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Monday,  
November 22, 1999

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**Part LIV**

**Federal Deposit  
Insurance  
Corporation**

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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 (the FDIC) is hereby publishing items for the October 1999 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." 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.

A number of the actions identified in this agenda have been developed following regulatory reviews required by the Riegle Community and Regulatory Improvement Act of 1994

(CDRI), or to implement other recent statutory mandates. Many of the FDIC's regulatory actions are coordinated with other Federal regulators of financial institutions, primarily 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.

**Robert E. Feldman,**  
*Executive Secretary.*

**Proposed Rule Stage**

Sequence Number	Title	Regulation Identification Number
4413	12 CFR 340 Restrictions on Sale of Assets by the FDIC .....	3064-AB37
4414	12 CFR 308 Program Fraud Civil Remedies .....	3064-AB41
4415	12 CFR 307 Notification of Assumption of Deposits and Change of Insured Status .....	3064-AB88
4416	12 CFR 360 Receivership Rules .....	3064-AB92
4417	12 CFR 361 Minority and Women Outreach Program—Contracting .....	3064-AC21
4418	12 CFR 366 Contractor Conflict of Interest .....	3064-AC29
4419	12 CFR 327 Assessments .....	3064-AC31

**Final Rule Stage**

Sequence Number	Title	Regulation Identification Number
4420	12 CFR 325 Capital Maintenance — Recourse Arrangements and Direct Credit Substitutes .....	3064-AB31
4421	12 CFR 325 Capital Maintenance — Collateralized Transactions .....	3064-AB78
4422	12 CFR 342 Qualification Requirements for the Recommendation or Sale of Certain Securities .....	3064-AB85
4423	12 CFR 328 Advertisement of Membership .....	3064-AB99
4424	12 CFR 343 Insured State Nonmember Banks Which Are Municipal Securities Dealers .....	3064-AC04
4425	12 CFR 325 Risk-Based Capital Standards: Claims on Securities Firms .....	3064-AC17
4426	12 CFR 362 Activities of Insured State Banks and Insured Savings Associations .....	3064-AC20
4427	12 CFR 339 Loans in Areas Having Special Flood Hazards .....	3064-AC24
4428	12 CFR 360 Treatment by the FDIC as Conservator or Receiver of Financial Assets Transferred by an Insured Depository Institution in Connection With a Securitization or Participation .....	3064-AC28
4429	12 CFR 308 Technical Amendments to FDIC Regulations Relating to Rules of Practice and Procedure and Deposit Insurance Coverage .....	3064-AC30

**FDIC**

Long-Term Actions

Sequence Number	Title	Regulation Identification Number
4430	12 CFR 308 Censure, Suspension, and Debarment of Independent Public Accountants .....	3064-AA64
4431	12 CFR 327 Assessments — Assessment Base .....	3064-AB46

Completed Actions

Sequence Number	Title	Regulation Identification Number
4432	12 CFR 361 Formal Minority- and Women-Owned Business and Law Firm Certification Program .....	3064-AB95
4433	12 CFR 348 Management Interlocks Act .....	3064-AC08
4434	12 CFR 347 Foreign Activities of Insured State Nonmember Banks .....	3064-AC15
4435	12 CFR 364 Interagency Guidelines Establishing Year 2000 Standards for Safety and Soundness .....	3064-AC18
4436	12 CFR 303 Filing Procedures and Delegations of Authority .....	3064-AC22
4437	12 CFR 331 Asset and Liability Backup Program .....	3064-AC23

**Federal Deposit Insurance Corporation (FDIC)**

**Proposed Rule Stage**

**4413. 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	09/21/99	64 FR 51084
NPRM Comment Period End	12/20/99	
Final Action	05/00/00	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Steve Trout, Division of Resolutions and Receiverships, Federal Deposit Insurance Corporation, Washington, DC 20429  
 Phone: 202 416-4231

**RIN:** 3064-AB37

**4414. 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	10/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Mark A. Mellon, Counsel, Federal Deposit Insurance

Corporation, Legal Division, Washington, DC 20429  
 Phone: 202 898-3854

**RIN:** 3064-AB41

**4415. NOTIFICATION OF ASSUMPTION OF DEPOSITS AND CHANGE 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. Due to comments received, a second NPRM on this subject was issued rather than finalizing the rule proposed in May 1997. 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	
Second NPRM	11/00/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

## FDIC

## Proposed Rule Stage

**Agency Contact:** Rodney D. Ray, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429  
Phone: 202 898-3556

**RIN:** 3064-AB88

**4416. 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 other technical and clarifying changes to part 360.

**Timetable:**

Action	Date	FR Cite
NPRM	01/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

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

Phone: 202 898-6525

**RIN:** 3064-AB92

**4417. MINORITY AND WOMEN OUTREACH PROGRAM—CONTRACTING**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1833e(c)

**CFR Citation:** 12 CFR 361

**Legal Deadline:** None

**Abstract:** This rulemaking proposes a statement of policy to utilize the Federal Affirmative Action Contracting Program, set forth in the Federal Acquisition Regulations, 48 CFR parts 19 and 52, providing contracting incentives to small disadvantaged businesses and proposes to amend its regulations establishing an outreach program for minority- and women-

owned businesses as well as small disadvantaged businesses.

**Timetable:**

Action	Date	FR Cite
NPRM	08/06/99	64 FR 42862
NPRM Comment Period End	10/05/99	
Final Action	02/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Martin Blumenthal, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 736-0756

**RIN:** 3064-AC21

**4418. • CONTRACTOR CONFLICT OF INTEREST**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1819; 12 USC 1822(f)(3); 12 USC 1822(f)(4)

**CFR Citation:** 12 CFR 366

**Legal Deadline:** None

**Abstract:** This rulemaking clarifies that Part 366 does not pertain to FDIC contractors who intend to purchase assets from the FDIC. Conflicts of interest regarding contractors that intend to purchase assets from the FDIC will be covered by an FDIC circular regarding the sale of assets to restricted contractors.

**Timetable:**

Action	Date	FR Cite
NPRM	11/00/99	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** Richard M. Handy, Assistant Executive Secretary (Ethics), Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-7271

**RIN:** 3064-AC29

**4419. • ASSESSMENTS**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1441; 12 USC 1441b; 12 USC 1813; 12 USC 1815; 12 USC 1817-1819; PL 104-208; 12 USC 1812

**CFR Citation:** 12 CFR 327

**Legal Deadline:** None

**Abstract:** This rulemaking proposes several changes to FDIC's regulations governing assessments. The FDIC proposes to change the reporting date used to determine the capital component of the assessment risk classification assigned to FDIC-insured depository institutions. The proposal is to move that date closer by one calendar quarter to the assessment period for which the capital component is assigned. The FDIC is further proposing to shorten from 30 days to 15 days the prior notice that the FDIC sends to institutions advising them of their assessment risk classification for the following semiannual assessment period. The same reduction is proposed for the invoice sent by the FDIC each quarter showing the amount of the assessment payment due for the next quarterly collection. At the other end of the process, the FDIC is proposing to increase from 30 days to 90 days the time within which an institution may request review of its assessment risk classification.

**Timetable:**

Action	Date	FR Cite
NPRM	09/08/99	64 FR 48719
NPRM Comment Period End	10/25/99	
Final Action	07/00/00	

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James W. Thornton, Senior Banking Analyst, Division of Insurance, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-6707

**RIN:** 3064-AC31

## Federal Deposit Insurance Corporation (FDIC)

## Final Rule Stage

**4420. 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	12/00/99	

**Credit Ratings**

ANPRM 05/25/1994 (59 FR 27116)

**Recourse/Direct Credit Substitutes**

NPRM 05/25/1994 (59 FR 27116)

Final Action 02/00/2000

**Synthesis of Credit Ratings/Recourse/Direct  
Credit Substitutes**

NPRM 11/05/1997 (62 FR 59944)

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**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**4421. 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	12/00/99	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**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**4422. 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	12/00/99	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**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**4423. 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.

## FDIC

## Final Rule Stage

**Timetable:**

Action	Date	FR Cite
NPRM	02/11/97	62 FR 06142
NPRM Comment Period End	04/14/97	
Final Action	12/00/99	

**Regulatory Flexibility Analysis  
Required:** No**Small Entities Affected:** No**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**4424. 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	12/00/99	

**Regulatory Flexibility Analysis  
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Keith Ligon, Chief, Policy Unit, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-3618

**RIN:** 3064-AC04**4425. RISK-BASED CAPITAL STANDARDS: CLAIMS ON SECURITIES FIRMS****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; 12 USC 1835

**CFR Citation:** 12 CFR 325**Legal Deadline:** None

**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS, the FDIC and OTS. This interim rule would revise the FDIC's risk-based capital standards set forth in the Basle Accord. This revision would permit claims on certain securities firms to receive the same preferential risk-weighting that is applied to claims on banks.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	11/00/99	

**Regulatory Flexibility Analysis  
Required:** No**Small Entities Affected:** No**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-AC17**4426. ACTIVITIES OF INSURED STATE BANKS AND INSURED SAVINGS ASSOCIATIONS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 375a(4); 12 USC 375b; 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1819; 12 USC 1820(d)(10); 12 USC 1821(f); 12 USC 1818; 12 USC 1819 (Tenth); 12 USC 1828(m); 12 USC 1831a; 12 USC 1831e

**CFR Citation:** 12 CFR 362; 12 CFR 337**Legal Deadline:** None

**Abstract:** This rulemaking proposes to add safety and soundness standards to govern insured State nonmember banks that engage in the public sale, distribution or underwriting of stocks, bonds, debentures, notes or other securities through a subsidiary if those

activities are permissible for a national bank subsidiary but are not permissible for the national bank itself. In addition, the rulemaking proposes to require that insured State nonmember banks file a notice before commencing any activities permissible for the parent national bank itself. The rulemaking also proposes to remove and reserve the provisions addressing "Securities Activities of Subsidiaries of Insured State Banks: Bank Transactions with Affiliated Securities Companies."

**Timetable:**

Action	Date	FR Cite
NPRM	12/01/98	63 FR 66339
NPRM Comment Period End	02/01/99	
Final Action	01/00/00	

**Regulatory Flexibility Analysis  
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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

**RIN:** 3064-AC20**4427. • LOANS IN AREAS HAVING SPECIAL FLOOD HAZARDS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 42 USC 4012a; 42 USC 4104a; 42 USC 4104b; 42 USC 4106; 42 USC 4128

**CFR Citation:** 12 CFR 339**Legal Deadline:** None

**Abstract:** This rulemaking makes a technical amendment to the flood insurance regulations of the Federal banking agencies. It is necessary due to the elimination by the FEMA of reference to the Standard Flood Hazard Determination Form from its regulations.

**Timetable:**

Action	Date	FR Cite
Final Action	12/00/99	

**Regulatory Flexibility Analysis  
Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Mark A. Mellon, Counsel, Federal Deposit Insurance Corporation, Legal Division, Washington, DC 20429

## FDIC

## Final Rule Stage

Phone: 202 898-3854

RIN: 3064-AC24

**4428. • TREATMENT BY THE FDIC AS CONSERVATOR OR RECEIVER OF FINANCIAL ASSETS TRANSFERRED BY AN INSURED DEPOSITORY INSTITUTION IN CONNECTION WITH A SECURITIZATION OR PARTICIPATION****Priority:** Substantive, Nonsignificant**Legal Authority:** 12 USC 1821(d)(1); 12 USC 1821(d)(11); 12 USC 1821(e)(1); 12 USC 1821(e)(8)(D)(1); 12 USC 1823(c)(4); 12 USC 1823(e)(2); PL 101-73**CFR Citation:** 12 CFR 360**Legal Deadline:** None**Abstract:** This rulemaking resolves issues regarding the treatment by the FDIC, as receiver or conservator, of financial assets transferred by an insured depository institution in connection with a securitization or in the form of a participation.**Timetable:**

Action	Date	FR Cite
NPRM	09/09/99	64 FR 48968

Action	Date	FR Cite
NPRM Comment	11/08/99	
Period End		
Final Action	08/00/00	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Michael Krimminger, Senior Policy Analyst, Division of Resolution and Receiverships, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-8950

RIN: 3064-AC28

**4429. • TECHNICAL AMENDMENTS TO FDIC REGULATIONS RELATING TO RULES OF PRACTICE AND DEPOSIT INSURANCE COVERAGE****Priority:** Substantive, Nonsignificant**Legal Authority:** 5 USC 504; 5 USC 554-557; 12 USC 93(b); 12 USC 164; 12 USC 505; 12 USC 1815(e); 12 USC 1817; 12 USC 1818; 12 USC 1820; 12 USC 1828; 12 USC 1829; 12 USC 1829b; 12 USC 1831i; 12 USC 1831o; 12 USC 1831p-1; 12 USC 1832(c); 12 USC 1884(b)**CFR Citation:** 12 CFR 308; 12 CFR 330**Legal Deadline:** None**Abstract:** This rulemaking amends various sections of Rules of Practice and Procedure governing administrative enforcement proceedings. The amendments are generally technical in nature and are necessary to ensure that the rules are consistent with statutory provisions and procedural changes that have occurred since the rules were first adopted. The FDIC also is making a conforming, technical amendment to its deposit insurance regulations that was inadvertently omitted from changes made to the deposit insurance regulations effective on April 1, 1999.**Timetable:**

Action	Date	FR Cite
Final Action	11/00/99	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Andrea Winkler, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-3764

RIN: 3064-AC30

## Federal Deposit Insurance Corporation (FDIC)

## Long-Term Actions

**4430. CENSURE, SUSPENSION, AND DEBARMENT OF INDEPENDENT PUBLIC ACCOUNTANTS****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 308**Timetable:**

Action	Date	FR Cite
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Doris L. Marsh  
Phone: 202 898-8905

RIN: 3064-AA64

**4431. ASSESSMENTS — ASSESSMENT BASE****Priority:** Substantive, Nonsignificant**CFR Citation:** 12 CFR 327**Timetable:**

Action	Date	FR Cite
NPRM	10/05/94	59 FR 50710

Action	Date	FR Cite
ANPRM Comment	02/02/95	
Period End		
NPRM	To Be Determined	

**Regulatory Flexibility Analysis Required:** No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Frederick S. Carns  
Phone: 202 898-3930

RIN: 3064-AB46

## Federal Deposit Insurance Corporation (FDIC)

## Completed Actions

**4432. 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	
Withdrawn	08/06/99	64 FR 42861

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Judith M. Wood, Chief, MWOP, Office of Diversity and Economic Opportunity, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 416-2456

**RIN:** 3064-AB95**4433. 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 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	08/11/98	63 FR 43052
Final Rule	09/24/99	64 FR 51673
Final Rule Effective	01/01/00	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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

**RIN:** 3064-AC08**4434. FOREIGN ACTIVITIES OF INSURED STATE NONMEMBER BANKS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1813; 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 1828; 12 USC 3103; 12 USC 3104; 12 USC 3105; 12 USC 3108; PL 98-181

**CFR Citation:** 12 CFR 347**Legal Deadline:** None

**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS, and the FDIC. It implements the provisions related to an extended examination cycle for U.S. branches and agencies of foreign banks set out in section 2214 of the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA).

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	08/28/98	63 FR 46118
Interim Final Rule Comment Period End	10/27/98	
Final Rule	10/22/99	64 FR 56949
Final Rule Effective	10/22/99	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Karen Walter, Chief, International Branch, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-3540

**RIN:** 3064-AC15**4435. INTERAGENCY GUIDELINES ESTABLISHING YEAR 2000 STANDARDS FOR SAFETY AND SOUNDNESS****Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 1819 (Tenth); 12 USC 1831p-1

**CFR Citation:** 12 CFR 364**Legal Deadline:** None

**Abstract:** This rulemaking is sponsored jointly by the OCC, the FRS, the OTS, and the FDIC. It provides interim guidelines establishing Year 2000 safety and soundness standards for insured depository institutions pursuant to section 39 of the Federal Deposit Insurance Act.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	10/15/98	63 FR 55480
Interim Final Rule Comment Period End	12/14/98	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** Frank Hartigan, Year 2000 Project Manager, Division of Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898-6867

**RIN:** 3064-AC18**4436. • FILING PROCEDURES AND DELEGATIONS OF AUTHORITY****Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 378; 12 USC 1813; 12 USC 1815; 12 USC 1816; 12 USC 1817; 12 USC 1818; 12 USC 1820; 12 USC 1823; 12 USC 3104; 12 USC 3108; 12 USC 3207; 15 USC 1601-1607

**CFR Citation:** 12 CFR 303**Legal Deadline:** None

**Abstract:** This rulemaking amends mutual-to-stock conversion procedures by delegating authority from the FDIC's Board of Directors to the Director and Deputy Director of the Division of Supervision to act on certain requests for the waiver of the depositor vote requirements.

**Timetable:**

Action	Date	FR Cite
Final Rule	04/26/99	64 FR 20141
Final Rule Effective	05/26/99	

**Regulatory Flexibility Analysis****Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

**Agency Contact:** John Lane, Assistant Director, Federal Deposit Insurance Corporation, Division of Supervision, Washington, DC 20429

## FDIC

## Completed Actions

Phone: 202 898-3671

RIN: 3064-AC22

**4437. • ASSET AND LIABILITY  
BACKUP PROGRAM**

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC  
1819(a)(Tenth); 12 USC 1818(u); 12  
USC 1818(b); 12 USC 1821

**CFR Citation:** 12 CFR 331

**Legal Deadline:** None

**Abstract:** This rulemaking requires  
asset and liability backup programs for

limited deposit account and loan  
account information in a limited  
number of institutions to facilitate  
timely and accurate restoration of key  
financial records in the event that an  
FDIC-insured depository institution  
(insured depository institution)  
experiences a Year 2000 computer  
problem and is placed in receivership.

**Timetable:**

Action	Date	FR Cite
Interim Final Rule	06/09/99	64 FR 30869
Interim Final Rule Effective	07/09/99	

**Regulatory Flexibility Analysis**

**Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**Agency Contact:** James Crum,  
Manager, Information Systems Section,  
Division of Resolution and  
Receiverships, Federal Deposit  
Insurance Corporation, Washington, DC  
20429

Phone: 202 898-6698

**RIN:** 3064-AC23

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