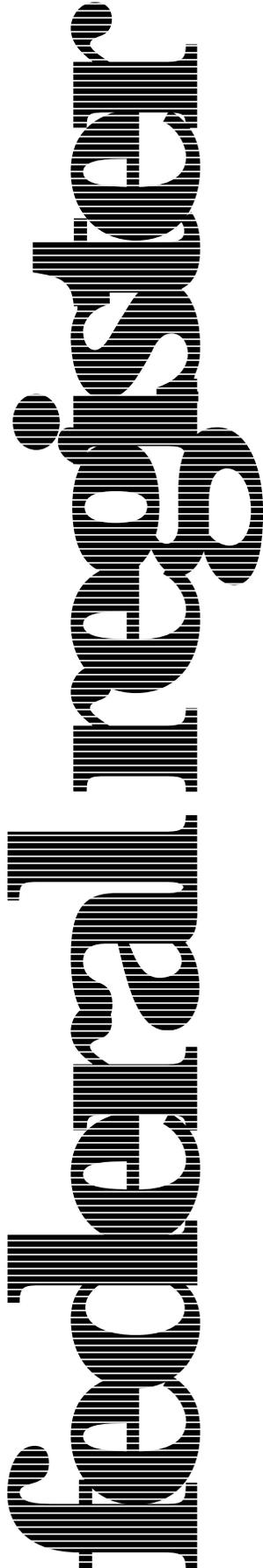


---

Monday  
April 27, 1998



---

**Part LIII**

**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 1998 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. 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 20, 1998.  
Federal Deposit Insurance Corporation.  
**Robert E. Feldman,**  
*Executive Secretary.*

**Proposed Rule Stage**

Sequence Number	Title	Regulation Identifier Number
4207	12 CFR 340 Restrictions on Sale of Assets by the FDIC .....	3064-AB37
4208	12 CFR 308 Program Fraud Civil Remedies .....	3064-AB41
4209	12 CFR 360 Receivership Rules .....	3064-AB92
4210	12 CFR 325 Capital Maintenance—Elimination of Interagency Differences .....	3064-AB96
4211	12 CFR 348 Management Interlocks Act .....	3064-AC08

**Final Rule Stage**

Sequence Number	Title	Regulation Identifier Number
4212	12 CFR 325 Capital Maintenance—Recourse Arrangements and Direct Credit Substitutes .....	3064-AB31
4213	12 CFR 330 Simplification of Deposit Insurance Rules .....	3064-AB73
4214	12 CFR 325 Capital Maintenance—Collateralized Transactions .....	3064-AB78
4215	12 CFR 342 Qualification Requirements for the Recommendation or Sale of Certain Securities .....	3064-AB85
4216	12 CFR 307 Notification of Changes of Insured Status .....	3064-AB88
4217	12 CFR 361 Formal Minority- and Women-Owned Business and Law Firm Certification Program .....	3064-AB95
4218	12 CFR 328 Advertisement of Membership .....	3064-AB99
4219	12 CFR 360 Receivership Rules—Security Interests of Federal Home Loan Banks .....	3064-AC00
4220	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, and Notices Required to be Filed by Statute or Regulation .....	3064-AC02
4221	12 CFR 343 Insured State Nonmember Banks Which Are Municipal Securities Dealers .....	3064-AC04
4222	12 CFR 325 Capital Maintenance—Treatment of Servicing Assets .....	3064-AC07
4223	12 CFR 325 Risk-Based Capital Standards; Unrealized Revaluation Gains on Certain Equity Securities .....	3064-AC11

**FDIC**

Final Rule Stage (Continued)

Sequence Number	Title	Regulation Identifier Number
4224	12 CFR 362 Activities of Insured State Banks and Insured Savings Associations .....	3064-AC12

Long-Term Actions

Sequence Number	Title	Regulation Identifier Number
4225	12 CFR 308 Censure, Suspension, and Debarment of Independent Public Accountants .....	3064-AA64
4226	12 CFR 327 Assessments—Assessment Base .....	3064-AB46

Completed Actions

Sequence Number	Title	Regulation Identifier Number
4227	12 CFR 357 Determination of Economically Depressed Regions .....	3064-AB08
4228	12 CFR 347 International Banking .....	3064-AC05
4229	12 CFR 363 Annual Independent Audits and Reporting Requirements .....	3064-AC06
4230	12 CFR 309 Disclosure of Information .....	3064-AC10
4231	12 CFR 329 Part 329: Interest on Deposits .....	3064-AC13
4232	12 CFR 325 Risk-Based Capital Standards: Market Risk .....	3064-AC14

**FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)**

**Proposed Rule Stage**

**4207. 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	05/00/98	

**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

**4208. 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 of 1993 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	06/00/98	

**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

**4209. 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 and priority of post-insolvency interest payments from all receiverships administered by the FDIC and makes

FDIC

Proposed Rule Stage

other technical and clarifying changes to part 360.

**Timetable:**

Action	Date	FR Cite
NPRM	06/00/98	

**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

**4210. 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	07/00/98	

**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

**4211. MANAGEMENT INTERLOCKS ACT**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 93a; 12 USC 3201 to 3208

**CFR Citation:** 12 CFR 348

**Legal Deadline:** None

**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS, the OTS, the NCUA, and the FDIC. It conforms the management interlocks rules to recent statutory changes, modernizes and clarifies the rules, and reduces unnecessary regulatory burdens where feasible, consistent with statutory requirements.

**Timetable:**

Action	Date	FR Cite
NPRM	07/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Curtis Vaughn, Examination Specialist, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-6759

**RIN:** 3064-AC08

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Final Rule Stage

**4212. 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.

A second NPRM combining the issues raised in the ANPRM on credit ratings, and the NPRM on recourse and direct credit substitutes was published in November 1997 (62 FR 59944).

**Timetable:**

Action	Date	FR Cite
Final Action	05/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**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

**4213. 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

## FDIC

## Final Rule Stage

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 Period End	08/20/96	
NPRM	05/14/97	62 FR 26435
NPRM Comment Period End	08/12/97	
Final Action	05/00/98	

**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

**4214. 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	07/00/98	

**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

**4215. 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	05/00/98	

**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

**4216. 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	05/14/97	62 FR 26431
NPRM Comment Period End	07/14/97	
Final Action	06/00/98	

**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

**4217. 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	04/14/97	62 FR 18059
NPRM Comment Period End	06/13/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Jo-Ann Henry, Director, Office of Diversity and Economic Opportunity, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 416-6925

**RIN:** 3064-AB95

**4218. 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

## FDIC

## Final Rule Stage

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	06/00/98	

**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

#### 4219. 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.

**Timetable:**

Action	Date	FR Cite
NPRM	02/20/97	62 FR 07725
NPRM Comment Period End	04/21/97	
Final Action	07/00/98	

**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

#### 4220. 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	10/09/97	62 FR 52809
NPRM Comment Period End	01/07/98	
Final Action	08/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

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

**RIN:** 3064-AC02

#### 4221. INSURED STATE NONMEMBER BANKS WHICH ARE MUNICIPAL SECURITIES DEALERS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 4803(a)

**CFR Citation:** 12 CFR 343

**Legal Deadline:** None

**Abstract:** This rulemaking proposes to rescind the regulation that requires insured state nonmember banks which are municipal securities dealers to file with the FDIC certain information about those persons who are or seek to be associated with these dealers as municipal securities principals or

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

**Timetable:**

Action	Date	FR Cite
NPRM	05/16/97	62 FR 26994
NPRM Comment Period End	07/15/97	
Final Action	06/00/98	

**Small Entities Affected:** None

**Government Levels Affected:** None

**Agency Contact:** Carol A. Mesheske, Chief, Special Activities Section, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-6750

**RIN:** 3064-AC04

#### 4222. CAPITAL MAINTENANCE— TREATMENT OF SERVICING ASSETS

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1818(c); 12 USC 1818(t); 12 USC 1819 (Tenth); 12 USC 1828(c); 12 USC 1828(d); 12 USC 1828(i); 12 USC 1828(o); 12 USC 1828(n); 12 USC 1831o; 12 USC 3907

**CFR Citation:** 12 CFR 325

**Legal Deadline:** None

**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS, OTS and the FDIC. The agencies propose to amend their capital adequacy standards for banks, bank holding companies, and savings associations (banking organizations) to address the treatment of servicing assets on both mortgage assets and financial assets other than mortgages (non-mortgages).

**Timetable:**

Action	Date	FR Cite
NPRM	08/04/97	62 FR 42005
NPRM Comment Period End	10/03/97	
Final Action	05/00/98	

**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-AC07

## FDIC

## Final Rule Stage

**4223. RISK-BASED CAPITAL STANDARDS; UNREALIZED REVALUATION GAINS ON CERTAIN EQUITY SECURITIES****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1818(c); 12 USC 1818(t); 12 USC 1819 (Tenth); 12 USC 1828(c); 12 USC 1828(d); 12 USC 1828(i); 12 USC 1828(n); 12 USC 1828(o); 12 USC 1835**CFR Citation:** 12 CFR 325**Legal Deadline:** None**Abstract:** This rulemaking establishes uniform interagency rules enabling institutions to include in supplementary (Tier 2) capital up to 45 percent of unrealized gains on certain available-for-sale equity securities.**Timetable:**

Action	Date	FR Cite
NPRM	10/27/97	62 FR 55681
NPRM Comment Period End	12/26/97	
Final Action	06/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Stephen G. Pfeifer, Examination Specialist, Division ofSupervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-8904**RIN:** 3064-AC11**4224. ACTIVITIES OF INSURED STATE BANKS AND INSURED SAVINGS ASSOCIATIONS****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 (Seventh and Tenth); 12 USC 1828; 12 USC 1831e; 12 USC 1831o; 12 USC 1831p-1; 15 USC 1607**CFR Citation:** 12 CFR 362; 12 CFR 337; 12 CFR 303**Legal Deadline:** None**Abstract:** This rulemaking withdraws a proposed rule published August 23, 1996, in the Federal Register at 61 FR 43486 (RIN 3064-AB75) to amend the FDIC's regulations governing the activities and investments of insured State banks, and replaces it with a more comprehensive rule.

The more comprehensive rulemaking combines the FDIC's regulations governing the activities and investments of insured State banks (presently found in 12 CFR part 362)

with those governing insured savings associations (presently found at 12 CFR 303.12) into a revised part 362. In addition, the rule moves the FDIC's regulations governing safety and soundness of securities activities of subsidiaries and affiliates of insured State nonmember banks (currently at 12 CFR 337.4) into part 362. The intention is to modernize this group of regulations and harmonize the provisions of part 362 governing activities that are not permissible for national banks with those governing the securities activities of State nonmember banks.

**Timetable:**

Action	Date	FR Cite
NPRM	09/12/97	62 FR 47969
NPRM Comment Period End	12/11/97	
Final Action	07/00/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Curtis Vaughn, Examination Specialist, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-6759**RIN:** 3064-AC12

## FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

## Long-Term Actions

**4225. 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**4226. 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:** Stephen Ledbetter  
Phone: 202 898-8658**RIN:** 3064-AB46

## FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

## Completed Actions

**4227. 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 Period End	02/16/93	
Second NPRM	08/06/96	61 FR 40756
Second NPRM Comment Period End	10/07/96	
Final Action	03/03/98	63 FR 10293
Final Action Effective	04/02/98	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** John O'Keefe, Chief, Economic Analysis Section, Division of Research and Statistics, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-3945

**RIN:** 3064-AB08**4228. INTERNATIONAL BANKING****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 (Seventh and Tenth); 12 USC

1828; 12 USC 1831e; 12 USC 1831o; 12 USC 1831p-1; 15 USC 1607

**CFR Citation:** 12 CFR 347; 12 CFR 325; 12 CFR 326; 12 CFR 327; 12 CFR 346; 12 CFR 303; 12 CFR 351; 12 CFR 362**Legal Deadline:** None

**Abstract:** This regulatory action revises and consolidates the FDIC's three different groups of rules and regulations governing international banking. The first group governs insured branches of foreign banks and specifies what deposit-taking activities are permissible for uninsured state-licensed branches of foreign banks. The second group governs the foreign branches of insured state nonmember banks, and also governs such banks' investment in foreign banks or other financial entities. The third group governs the international lending of insured state nonmember banks and specifies when reserves are required for particular international assets. This action is the result of a CDRI section 303(a) review.

**Timetable:**

Action	Date	FR Cite
NPRM	07/15/97	62 FR 37748
NPRM Comment Period End	09/15/97	
Final Action	04/08/98	63 FR 17056
Final Action Effective	07/01/98	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Karen Walter, Assistant Director, Division of Supervision, Federal Deposit Insurance Corporation

Phone: 202 898-3540

**RIN:** 3064-AC05**4229. ANNUAL INDEPENDENT AUDITS AND REPORTING REQUIREMENTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1831m**CFR Citation:** 12 CFR 363**Legal Deadline:** None

**Abstract:** This regulation eliminates Schedule A to appendix A, "Agreed Upon Procedures for Determining Compliance with Designated Laws." The regulation also amends the Guidelines and Interpretations published as an appendix to the annual independent audit rule. The changes delete certain filing requirements that have been determined to be

unnecessary, and clarify ambiguities identified by the Corporation, financial institutions, and accountants since the audit rule was promulgated.

**Timetable:**

Action	Date	FR Cite
Final Action	11/28/97	62 FR 63256
Final Action Effective	01/01/98	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Doris L. Marsh, Examination Specialist, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898-8905

**RIN:** 3064-AC06**4230. DISCLOSURE OF INFORMATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1819 (Seventh and Tenth); 5 USC 552**CFR Citation:** 12 CFR 309**Legal Deadline:** Final, Statutory, October 2, 1997.

**Abstract:** This rulemaking proposes to amend the regulation governing the public disclosure of information to reflect recent changes in the Freedom of Information Act (FOIA) as a result of the enactment of the Electronic Freedom of Information Act Amendments of 1996 (E-FOIA). Among other things, the proposed rule implements expedited and "multi-track" FOIA processing procedures; implements the processing deadlines and appeal rights created by E-FOIA; and describes the expended range of records available to the public through the FDIC's Public Reading Room and the FDIC's Internet World Wide Web page.

**Timetable:**

Action	Date	FR Cite
NPRM	01/02/98	63 FR 00029
NPRM Comment Period End	02/02/98	
Final Action	04/03/98	63 FR 16401
Final Action Effective	05/04/98	

**Small Entities Affected:** None**Government Levels Affected:** None

**Agency Contact:** Valerie J. Best, Assistant Executive Secretary, Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429

## FDIC

## Completed Actions

Phone: 202 898-3812

RIN: 3064-AC10

**4231. • PART 329: INTEREST ON DEPOSITS****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1819; 12 USC 1828(g); 12 USC 1832(a)**CFR Citation:** 12 CFR 329**Legal Deadline:** None**Abstract:** This regulatory action implements the statutory prohibition against the payment of interest on demand deposits for state nonmember banks and insured branches of foreign banks.**Timetable:**

Action	Date	FR Cite
NPRM	10/16/97	62 FR 53769
NPRM Comment Period End	12/15/97	
Final Action	02/19/98	63 FR 8341
Final Action Effective	04/01/98	

**Small Entities Affected:** None**Government Levels Affected:** None**Agency Contact:** Marc J. Goldstrum, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-8807

RIN: 3064-AC13

**4232. • RISK-BASED CAPITAL STANDARDS: MARKET RISK****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1818(c); 12 USC 1818(t); 12 USC 1819(Tenth); 12 USC 1828(c); 12 USC 1828(d); 12 USC 1828(i); 12 USC 1828(n); 12 USC 1828(o); 12 USC 1831o; PL 102-233**CFR Citation:** 12 CFR 325**Legal Deadline:** None**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS and the FDIC. The agencies are amending their respective risk-based capital standards

for market risk applicable to certain banks and bank holding companies with significant trading activities. The amendment eliminates the requirement that when an institution measures specific risk using its internal model, the total capital charge for specific risk must equal at least 50 percent of the standard specific risk capital charge.

**Timetable:**

Action	Date	FR Cite
Final Action	12/30/97	62 FR 68064
Final Action Effective	12/31/97	

**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-AC14

[FR Doc. 98-5169 Filed 04-24-98; 8:45 am]

BILLING CODE 6714-01-F