

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 spring 2008 Unified Agenda of Federal Regulatory and Deregulatory Actions. 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 the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). 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.

Risk-Based Capital Standards: Advanced Capital Adequacy Framework--Basel II. The OCC, Federal Reserve, FDIC, and OTS adopted a new risk-based capital adequacy framework that requires some and permits other qualifying banks to use an internal ratings-based approach to calculate regulatory credit risk capital requirements and advanced measurement approaches to calculate regulatory operational risk capital requirements and advance measurement approaches to calculate regulatory operational risk capital requirements. The final rule describes the qualifying criteria for banks required or seeking to operate under the new framework and the applicable risk-based capital requirements for banks that operate under the framework.

Fair Credit Reporting Affiliate Marketing Regulations. The OCC, Federal Reserve, FDIC, OTS, and NCUA, published final rules to implement the affiliate marketing provisions in section 214 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act). The final rules generally prohibit a person from using information received from an affiliate to make a solicitation for marketing purposes to a consumer, unless the consumer is given notice and a reasonable opportunity and a reasonable and simple method to opt out of the making of such solicitations.

Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003. The OCC, Federal Reserve, FDIC, OTS, NCUA and FTS jointly published final rules and guidelines implementing section 114 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act) and final rules implementing section 315 of the FACT Act. The rules implementing section 114 require each financial institution or creditor to develop and implement a written Identity Theft Prevention Program to detect, prevent, and mitigate identity theft in connection with the opening of certain accounts or certain existing accounts. In addition, the Agencies are issuing guidelines to assist financial institutions and creditors in the formulation and maintenance of a Program that satisfies the requirements of the rules.

Systems of Records. The Federal Deposit Insurance Corporation added three new systems of records to its collection of systems of records notices published pursuant to the Privacy Act of 1974. The FDIC also revised twenty-three existing systems of records to update various system elements and to add routine use language recommended by the President's Task Force on Identity Theft.

Management Official Interlocks. The OCC, OTS, Federal Reserve, and FDIC amended their rules regarding management interlocks to implement section 610 of the Financial Services Regulator Relief Act of 2006.

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.

Federal Deposit Insurance Corporation.

NAME: Robert E. Feldman,
Executive Secretary.

The 21 Regulatory Agendas

Federal Deposit Insurance Corporation - Proposed Rule

Title	Regulation Identifier Number
Assessment Dividends	3064-AD19

Federal Deposit Insurance Corporation - Final Rule

Title	Regulation Identifier Number
Deposit Insurance Coverage; Stored Value Cards and Other Nontraditional Access Mechanisms	3064-AC80
Community Reinvestment Act; Interagency Questions and Answers Regarding Community Reinvestment; Notice	3064-AC97
Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies	3064-AC99
Industrial Banks Subsidiaries of Financial Companies	3064-AD15
Interagency Proposal for Model Privacy Form Under the Gramm-Leach-Bliley Act	3064-AD16
Annual Independent Audits and Reporting Requirements	3064-AD21
Minority and Women Outreach Program Contracting Activities	3064-AD23
Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure and Large-Bank Deposit Insurance Determination Modernization	3064-AD26
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Federal Deposit Insurance Corporation - Long-term Action

Title	Regulation Identifier Number
Interstate Banking; Federal Interest Rate Authority	3064-AC95
Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Domestic Capital Modifications	3064-AC96
Large-Bank Deposit Insurance Determination Modernization Proposal	3064-AC98
Risk-Based Capital Standards: Market Risk	3064-AD10

Federal Deposit Insurance Corporation - Completed Action

Title	Regulation Identifier Number
Risk-Based Capital Standards: Implementation of New Basel Capital Accord	3064-AC73
Fair Credit Reporting Affiliate Marketing Regulations	3064-AC83
Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003	3064-AD00
Extension of Time Period for Quarterly Reporting of Bank Officers' and Certain Employees' Personal Securities Transactions	3064-AD18
Rules of Practice and Procedure	3064-AD22
Community Reinvestment Act Regulations	3064-AD24
Deposit Ins. Requirements After Certain Conversions; Definition of "Corporate Reorganization;" Optional Conversions ("Oakar Transactions"); Add'l Grounds for Disapproval of Changes in Control; and...	3064-AD25

Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD19

 [View Related Documents](#)
Title: Assessment Dividends

Abstract: The FDIC is seeking comments on alternative methods for allocating dividends as part of a permanent final rule to implement the dividend requirements of the Federal Deposit Insurance Reform Act of 2005 (Reform Act) and the Federal Deposit Insurance Reform Conforming Amendments Act of 1995 (Amendment Act). The existing FDIC regulations on assessment dividends will expire on December 31, 2008.

Priority: Economically Significant**Agenda Stage of Rulemaking:** Proposed Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 327 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** Not Yet Determined**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	09/18/2007	72 FR 53181
ANPRM Comment Period End	11/19/2007	
NPRM	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AC80

 [View Related Documents](#)

Title: Deposit Insurance Coverage; Stored Value Cards and Other Nontraditional Access Mechanisms

Abstract: FDIC published a proposed regulation that would clarify the insurance coverage of funds subject to transfer or withdrawal through the use of stored value cards and other nontraditional access mechanisms. This proposed rule is a revision of a proposed rule published by the FDIC in April of 2004 (the "First Proposed Rule"). See 69 FR 20558 (April 16, 2004). The purpose of the revised proposed rule (the "Second Proposed Rule") is to address certain issues raised by commenters in response to the original proposal. Through the Second Proposed Rule, the FDIC would add a new subsection to part 330 of title 12 of the Code of Federal Regulations. The new subsection would promote accuracy and consistency by insured depository institutions in reporting "deposits" for inclusion in an institution's assessment base. Also, the new subsection would provide guidance to the public about the insurance coverage of funds underlying nontraditional access mechanisms.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: Undetermined

CFR Citation: 12 CFR 330 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 1813(l); 12 USC 1813(m); 12 USC 1817(i); 12 USC 1818(q); 12 USC 1819 (Tenth); ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	04/16/2004	69 FR 20588
NPRM Comment Period End	07/15/2004	
NPRM	08/08/2005	70 FR 45571
NPRM Comment Period End	11/07/2005	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2005/05comstoredval.html>

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AC97

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Title: Community Reinvestment Act; Interagency Questions and Answers Regarding Community Reinvestment; Notice

Abstract: The OCC, Board, and FDIC published the revised guidance (Questions and Answers) relating to the Community Reinvestment Act. The Questions and Answers primarily addresses topics included in the revisions that the Agencies made to their CRA regulations, which became effective September 1, 2005.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: None (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Other	11/10/2005	70 FR 68450
Comment Period End	01/09/2006	
Notice	03/10/2006	71 FR 12424
Notice	07/11/2007	72 FR 37922
Comment Period End	09/10/2007	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

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 [View Related Documents](#)

Title: Procedures To Enhance the Accuracy and Integrity of Information Furnished to Consumer Reporting Agencies

Abstract: The OCC, Board, FDIC, OTS, NCUA, and FTC (the Agencies) published for comment proposed regulations and guidelines to implement the accuracy and integrity provisions in section 312 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act).

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 334 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1818; 12 USC 1819 (Tenth); 12 USC 1631p-1; 15 USC 1681a

Legal Deadline: None

Timetable:

Action	Date	FR Cite
ANPRM	03/22/2006	71 FR 14419
ANPRM Comment Period End	05/22/2006	
NPRM	12/13/2007	72 FR 70974
NPRM Comment Period End	02/11/2008	
Final Action	12/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: Undetermined

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2006/06comanprfacta.html>

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**Title:** Industrial Banks Subsidiaries of Financial Companies

Abstract: The FDIC is publishing for comment proposed rules that would impose certain conditions and requirements on each deposit insurance application approval and non-objection to a change in control notice that would result in an insured industrial loan company or industrial bank, becoming after the effective date of any final rules, a subsidiary of a company that is engaged solely in financial activities and that is not subject to consolidated bank supervision by the Federal Reserve Board or the Office of Thrift Supervision. The proposed rules would also require that before any industrial bank may become a subsidiary of a company that is engaged solely in financial activities and that is not subject to Federal Consolidated Bank Supervision, such company and the industrial bank must enter into one or more written agreements with the FDIC. Simultaneously with the proposed rules, the FDIC is publishing a Notice to extend for one year its moratorium for applications for deposit insurance and change in control notices for industrial banks that will become subsidiaries of companies engaged in non-financial activities. By this action, however, the FDIC is not expressing any conclusion about the propriety of ownership or control of industrial banks by commercial companies. The FDIC has determined that it is appropriate to provide additional time for review of such ownership and the related issues by the FDIC and by Congress.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 354 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1811; 12 USC 1815 to 1817; 12 USC 1819(a) Seventh and Tenth; 12 USC 1820(g); 12 USC 3108; 12 USC 3207**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	02/05/2007	72 FR 5217
NPRM Comment Period End	05/07/2007	
Final Action	11/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.fdic.gov/regulations/laws/federal/propose.html>**Public Comment URL:** <http://www.fdic.gov/regulations/laws/federal/2007/07comAD15.html>**Agency Contact:** Robert C. Fick
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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD16

 [View Related Documents](#)**Title:** Interagency Proposal for Model Privacy Form Under the Gramm-Leach-Bliley Act

Abstract: The OCC, Board, FDIC, OTS, NCUA, FTC, CFTC, and SEC (the Agencies) are proposing amendments to their rules that implement the privacy provisions of the Gramm-Leach-Bliley Act (GLB Act), title V, Subtitle A. These rules require financial institutions to provide initial and annual privacy notices to their customers. As required under section 728 of the Financial Services Regulatory Relief Act of 2006 (Regulatory Relief Act or Act), the Agencies are proposing a safe harbor model privacy form that financial institutions may use to provide disclosures under the privacy rules. Institutions that use notices based on the Sample Clauses currently contained in most of the privacy rules would lose the benefit of a safe harbor for compliance with respect to those notices if they are provided more than one year following the date of publication of a final rule. Similarly, institutions that use notices based on the Sample Clauses in the SEC's privacy rule could no longer rely on the guidance provided with respect to those notices if they are provided more than one year following the date of publication of a final rule.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 332 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1819 (Seventh and Tenth); 15 USC 6801**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	03/29/2007	72 FR 14940
NPRM Comment Period End	05/29/2007	
Final Action	05/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.fdic.gov/regulations/laws/federal/index.html>**Public Comment URL:** <http://www.fdic.gov/regulations/laws/federal/2007/07comAD16.html>**Agency Contact:** David P. LaFleur

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Federal Deposit Insurance Corporation (FDIC)
RIN: 3064-AD21

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Title: Annual Independent Audits and Reporting Requirements

Abstract: The FDIC published its proposed rule to part 363 to further the objectives of section 36 by incorporating these sound practices into part 363 and to provide clearer and more complete guidance to institutions and independent public accountants concerning compliance with the requirements of section 36 and part 363. The FDIC also published a proposed technical amendment to part 308, subpart U for the removal, suspension, or debarment of accountants and accounting firms.

Priority: Other Significant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 308; 12 CFR 363 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 5 USC 504; 5 USC 554 to 557; 12 USC 93(b); 12 USC 164; 12 USC 1831m; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	11/02/2007	72 FR 62310
NPRM Comment Period End	01/31/2008	
Final Action	06/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/2007/07proposeNov2.pdf>

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2007/07comindependaudits.html>

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD23

 [View Related Documents](#)**Title:** Minority and Women Outreach Program Contracting Activities**Abstract:** The FDIC amended existing FDIC regulations regarding the FDIC's contracting activities under its Minority and Women Outreach Program (MWOP). These are relatively minor amendments designed to eliminate several provisions rendered obsolete by significant reductions in FDIC contracting activities and decreases in FDIC staff to monitor the contracting activities of Minority and Women-Owned Businesses (MWOBs).**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** Undetermined**Unfunded Mandates:** No**CFR Citation:** 12 CFR 361 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1833e**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
NPRM	01/03/2008	73 FR 421
NPRM Comment Period End	03/03/2008	
Final Action	09/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.fdic.gov/regulations/laws/federal/2008/08final114.pdf>**Agency Contact:** Robert P Elcan Federal Deposit Insurance Corporation
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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD26

 [View Related Documents](#)**Title:** Processing of Deposit Accounts in the Event of an Insured Depository Institution Failure and Large-Bank Deposit Insurance Determination Modernization

Abstract: The FDIC is seeking comment on a proposed rule composed of two parts. The first part would establish the FDIC's practice for determining deposit account balances at a failed insured depository institution. The second part would require the largest insured depository institutions to adopt mechanisms that would, in the event of the institution's failure: Provide the FDIC with standard deposit account and customer information; and allow the FDIC to place and release holds on liability accounts, including deposits.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Final Rule

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 360 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 1821(d)(1); 12 USC 1821(d)(10)(c); 12 USC 1821(d)(11); 12 USC 1821(e)(1)

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	01/14/2008	73 FR 2386
NPRM Comment Period End	04/14/2008	
Final Action	07/00/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/2008/08propose114.pdf>

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2008/08comAD26.html>

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 [View Related Documents](#)
Title: Assessment Dividends

Abstract: The FDIC is proposing regulations to implement the assessment dividend requirements in the Federal Deposit Insurance Reform Act of 2005 ("Reform Act") and the Federal Deposit Insurance Reform Conforming Amendments Act of 2005 ("Amendments Act"). The proposed rule is the follow-up to the advanced notice of proposed rulemaking on assessment dividends the FDIC issued in September 2007 and the temporary final rule on assessment dividends the FDIC issued in October 2006. The temporary final rule sunsets on December 31, 2008.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Final Rule**Major:** No**Unfunded Mandates:** No

CFR Citation: 12 CFR 327.50; 12 CFR 327.51; 12 CFR 327.52; 12 CFR 327.53; 12 CFR 327.54; ...
(To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Federal Deposit Insurance Reform Act of 2005; Federal Deposit Insurance Reform Conforming Amendments Act of 2005

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
NPRM	03/31/2008	
Final Action	10/00/2008	

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

RIN Information URL: www.fdic.gov/regulations/laws/federal/

Public Comment URL: www.fdic.gov/regulations/laws/federal/

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Federal Deposit Insurance Corporation (FDIC)**RIN:** 3064-AC95
 [View Related Documents](#)
Title: Interstate Banking; Federal Interest Rate Authority

Abstract: The FDIC received a petition for rulemaking to preempt certain state laws with the stated purpose of establishing parity between national banks and state-chartered banks in interstate activities and operations. The petition also requested rulemaking to implement the interest rate authority contained in the Federal Deposit Insurance Act.

Priority: Other Significant**Agenda Stage of Rulemaking:** Long-term Action**Major:** No**Unfunded Mandates:** No

CFR Citation: 12 CFR 331; 12 CFR 362 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1819(a)(Tenth); 12 USC 1820(g); 12 USC 1831d note; ...

Legal Deadline: None**Timetable:**

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	10/14/2005	70 FR 60019
NPRM Comment Period End	12/13/2005	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: <http://www.FDIC.gov/regulations/laws/federal/propose.html>

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Government Levels Affected: No

Federalism: No

Public Comment URL: <http://www.FDIC.gov/regulations/laws/federal/propose.html>

Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AC96

 [View Related Documents](#)

Title: Risk-Based Capital Guidelines; Capital Adequacy Guidelines; Capital Maintenance: Domestic Capital Modifications

Abstract: The Office of the Comptroller of the Currency (OCC), Board of Governors of the Federal Reserve System (Board), Federal Deposit Insurance Corporation (FDIC), and Office of Thrift Supervision (OTS) (collectively, the Agencies) are proposing revisions to the existing risk-based capital framework that would enhance its risk sensitivity without unduly increasing regulatory burden. These changes would apply to banks, bank holding companies, and savings associations (banking organizations). A banking organization would be able to elect to adopt these proposed revisions or remain subject to the Agencies' existing risk-based capital rules, unless it uses the Advanced Capital Adequacy Framework proposed in the notice of proposed rulemaking published on September 25, 2006 (Basel II NPR). In this notice of proposed rulemaking (NPR or Basel IA), the Agencies are proposing to expand the number of risk weight categories, allow the use of external credit ratings to risk weight certain exposures, expand the range of recognized collateral and eligible guarantors, use loan-to-value ratios to risk weight most residential mortgages, increase the credit conversion factor for certain commitments with an original maturity of one year or less, assess a charge for early amortizations in securitizations of revolving exposures, and remove the 50 percent limit on the risk weight for certain derivative transactions. A banking organization would have to apply all the proposed changes if it chose to use these revisions. Finally, in Section III of this NPR, the Agencies seek further comment on possible alternatives for implementing the "International Convergence of Capital Measurement and Capital Standards: A Revised Framework" (Basel II) in the United States as proposed in the Basel II NPR.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: Yes

Unfunded Mandates: No

CFR Citation: 12 CFR 325 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
ANPRM	10/20/2005	70 FR 61068
ANPRM Comment Period End	01/18/2006	
NPRM	12/26/2006	71 FR 77446
NPRM Comment Period End	03/26/2007	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/05propose.html>

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Government Levels Affected: No

Federalism: No

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2005/05combasel1a.html>

Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AC98

 [View Related Documents](#)

Title: Large-Bank Deposit Insurance Determination Modernization Proposal

Abstract: The FDIC is seeking comment on whether and how the largest insured depository institutions should be required to modify their deposit account systems to speed depositor access to funds in the event of a failure. Today, insured institutions do not track the insured status of their depositors yet the FDIC must make deposit insurance coverage determinations in the event of failure. The current process might result in unacceptable delays if used for an FDIC-insured institution with a large volume of deposit accounts. Such delays would have an impact on depositors' ability to access their funds and are likely to result in a resolution (of the failed institution) significantly more costly to the Deposit Insurance Fund. As currently contemplated, the options discussed in the ANPRM would apply only to the 152 insured depository institutions with more than 250,000 deposit accounts and more than \$2 billion in domestic deposits, as well as seven additional institutions with total assets over \$20 billion, less than 250,000 deposit accounts and at least \$2 billion in domestic deposits. In December 2005 the FDIC issued a prior advance notice of proposed rulemaking on this subject. This ANPRM is a follow-up to that issuance. The FDIC is seeking comment on all aspects of the ANPRM.

Priority: Other Significant

Major: No

Agenda Stage of Rulemaking: Long-term Action

Unfunded Mandates: No

CFR Citation: Not Yet Determined (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: Not Yet Determined

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	00/00/0000	
ANPRM	12/13/2005	70 FR 73652
ANPRM Comment Period End	03/13/2006	
ANPRM	12/13/2006	71 FR 74857
ANPRM Comment Period End	03/13/2007	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

RIN Information URL: <http://www.FDIC.gov/regulations/laws/federal/propose.html>

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Government Levels Affected: No

Federalism: No

Public Comment URL: <http://www.FDIC.gov/regulations/laws/federal/propose.html>

Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD10

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Title: Risked-Based Capital Standards: Market Risk

Abstract: The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), and the Federal Deposit Insurance Corporation (FDIC) are proposing revisions to the market risk capital rule to enhance its risk sensitivity and introduce requirements for public disclosure of certain qualitative and quantitative information about the market risk of a bank or bank holding company. The Office of Thrift Supervision (OTS) currently does not apply a market risk capital rule to savings associations and is proposing in this notice a market risk capital rule for savings associations. The proposed rules for each agency are substantively identical.

Priority: Other Significant

Agenda Stage of Rulemaking: Long-term Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 325 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(b) to 1818(c); ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Final Action	00/00/0000	
NPRM	09/25/2006	71 FR 55958
NPRM Comment Period End	01/23/2007	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/06propose.html>

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Government Levels Affected: No

Federalism: No

Public Comment URL: <http://www.fdic.gov/regulations/laws/federal/2006/06comAD10.html>

Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AC73

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Title: Risk-Based Capital Standards: Implementation of New Basel Capital Accord

Abstract: The Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), the Federal Deposit Insurance Corporation (FDIC), and the Office of Thrift Supervision (OTS) (collectively, the Agencies) adopted a new risk-based capital adequacy framework that would require some and permit other qualifying banks to use an internal ratings-based approach to calculate regulatory credit risk capital requirements and advanced measurement approaches to calculate regulatory operational risk capital requirements. The final rule describes the qualifying criteria for banks required or seeking to operate under the proposed framework and the applicable risk-based capital requirements for banks that operate under the framework.

Priority: Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** Yes**Unfunded Mandates:** No**CFR Citation:** 12 CFR 325 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)**Legal Authority:** 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816; 12 USC 1818(a); ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
ANPRM	08/04/2003	68 FR 45900
ANPRM Comment Period End	11/03/2003	
NPRM	09/25/2006	71 FR 55830
NPRM Comment Period End	01/23/2007	
Final Action	12/07/2007	72 FR 69437

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**RIN Information URL:** <http://www.fdic.gov/regulations/laws/publiccomments/basel/index.html>**Public Comment URL:** <http://www.fdic.gov/regulations/laws/publiccomments/basel/index.html>**Agency Contact:** Jason M Cave
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Federal Deposit Insurance Corporation (FDIC)**RIN:** 3064-AC83 [View Related Documents](#)**Title:** Fair Credit Reporting Affiliate Marketing Regulations

Abstract: OCC, FRB, FDIC, OTS, and NCUA published its final rule to implement the affiliate marketing provisions in section 214 of the Fair and Accurate Credit Transactions Act of 2003, which amends the Fair Credit Reporting Act. The final rule regulations generally prohibit a person from using information received from an affiliate to make a solicitation for marketing purposes to a consumer, unless the consumer is given notice, an opportunity, and a simple method to opt out of the making of such solicitations.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 334 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 1818 to 1819 (Tenth); 15 USC 1681b; 15 USC 1681s

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/15/2004	69 FR 42502
NPRM Comment Period End	08/16/2004	
Final Action	11/07/2007	72 FR 62963

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

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Title: Identity Theft Red Flags and Address Discrepancies Under the Fair and Accurate Credit Transactions Act of 2003

Abstract: The OCC, Board, FDIC, OTS, NCUA, and FTC (Agencies) published final rules and guidelines implementing sections 114 of the Fair and Accurate Credit Transactions Act of 2003 (FACT Act), and final rules implementing section 315 of the FACT Act.

Priority: Other Significant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 334; 12 CFR 364 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 1818 to 1819 (Tenth); 15 USC 1681(b) to 1681(c); 15 USC 1681(m); 15 USC 1681s; 15 USC 1681w; 15 USC 6801; 15 USC 6805; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	07/18/2006	71 FR 40786
NPRM Comment Period End	09/18/2006	
Final Action	11/09/2007	72 FR 63760

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/propose.html>

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD18

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Title: Extension of Time Period for Quarterly Reporting of Bank Officers' and Certain Employees' Personal Securities Transactions

Abstract: The FDIC proposes to amend its rule concerning the period of time that officers and all employees of state nonmember banks who make or participate in investment decisions for the accounts of customers ("certain employees") have to report their personal securities transactions after the end of the calendar quarter. The revision to 12 CFR 344.9(a)(3) would extend the time period from 10-business days to 30-calendar days after the end of the calendar quarter for bank officers and certain employees to report personal securities transactions to the bank.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 344 (To search for a specific CFR, visit the [Code of Federal Regulations](#))

Legal Authority: 12 USC 1817 to 1819

Legal Deadline: None

Timetable:

Action	Date	FR Cite
NPRM	06/27/2007	72 FR 35204
NPRM Comment Period End	08/27/2007	
Final Action	10/25/2007	72 FR 60547

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/index.html>

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD22

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Title: Rules of Practice and Procedure**Abstract:** The Federal Deposit Insurance Corporation (FDIC) is amending its procedural regulations implementing sections 8(g) and 8(b) of the Federal Deposit Insurance Act. The amendments are generally technical in nature, and are necessary to ensure that the rules are consistent with statutory changes effected by sections 708 and 702 of the financial Services Regulatory Relief Act of 2006.**Priority:** Other Significant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 308 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 5 USC 504; 5 USC 554 to 557; 12 USC 93(b); 12 USC 164; ...**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	11/28/2007	72 FR 67235

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No**Agency Contact:** Robert C. Fick
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Federal Deposit Insurance Corporation (FDIC)**RIN:** 3064-AD24
 [View Related Documents](#)
Title: Community Reinvestment Act Regulations**Abstract:** The OCC, the Federal Reserve System, the FDIC, and the OTS amended their Community Reinvestment Act regulations to adjust the asset-size thresholds used to define "small bank" or "small savings association" and "intermediate small savings association." The Agencies are also correcting a paragraph heading that is inaccurate as a result of annual revision to the small institution threshold.**Priority:** Substantive, Nonsignificant**Agenda Stage of Rulemaking:** Completed Action**Major:** No**Unfunded Mandates:** No**CFR Citation:** 12 CFR 345 (To search for a specific CFR, visit the [Code of Federal Regulations](#))**Legal Authority:** 12 USC 1814 to 1817; 12 USC 1819 to 1820; 12 USC 1828; 12 USC 1831u; 12 USC 2901 to 2907**Legal Deadline:** None**Timetable:**

Action	Date	FR Cite
Final Action	12/21/2007	72 FR 72573

Regulatory Flexibility Analysis Required: No**Government Levels Affected:** No**Small Entities Affected:** No**Federalism:** No**Energy Affected:** No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/2007/07final1221.pdf>

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Federal Deposit Insurance Corporation (FDIC)

RIN: 3064-AD25

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Title: Deposit Ins. Requirements After Certain Conversions; Definition of "Corporate Reorganization;" Optional Conversions ("Oakar Transactions"); Add'l Grounds for Disapproval of Changes in Control; and...

Abstract: The FDIC amended certain regulations in order to conform them to certain Federal statutes recently amended by the Financial Services Regulatory Relief Act of 2006, the Federal Deposit Insurance Reform Act of 2005, and the Federal Deposit Insurance Reform Conforming Amendments Act of 2005.

Priority: Substantive, Nonsignificant

Agenda Stage of Rulemaking: Completed Action

Major: No

Unfunded Mandates: No

CFR Citation: 12 CFR 303; 12 CFR 308; 12 CFR 309 (To search for a specific CFR, visit the [Code of Federal Regulations](#).)

Legal Authority: 12 USC 378; 12 USC 1464; 5 USC 504; 5 USC 554 to 557; 5 USC 552; 12 USC 1819 (a) "Seventh" and "Tenth"; ...

Legal Deadline: None

Timetable:

Action	Date	FR Cite
Interim Final Rule Effective	01/14/2008	
Interim Final Rule	01/14/2008	73 FR 2145
Interim Final Rule Comment Period End	03/14/2008	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: No

Small Entities Affected: No

Federalism: No

Energy Affected: No

RIN Information URL: <http://www.fdic.gov/regulations/laws/federal/2008/08final114.pdf>

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