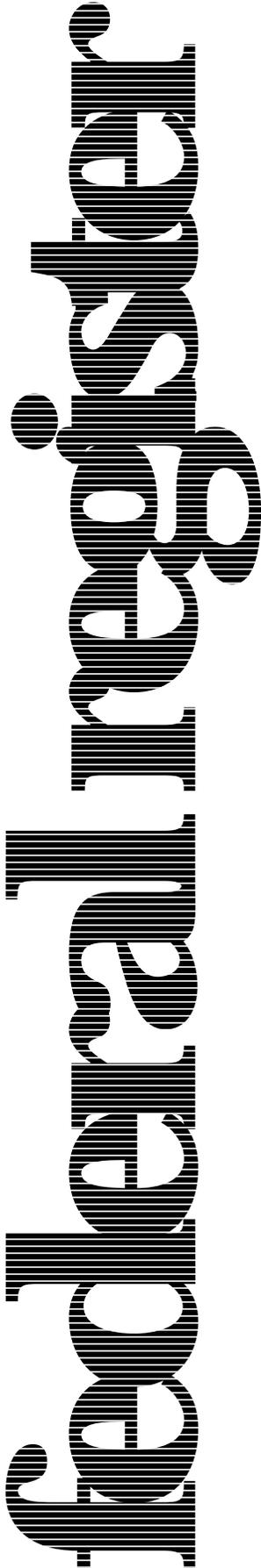

Friday
April 25, 1997



Part LI

**Federal Deposit
Insurance
Corporation**

Semiannual Regulatory Agenda

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Ch. III

Semiannual Agenda of Regulations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Federal Deposit Insurance Corporation (FDIC) is hereby publishing items for the April 1997 regulatory agenda. The agenda contains information about FDIC's current and projected rulemakings, existing regulations under review, and completed rulemakings.

FOR FURTHER INFORMATION CONTACT: Persons identified under regulations listed in the agenda. Unless otherwise noted, the address for all FDIC staff identified in the agenda is Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Twice each year, the FDIC publishes an agenda of regulations to inform the public of its regulatory actions and to enhance public participation in the rulemaking

process. Publication of the agenda is in accordance with both the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and the FDIC statement of policy entitled "Development and Review of FDIC Rules and Regulations" (44 FR 31007, May 30, 1979; 44 FR 32353, June 6, 1979; 44 FR 76858, December 28, 1979; 49 FR 7288, February 28, 1984).

The FDIC amends its regulations under the general rulemaking authority prescribed in section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819) and under specific authority granted by the Act and other statutes.

The Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI) contains reforms that significantly restructure the regulation of financial institutions. As a consequence, many of the regulations included in this agenda are in response to CDRI. The FDIC is continuing to develop regulations implementing the most recent legislative requirements. These include the requirement in section 303 of CDRI that the Federal banking regulators conduct a review of all their regulations and written policies to streamline them, remove inconsistencies, improve efficiency,

reduce unnecessary costs, and make uniform all regulations and guidelines implementing common statutory or supervisory policies. Proposed changes to the FDIC's regulations as a result of CDRI will be noted in this and future semiannual agendas as they emerge from these reviews. The Federal banking regulators are the FDIC, the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (FRS), and the Office of Thrift Supervision (OTS). In some cases, the FDIC also coordinates with the National Credit Union Administration (NCUA).

Interested persons may petition the FDIC for the issuance, amendment, or repeal of any regulation by submitting a written petition to the Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429. Petitioners should include complete and concise statements of their interest in the subject matter and reasons why the petitions should be granted.

Dated: February 27, 1997.
Federal Deposit Insurance Corporation.
Jerry L. Langley,
Executive Secretary.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
4086	12 CFR 325 Capital Maintenance—Recourse Arrangements and Direct Credit Substitutes	3064-AB31
4087	12 CFR 340 Restrictions on Sale of Assets by the FDIC	3064-AB37
4088	12 CFR 308 Program Fraud Civil Remedies	3064-AB41
4089	12 CFR 330 Simplification of Deposit Insurance Rules	3064-AB73
4090	12 CFR 307 Notification of Changes of Insured Status	3064-AB88
4091	12 CFR 337 Expanded Examination Cycle for Certain Small Financial Institutions	3064-AB90
4092	12 CFR 360 Receivership Rules	3064-AB92
4093	12 CFR 361 Formal Minority- and Women-Owned Business and Law Firm Certification Program	3064-AB95
4094	12 CFR 325 Capital Maintenance—Elimination of Interagency Differences	3064-AB96
4095	12 CFR 369 Prohibition Against Deposit Production Offices	3064-AB97
4096	12 CFR 328 Advertisement of Membership	3064-AB99
4097	12 CFR 360 Receivership Rules—Security Interests of Federal Home Loan Banks	3064-AC00
4098	12 CFR 312 Prevention of Deposit Shifting	3064-AC01
4099	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, and Notices Required to be Filed by Statute or Regulation	3064-AC02

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
4100	12 CFR 357 Determination of Economically Depressed Regions	3064-AB08
4101	12 CFR 338 Fair Housing	3064-AB72
4102	12 CFR 362 Activities and Investments of Insured State Banks	3064-AB75
4103	12 CFR 325 Capital Maintenance—Collateralized Transactions	3064-AB78

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Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
4104	12 CFR 342 Qualification Requirements for the Recommendation or Sale of Certain Securities	3064-AB85
4105	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, and Notices Required To Be Filed by Statute or Regulation	3064-AC03

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4106	12 CFR 308 Censure, Suspension, and Debarment of Independent Public Accountants	3064-AA64
4107	12 CFR 327 Assessments—Assessment Base	3064-AB46

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4108	12 CFR ch III Eligibility for Deposit Insurance; Being Engaged in the Business of Receiving Deposits Other Than Trust Funds and Related Items	3064-AB40
4109	12 CFR 344 Recordkeeping and Confirmation Requirements for Securities Transactions	3064-AB74
4110	12 CFR 335 Securities of Nonmember Insured Banks	3064-AB79
4111	12 CFR 368 Sales Practices for Government Securities	3064-AB83
4112	12 CFR 327 Assessments—AADA	3064-AB84
4113	12 CFR 304 Forms, Instructions and Reports	3064-AB89
4114	12 CFR 327 Assessments—SAIF Rates	3064-AB94
4115	12 CFR 350 Disclosure of Financial and Other Information by FDIC-Insured State Nonmember Banks	3064-AB98

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Proposed Rule Stage

4086. CAPITAL MAINTENANCE—RECOURSE ARRANGEMENTS AND DIRECT CREDIT SUBSTITUTES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1831; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 325

Legal Deadline: None

Abstract: The FDIC, the FRS, the OCC, and the OTS (“Agencies”) are revising their risk-based capital standards to address the regulatory capital treatment of recourse arrangements and direct credit substitutes that expose banks, bank holding companies, and thrifts to credit risk. One portion of the NPRM addressing the risk-based capital treatment of low-level recourse transactions is required to be published as a separate final rule by CDRI.

In addition, the Agencies published, in an ANPRM, a preliminary proposal to use credit ratings to match the risk-based capital assessment more closely to an institution’s relative risk of loss in certain asset securitizations. The Agencies are also seeking comment on the need for a similar system for unrated asset securitizations and on how such a system would be designed. The Agencies intend that any final rules adopted in connection with these regulatory actions that result in increased risk-based capital requirements would apply only to transactions that are consummated after the effective dates of such final rules.(cont)

Timetable:

Credit Ratings

ANPRM 05/25/94 (59 FR 27116)
ANPRM Comment Period End 07/25/94

Recourse/Direct Credit Substitutes

NPRM 05/25/94 (59 FR 27116)
NPRM Comment Period End 07/25/94

Synthesis of Credit Ratings/Recourse/Direct Credit Substitutes

NPRM 08/00/97

Small Entities Affected: None

Government Levels Affected: None

Additional Information: ABSTRACT

CONT: A second NPRM combining the issues raised in the ANPRM on credit ratings, and the NPRM on recourse and direct credit substitutes, is anticipated in August 1997.

Agency Contact: Robert F. Storch, Chief, Accounting Section, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-8906

RIN: 3064–AB31

FDIC

Proposed Rule Stage

4087. RESTRICTIONS ON SALE OF ASSETS BY THE FDIC

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1819; PL 103-204
CFR Citation: 12 CFR 340
Legal Deadline: None

Abstract: This regulatory action implements provisions in the Resolution Trust Corporation Completion Act of 1993 that require assets held by the FDIC in the course of liquidating federally insured depository institutions not to be sold to persons who, in ways specified in the Act, contributed to the demise of the institution.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Joseph Fellerman, Senior Liquidation Specialist (Credit), Division of Depositor and Asset Services, Federal Deposit Insurance Corporation, Washington, DC 20429 Phone: 202 898-6879
RIN: 3064-AB37

4088. PROGRAM FRAUD CIVIL REMEDIES

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1819; PL 103-204
CFR Citation: 12 CFR 308
Legal Deadline: None

Abstract: The Program Fraud Civil Remedies Act ("PFCRA") requires specified Federal agencies to follow certain procedures to recover penalties and assessments against persons who file false claims and statements. The Resolution Trust Corporation Completion Act (PL 103-204) subjects the FDIC to the requirements of the PFCRA. An interagency task force was established by the President's Council on Integrity and Efficiency to develop model regulations for implementing the PFCRA. This regulatory action adopts, with minor variations, the model regulations set forth by the Council's task force.

Timetable:

Action	Date	FR Cite
NPRM	06/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Mark A. Mellon, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429 Phone: 202 898-3854
RIN: 3064-AB41

4089. SIMPLIFICATION OF DEPOSIT INSURANCE RULES

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1813; 12 USC 1817 to 1822
CFR Citation: 12 CFR 330
Legal Deadline: None

Abstract: One of the FDIC's projects in its Strategic Plan is to simplify the deposit insurance rules to promote public understanding of deposit insurance. This rulemaking furthers that goal. It is also intended to reduce regulatory burden and improve efficiency pursuant to the provisions of section 303(a) of CDRI.

Timetable:

Action	Date	FR Cite
ANPRM	05/22/96	61 FR 25596
ANPRM Comment	08/20/96	
Period End		
NPRM	05/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Joseph A. DiNuzzo, Senior Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429 Phone: 202 898-7349
RIN: 3064-AB73

4090. NOTIFICATION OF CHANGES OF INSURED STATUS

Priority: Info./Admin./Other
Legal Authority: 12 USC 1818; 12 USC 1819
CFR Citation: 12 CFR 307
Legal Deadline: None

Abstract: This rulemaking clarifies reporting and disclosure requirements already applicable to insured depository institutions. It implements the results of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Rodney D. Ray, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429 Phone: 202 898-3556
RIN: 3064-AB88

4091. EXPANDED EXAMINATION CYCLE FOR CERTAIN SMALL FINANCIAL INSTITUTIONS

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1820
CFR Citation: 12 CFR 337
Legal Deadline: None

Abstract: This regulatory action, which is jointly sponsored by the FRS, the OTS, the OCC, and the FDIC, increases the size limitation of 2-rated institutions eligible to be examined on an expanded, 18-month cycle. The purpose of this action is to permit the banking agencies to focus their resources on the segment of the banking and thrift industry that pose the greater immediate supervisory risk, while reducing the regulatory burden on smaller, well-run institutions.

Timetable:

Action	Date	FR Cite
NPRM	02/12/97	62 FR 06449
NPRM Comment	04/14/97	
Period End		
Final Action	10/00/97	

Small Entities Affected: None
Government Levels Affected: None
Agency Contact: Robert W. Walsh, Manager, Policy and Program Development, Division of Supervision, Federal Deposit Insurance Corporation Phone: 202 898-6911
RIN: 3064-AB90

4092. RECEIVERSHIP RULES

Priority: Substantive, Nonsignificant
Legal Authority: 12 USC 1819 to 1821
CFR Citation: 12 CFR 360
Legal Deadline: None
Abstract: This rulemaking establishes uniform rules governing the payment

FDIC

Proposed Rule Stage

and priority of post-insolvency interest payments from all receiverships administered by the FDIC and makes other technical and clarifying changes to part 360.

Timetable:

Action	Date	FR Cite
NPRM	02/20/97	62 FR 07725
NPRM Comment Period End	04/21/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mitchell Glassman, Deputy Director, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-6525

RIN: 3064-AB92

4093. • FORMAL MINORITY- AND WOMEN-OWNED BUSINESS AND LAW FIRM CERTIFICATION PROGRAM

Priority: Info./Admin./Other

Legal Authority: 12 USC 1819; 12 USC 1822

CFR Citation: 12 CFR 361

Legal Deadline: None

Abstract: This rulemaking replaces the self-certification program for minority- and women-owned businesses wishing to do business with the FDIC, with a more formal program for certification. The rulemaking is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Jo-Ann Henry, Director, Office of Equal Opportunity, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 416-6925

RIN: 3064-AB95

4094. • CAPITAL MAINTENANCE—ELIMINATION OF INTERAGENCY DIFFERENCES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1831; 12 USC 1835; 12 USC 3907; 12 USC 3909; 12 USC 4808; PL 102-242

CFR Citation: 12 CFR 325

Legal Deadline: None

Abstract: This rulemaking, jointly sponsored by the FDIC, the FRS, the OCC, and the OTS, resolves differences among the agencies with regard to the capital treatment of construction loans on presold residential properties, real estate loans secured by junior liens on 1-4 family residential properties, investments in mutual funds, and the minimum Tier 1 leverage capital standard. This rule is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stephen G. Pfeifer, Examination Specialist, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-8904

RIN: 3064-AB96

4095. • PROHIBITION AGAINST DEPOSIT PRODUCTION OFFICES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1835(a); PL 103-328, sec 109

CFR Citation: 12 CFR 369

Legal Deadline: None

Abstract: This rulemaking implements section 109 of Riegle-Neal Interstate Banking and Branching Efficiency Act of 1994, which requires federal banking agencies to prescribe uniform regulations which prohibit a bank from using any authority under the Act to engage in interstate branching primarily for the purpose of deposit production.

Timetable:

Action	Date	FR Cite
NPRM	03/17/97	62 FR 12730
NPRM Comment Period End	05/02/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Gladys Gallagher, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-3833

RIN: 3064-AB97

4096. • ADVERTISEMENT OF MEMBERSHIP

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1818; 12 USC 1819; 12 USC 1828

CFR Citation: 12 CFR 328

Legal Deadline: None

Abstract: This regulatory action consolidates provisions relating to display of official signs; extends the official advertising statement that is currently required for insured banks to all insured depository institutions; streamlines exceptions to the use of the statement; prohibits use of the statement in advertisements concerning nondeposit investment products; and delegates authority to approve translations of the statement to certain FDIC officials. In addition, this action solicits comment on issues relating to advertisement of membership in the FDIC over a computer network such as the Internet. This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	02/11/97	62 FR 06142
NPRM Comment Period End	04/14/97	
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Marc J. Goldstrom, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-8807

RIN: 3064-AB99

4097. • RECEIVERSHIP RULES—SECURITY INTERESTS OF FEDERAL HOME LOAN BANKS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1821(d)(1); 12 USC 1819; 12 USC 1823(c)(4)

CFR Citation: 12 CFR 360

Legal Deadline: None

Abstract: This regulatory action removes provisions relating to the security interests of Federal Home Loan Banks because federal statutory protections make the regulatory provisions unnecessary. This action is the result of a CDRI section 303(a) review.

FDIC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mitchell Glassman, Deputy Director, Division of Resolutions and Receiverships, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-6525

RIN: 3064-AC00

4098. • PREVENTION OF DEPOSIT SHIFTING

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1815; 12 USC 1819

CFR Citation: 12 CFR 312

Legal Deadline: None

The deposit shifting statute terminates on the earlier of Dec. 31, 1999, or the date on which the last savings association ceases to exist.

Abstract: This regulatory action implements a new statute to prevent the shifting of deposits insured under

the Savings Association Insurance Fund (SAIF) to deposits insured under the Bank Insurance Fund (BIF) to avoid assessments rates applicable to SAIF deposits.

Timetable:

Action	Date	FR Cite
NPRM	02/11/97	62 FR 06139
NPRM Comment	04/14/97	
Period End		
Final Action	10/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Joseph A. DiNuzzo, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-7349

RIN: 3064-AC01

4099. • APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES REQUIRED TO BE FILED BY STATUTE OR REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 378; 12 USC 1813; 12 USC 1815; 12 USC 1816; 12

USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1831(e); 12 USC 1831(o); 12 USC 1831(p-1); 15 USC 1607

CFR Citation: 12 CFR 303

Legal Deadline: None

Abstract: This rulemaking streamlines and updates the FDIC's regulations governing application procedures and delegations of authority. It implements the results of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Marion Thicksen, Assistant Regional Director, Division of Supervision, Federal Deposit Insurance Corporation
Phone: 202 942-3108

RIN: 3064-AC02

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Final Rule Stage

4100. DETERMINATION OF ECONOMICALLY DEPRESSED REGIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1819; 12 USC 1823

CFR Citation: 12 CFR 357

Legal Deadline: None

Abstract: The FDIC is required by statute to consider proposals for direct financial assistance by SAIF members having offices located in economically depressed regions and meeting certain other specified criteria, before grounds exist for the appointment of a conservator or receiver. In fulfilling this mandate, the FDIC established a list of ten such regions in 1990 with 12 CFR 357 (55 FR 11161). In 1992, the FDIC published a proposal that would have updated the list of 10 regions, but that proposal was never finalized. This rulemaking withdraws the 1992 proposal, and revises the regulation by providing the methodology that the

FDIC will use to determine which regions are economically depressed, rather than identifying and periodically updating a list of regions.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	12/18/92	57 FR 60140
NPRM Comment	02/16/93	
Period End		
Second NPRM	08/06/96	61 FR 40756
Second NPRM	10/07/96	
Comment Period		
End		
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Alice Weicher, Economic Analysis Section, Division of Research and Statistics, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-7096

RIN: 3064-AB08

4101. FAIR HOUSING

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1817 to 1820; 12 USC 2801; 15 USC 1691; 42 USC 3605; 42 USC 3608

CFR Citation: 12 CFR 338

Legal Deadline: None

Abstract: This regulatory action removes the substitute fair housing recordkeeping and monitoring requirements that the FDIC had imposed in place of those contained in the FRS's Regulation B, and replaces them with a cross-reference to Regulation B. Similarly, the action removes a requirement that insured state nonmember banks maintain a home application register in accordance with the FRS's Regulation C, and replaces it with a cross-reference to Regulation C. Regulations B and C implement the Equal Credit Opportunity Act and the Home Mortgage Disclosure Act, respectively. This action also clarifies certain

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Final Rule Stage

nondiscriminatory advertising requirements with regard to placement and display of the Equal Housing Lending poster. The intended effect of these amendments is to reduce burden and to conform the FDIC's fair housing regulations with those of the other Federal bank and thrift regulatory agencies.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	09/20/96	61 FR 49420
NPRM Comment Period End	11/19/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Michael R. Evans, Fair Lending Analyst, Division of Compliance and Consumer Affairs, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 942-3091

RIN: 3064-AB72

4102. ACTIVITIES AND INVESTMENTS OF INSURED STATE BANKS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1816; 12 USC 1818; 12 USC 1819; 12 USC 1831

CFR Citation: 12 CFR 362

Legal Deadline: None

Abstract: In general, part 362 prohibits insured state banks from undertaking activities that are not permitted for national banks, with some exceptions that are granted through an application process. This rulemaking eliminates certain application requirements and substitutes notice requirements for them, for banks meeting specified criteria.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	08/23/96	61 FR 43486
NPRM Comment Period End	10/22/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Shirley K. Basse, Review Examiner, Division of

Supervision, Federal Deposit Insurance Corporation

Phone: 202 898-6815

RIN: 3064-AB75

4103. CAPITAL MAINTENANCE—COLLATERALIZED TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1831; 12 USC 3907; 12 USC 3909; 12 USC 4808; PL 102-233; PL 102-242

CFR Citation: 12 CFR 325

Legal Deadline: None

Abstract: This rule was developed in consultation with the OCC, the FRS, and the OTS (Agencies). It amends FDIC's risk-based capital standards to make the standards uniform with the Agencies' treatments for transactions supported by collateral. The effect of the proposal is to allow banks to hold less capital for certain transactions collateralized by cash or qualifying securities.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	08/16/96	61 FR 42565
NPRM Comment Period End	10/15/96	
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Stephen G. Pfeifer, Examination Specialist, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-8904

RIN: 3064-AB78

4104. QUALIFICATION REQUIREMENTS FOR THE RECOMMENDATION OR SALE OF CERTAIN SECURITIES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1818; 12 USC 1831

CFR Citation: 12 CFR 342

Legal Deadline: None

Abstract: This rulemaking is sponsored jointly by the OCC, the FRS, and the FDIC. It establishes qualifications for those banks that sell certain securities

directly to retail customers through their employees without having to register as a broker under the Securities Exchange Act. More particularly, this action establishes filing requirements for banks, and registration, testing, and continuing education requirements for bank securities representatives consistent with the professional qualification requirements for broker-dealers and registered representatives under the Securities Exchange Act and rules thereunder, and the rules of the securities self-regulatory organizations.

Timetable:

Action	Date	FR Cite
NPRM	12/30/96	61 FR 68824
NPRM Comment Period End	02/28/97	
Final Action	08/00/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William A. Stark, Assistant Director, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429
Phone: 202 898-6972

RIN: 3064-AB85

4105. • APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES REQUIRED TO BE FILED BY STATUTE OR REGULATION

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 378; 12 USC 1813; 12 USC 1815; 12 USC 1816; 12 USC 1817(j); 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 1831(e); 12 USC 1831(o); 12 USC 1831(p-1); 15 USC 1607

CFR Citation: 12 CFR 303

Legal Deadline: None

Abstract: This rulemaking amends the definition of "appropriate FDIC regional office" and other related terms contained in its applications regulation to change the way the FDIC designates the appropriate regional office for purposes of filing applications, requests, submittals, and notices.

Timetable:

Action	Date	FR Cite
Final Action	05/00/97	

Small Entities Affected: None

Government Levels Affected: None

FDIC

Final Rule Stage

Agency Contact: Christopher J. Spoth, Phone: 202 898-6611
Examination Specialist, Federal Deposit
Insurance Corporation **RIN:** 3064-AC03

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Long-Term Actions

4106. CENSURE, SUSPENSION, AND DEBARMENT OF INDEPENDENT PUBLIC ACCOUNTANTS

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 308

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Doris L. Marsh
Phone: 202 898-8905

RIN: 3064-AA64

4107. ASSESSMENTS—ASSESSMENT BASE

Priority: Substantive, Nonsignificant

CFR Citation: 12 CFR 327

Timetable:

Action	Date	FR Cite
ANPRM	10/05/94	59 FR 50710
ANPRM Comment Period End	02/02/95	
NPRM	00/00/00	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William Farrell
Phone: 703 516-5546

RIN: 3064-AB46

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Completed Actions

4108. ELIGIBILITY FOR DEPOSIT INSURANCE; BEING ENGAGED IN THE BUSINESS OF RECEIVING DEPOSITS OTHER THAN TRUST FUNDS AND RELATED ITEMS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1815; 12 USC 1819

CFR Citation: 12 CFR ch III

Legal Deadline: None

Abstract: The FDIC has never defined by way of regulation or policy statement what constitutes being "engaged in the business of receiving deposits other than trust funds." The FDIC was considering a rulemaking to do that, but the staff review concluded that no amendment is needed at this time.

Timetable:

Action	Date	FR Cite
End Review	02/05/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Mark Mellon,
Counsel, Legal Division, Federal
Deposit Insurance Corporation,
Washington, DC 20429
Phone: 202 898-3854

RIN: 3064-AB40

4109. RECORDKEEPING AND CONFIRMATION REQUIREMENTS FOR SECURITIES TRANSACTIONS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1817 to 1819

CFR Citation: 12 CFR 344

Legal Deadline: None

Abstract: The FDIC is seeking comment on a number of issues that have been concerning its recordkeeping and confirmation requirements for securities transactions. The agency's current regulation was adopted in 1979 and has remained essentially unchanged since that time.

Timetable:

Action	Date	FR Cite
ANPRM	05/24/96	61 FR 26135
ANPRM Comment Period End	06/24/96	
NPRM	12/24/96	61 FR 67729
NPRM Comment Period End	01/23/97	
Final Action	03/05/97	62 FR 9915
Final Action Effective	04/01/97	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3064-AB74

4110. SECURITIES OF NONMEMBER INSURED BANKS

Priority: Info./Admin./Other

Legal Authority: 15 USC 78l(i)

CFR Citation: 12 CFR 335

Legal Deadline: None

Abstract: This rulemaking replaces the FDIC's current regulations, which duplicate the regulations of the Securities and Exchange Commission (SEC), with a cross-reference to the corresponding regulations of the SEC. While this change does not affect the filing requirements, it greatly simplifies their presentation.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
NPRM	06/28/96	61 FR 33696
NPRM Comment Period End	09/26/96	
Final Action	02/14/97	62 FR 06852
Final Action Effective	01/01/98	

Small Entities Affected: None

FDIC

Completed Actions

Government Levels Affected: None

Additional Information: These revisions are effective January 1, 1998, with the exception of section 335.901, which is effective July 1, 1997.

Agency Contact: M. Eric Dohm, Staff Accountant, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429
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RIN: 3064-AB79

4111. SALES PRACTICES FOR GOVERNMENT SECURITIES

Priority: Substantive, Nonsignificant

Legal Authority: 15 USC 780-5

CFR Citation: 12 CFR 368

Legal Deadline: None

Abstract: This joint rulemaking by the OCC, the FRS, and the FDIC establishes standards concerning recommendations to customers and the conduct of business by banks that are government securities brokers or dealers. It defines a Business Conduct Rule, a Suitability Rule, and a Suitability Interpretation. This rule is substantially identical to the National Association of Securities Dealers' rules governing the sales of government securities by non-bank brokers or dealers.

Timetable:

Action	Date	FR Cite
NPRM	04/25/96	61 FR 18470
NPRM Comment Period End	06/24/96	
Final Action	03/19/97	62 FR 13276
Final Action Effective	07/01/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: William A. Stark, Assistant Director, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429
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RIN: 3064-AB83

4112. ASSESSMENTS—AADA

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1441; 12 USC 1815; 12 USC 1817 to 1819

CFR Citation: 12 CFR 327

Legal Deadline: None

Abstract: Recent merger transactions and branch sale cases have revealed weaknesses in the FDIC's procedures

for attributing deposits to the two deposit insurance funds and for computing the growth of the amounts so attributed. This rulemaking repairs those weaknesses. It also simplifies and clarifies the existing assessment regulations by making changes in nomenclature.

Timetable:

Action	Date	FR Cite
NPRM	07/03/96	61 FR 34751
NPRM Comment Period End	09/03/96	
Final Action	12/10/96	61 FR 64960
Final Action Effective	01/01/97	

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3064-AB84

4113. FORMS, INSTRUCTIONS AND REPORTS

Priority: Info./Admin./Other

Legal Authority: 12 USC 1817

CFR Citation: 12 CFR 304

Legal Deadline: None

Abstract: This regulation provides the public with information about the contents and availability of certain forms required by the FDIC. This regulatory action removes outdated information from the regulation, streamlines it so that only current information of interest to the public is included, and generally updates the contents.

This action is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
Final Action	02/03/97	62 FR 04895
Final Action Effective	02/03/97	

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Steven F. Hanft, Assistant Executive Secretary, Office of the Executive Secretary, Federal

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RIN: 3064-AB89

4114. ASSESSMENTS—SAIF RATES

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1441; 12 USC 1813; 12 USC 1815; 12 USC 1817 to 1819; PL 104-208

CFR Citation: 12 CFR 327

Legal Deadline: Final, Statutory, January 1, 1997.

Abstract: This rulemaking lowers the rates paid to the Savings Association Insurance Fund (SAIF), widens the spread between the highest and lowest and rates, and makes other changes in the SAIF rate schedule, in order to improve the effectiveness of the risk-based assessment program.

Timetable:

Action	Date	FR Cite
NPRM	10/16/96	61 FR 53867
NPRM Comment Period End	11/15/96	
Final Action Effective	12/11/96	
Final Action	12/24/96	61 FR 67687

Small Entities Affected: None

Government Levels Affected: None

Agency Contact: Allan Long, Assistant Director, Division of Finance, Federal Deposit Insurance Corporation, Washington, DC 20429
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RIN: 3064-AB94

4115. • DISCLOSURE OF FINANCIAL AND OTHER INFORMATION BY FDIC-INSURED STATE NONMEMBER BANKS

Priority: Substantive, Nonsignificant

Legal Authority: 12 USC 1817; 12 USC 1819

CFR Citation: 12 CFR 350

Legal Deadline: None

Abstract: This amendment removes obsolete references and updates and clarifies certain other references in the regulation. It is the result of a CDRI section 303(a) review.

Timetable:

Action	Date	FR Cite
Final Action	03/06/97	62 FR 10199
Final Action Effective	04/07/97	

FDIC

Completed Actions

Small Entities Affected: None

Government Levels Affected: None

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RIN: 3064-AB98

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