,**

*Director, Federal Insurance Office.*

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## DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900–0510]

### Agency Information Collection Activity: Application for Exclusion of Children's Income

**AGENCY:** Veterans Benefits Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** Veteran's Benefits Administration (VBA), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register**

concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice.

**DATES:** Written comments and recommendations on the proposed collection of information should be received on or before May 11, 2021.

**ADDRESSES:** Submit written comments on the collection of information through Federal Docket Management System (FDMS) at [www.Regulations.gov](http://www.Regulations.gov) or to Nancy J. Kessinger, Veterans Benefits Administration, Department of Veterans Affairs, 810 Vermont Avenue NW, Washington, DC 20420 or email to [nancy.kessinger@va.gov](mailto:nancy.kessinger@va.gov). Please refer to "OMB Control No. 2900–0510" in any correspondence. During the comment period, comments may be viewed online through FDMS.

**FOR FURTHER INFORMATION CONTACT:** Maribel Aponte, Office of Enterprise and Integration, Data Governance Analytics (008), 1717 H Street NW, Washington, DC 20006, (202) 266–4688 or email [maribel.aponte@va.gov](mailto:maribel.aponte@va.gov). Please refer to "OMB Control No. 2900–0510" in any correspondence.

**SUPPLEMENTARY INFORMATION:** Under the PRA of 1995, Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to Section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, VBA invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of VBA's functions, including whether the

information will have practical utility; (2) the accuracy of VBA's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

*Authority:* 38 U.S.C. 103.

*Title:* Application for Exclusion of Children's Income (VA Form 21P–0571).

*OMB Control Number:* 2900–0510.

*Type of Review:* Extension of a currently approved collection.

*Abstract:* VA Form 21P–0571, Application for Exclusion of Children's Income is used for the sole purpose of collecting the information needed to determine if the children's income is available to the beneficiary, and if it would cause a hardship to consider their income.

*Affected Public:* Individuals and households.

*Estimated Annual Burden:* 2,025 hours.

*Estimated Average Burden per Respondent:* 45 minutes.

*Frequency of Response:* One time.

*Estimated Number of Respondents:* 2,700.

By direction of the Secretary.

**Maribel Aponte,**

*VA PRA Clearance Officer, Office of Enterprise and Integration, Data Governance Analytics, Department of Veterans Affairs.*

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