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FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 331

RIN 3064-AC23

Asset and Liability Backup Program

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Interim final rule; request for comment.

SUMMARY: The FDIC is adopting an interim final rule to require asset and liability backup programs (ALBPs) 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 (Y2K) computer problem and is placed in receivership. Specifically, this rule requires those insured depository institutions receiving Y2K ratings of less than ``Satisfactory'' on or after July 31, 1999 (affected institutions) to follow specific programs to backup certain information concerning deposit and loan accounts. This information will be retained by each bank or savings and loan (thrift) to which the rule applies and used by the FDIC only if such an institution must be closed. This regulation will automatically sunset on June 30, 2000, and will no longer be applicable after that date. An affected institution will be exempted from the ALBP rule if its primary federal regulator provides a written determination to the Executive Secretary, FDIC, that the ALBP is not needed.

DATES: This interim final rule will be effective July 9, 1999. Comments must be received by July 9, 1999.

ADDRESSES: Send written comments to Robert E. Feldman, Executive Secretary, Attention: Comments/OES, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429. Comments may be hand-delivered to the guard station located at the rear of the

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17th Street building, on F Street, on business days between 7:00 a.m. and 5:00 p.m. The FAX number is (202) 898-3838 and the Internet address is comments@fdic.gov. Comments may be inspected and photocopied at the FDIC Public Information Center, Room 100, 801 17th Street NW,

Washington, D.C., between 9:00 a.m. and 4:30 p.m. on business days.

FOR FURTHER INFORMATION CONTACT: Division of Resolutions and Receiverships: James E. Crum, Manager, Information Systems Section (202) 898-6698; Daniel L. Walker, Manager, Franchise Marketing, Dallas Field Office Branch (972) 761-2215; Herbert J. Held, Assistant Director, Institutional Sales (202) 898-7329. Legal Division: Nancy Schucker Recchia, Counsel (202) 898-8885; David Fisher, Counsel (202) 898-3503, Federal Deposit Insurance Corporation, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

I. Background

A. Introduction

Under the auspices of the Federal Financial Institutions Examination Council (FFIEC), the FDIC, the Board of Governors of the Federal Reserve System (Board), the Office of the Comptroller of the Currency (OCC), and the Office of Thrift Supervision (OTS) have provided extensive Y2K-readiness guidance to the banking industry. The banking industry has invested substantial resources to ready itself for the millennium date change. More than 98% of the nation's banks and thrifts have achieved ``Satisfactory'' Y2K-readiness ratings from their primary federal regulators. As time goes by, more institutions achieve this milestone. As a result of these efforts, the FFIEC agencies expect few, if any, insured depository institutions to close because of the Y2K date change. Despite best efforts to prepare for Y2K, however, there is always the possibility that some institutions may not be Y2K ready and may have to be closed. The FDIC must plan for every conceivable event. The FDIC is proposing this rule to ensure that, if an affected institution experiences a Y2K problem and is closed, the FDIC will be able to make federally insured deposits available to depositors expeditiously. The rule also will facilitate the quick acquisition or transfer of servicing of assets and help maintain public confidence in, and minimize any related disruption to, the United States of America's financial system.

The rule requires affected institutions to create standardized backup programs for their deposit and loan accounts, in addition to their own backup systems. In the unlikely event of an affected institution's placement in receivership due to a Y2K-related problem, these standardized backup programs will provide the FDIC access to essential basic account information and eliminate the need to map and convert information for theY2K closing of an affected institution before account reconciliation and deposit insurance determination can begin. The rule will enable depositors to access their accounts quickly and accurately through a deposit transfer or pay-out. The rule will expedite the transfer or sale of the institution's assets to a purchaser, asset manager or service provider. A Y2K problem could make an institution's systems unusable for potential purchasers, making an alternative conversion process essential for an expeditious transfer of assets and liabilities. The rule will reduce the time needed to convert a closed affected institution's information. The rule is critical to the FDIC's ability to determine quickly and accurately deposit and loan account information to permit timely and accurate access of insured depositors to their accounts and effective management of receivership assets.

B. The Rule's Benefits

1. The Rule Will Maintain Confidence in the Industry

Congress created the FDIC in 1933 to restore public confidence in the nation's banking system at a time of severe financial stress. For over 65 years FDIC deposit insurance has helped ensure the stability of the financial system by providing for the timely and accurate funding of insured deposits and the consequent confidence in the U.S. banking system in times of financial stress. The FDIC's ability to make insured deposits available expeditiously, and resolve failed institutions quickly, was critical during the bank and thrift crisis of the 1980s and early 1990s. Despite the many bank and thrift closings during that period, there were no serious runs on, or credit flow disruptions at, FDIC-insured institutions. Most important, no depositors suffered any loss of their insured deposits. The rule ensures that the FDIC will be able to honor its deposit insurance commitments in a timely and accurate manner if an affected insured depository institution should be closed because of a Y2K problem.

One of the potential challenges the FDIC must prepare for is the possible inability to access the business systems and supporting information of an insured depository institution that must be closed because of a Y2K problem. The ultimate safety net will be FDIC deposit insurance and the FDIC's commitment to provide access to insured funds expeditiously. FDIC deposit insurance is absolute--insured deposits are safe. The number of days that it will take the FDIC to provide access to deposits and transfer assets to private sector purchasers, asset managers or service providers will depend upon its ability to transfer basic account information from one institution to another. The FDIC can assure the public that if an affected institution that maintains ALBPs in compliance with the rule should close because of a Y2K problem, depositors will have expeditious access to their insured deposits and the institution will be resolved as quickly as possible.

2. The Rule Assures That Depositors Will have Expeditious Access to Insured Deposits

As the federal insurer of deposits in more than 10,000 banks and thrifts, the FDIC, through the deposit insurance funds it administers, is statutorily required to pay insured deposits as quickly and accurately as possible when an insured bank or thrift is closed.\1\ In the event that an insured depository institution is closed, the FDIC would be responsible for providing depositors access to their insured deposits as quickly and accurately as possible. Public confidence in the financial system will depend upon the FDIC's ability to effect such funding as quickly and accurately as possible. Historically, the FDIC has provided depositors with access to their insured deposits within one to three days of an institution closing.

\1\ 12 U.S.C. 1821(f)(1).

The rule requires affected institutions to create daily extract files of information, beginning on December 24, 1999, concerning deposit accounts following a standard format specified by the rule. The necessary information will be readily available to the FDIC only if an

institution's business systems are unable to accurately receive, process and produce deposit balances and transactions because of a Y2K problem. Because the FDIC will not have to convert the information to fit its systems, potential delay in making insurance determinations and returning insured deposits to depositors will be minimized. The FDIC will rely upon the liability backup program to efficiently determine insured account balances, and quickly and accurately transfer or

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pay out such amounts for the benefit of depositors.

3. The ALBP Constitutes an Essential Component of Y2K Contingency Planning

ALBPs are an essential part of Y2K contingency planning worldwide. The Basle Committee on Banking Supervision, in its recent paper on Y2K contingency planning, stated:

As with existing disaster recovery plans, data integrity procedures are critical to ensuring that adequate and consistent data are available in the event of a technological failure. The procedures may address both mission-critical and other systems. They should address the issue of recovery difficulties associated with institutions of all types and should preserve sufficient historical mission-critical data to enable records to be accurately reconstructed after the century date change in the event that data is corrupted.

While all banks will already have back-up procedures that they consider adequate in normal circumstances, there are special features of the Year 2000 challenge that merit extra attention. Supervisors should issue a mandate that banks within their jurisdiction maintain specified back-up records in electronically retrievable media for certain periods or key dates. These records may be a specification of the minimum data elements and format to capture certain assets, liabilities, and income accounts. It is essential that all processes for creating back-up data files are completed before the millennium date change or other potentially sensitive dates and be thoroughly tested. Whatever happens, it is essential to have back-up which has the certainty to provide a clear audit trail and enable the bank, an acquirer, or a receiver to reconstruct corrupt records. Some supervisors may wish to assure depositors and other bank customers that they will verify the safety of banks' back-up arrangements.

Year 2000 The Supervisory Contingency Planning Process, January 1999, at 4, 5. The ALBP rule is consistent with the Basle Committee's recommendation.

4. The Rule Will Minimize Resolution Costs

The FDIC is statutorily required to resolve closed insured depository institutions in the manner that is least costly to the insurance funds.\2\ FDIC experience has shown generally that the more quickly an institution can be resolved, the greater the franchise and asset/liability value to be realized from the sale of that institution. Maximization of the value of the closed institution and its assets and liabilities and minimization of resolution costs result in a greater return to the closed institution's creditors and the FDIC insurance funds.\3\

\2\ 12 U.S.C. 1823(c)(4).

\3\ The FDIC's responsibility as insurer is carried out by the assessment and collection of premiums from insured depository institutions, the administration of the deposit insurance fund resulting from such assessments, and the timely and accurate funding of claims for insured deposits in a closed institution. When the FDIC funds insured deposits, it becomes subrogated to the claims of the insured depositors. Proceeds from the sale of the institution and its assets are returned to the FDIC as subrogee to the depositors.

By facilitating the timely resolution of an affected institution and the prompt servicing of any assets not sold at resolution, the rule will maximize the value of the institution and its assets. The value of an institution will be enhanced by this rule because the information will already be available to the FDIC or a purchaser in a pre-defined, useable format. Fewer FDIC or acquiring institution personnel will be needed to receive, interpret, map, and distribute information, thereby further reducing costs of resolution.

5. The Rule Will Expedite the Return of Assets to the Marketplace and Minimize Customer Disruptions

The FDIC is responsible for the sale or liquidation of all assets of a bank or thrift for which it is appointed receiver. It is generally preferable for bank customers and the financial system to keep bank and thrift assets in the private sector where they can continue to perform without disruption. For these reasons, the FDIC attempts to sell as many assets of a closed institution as possible as part of a closed bank or thrift resolution transaction.

The asset backup program will provide the FDIC with the loan information necessary to expeditiously value and sell an institution and its assets in the event that the institution's systems are unable to receive, process and produce loan balances and transactions. This information will enable purchasers to establish communication with borrowers and maintain important account relationships. Without accurate information related to loans, such as the rule requires, purchasers are unlikely to risk acquiring a bank's assets.

Where there are no immediate purchasers for a closed institution's assets, the FDIC acts as quickly as possible to transfer loans to an asset manager or a service provider or to begin servicing the loans itself. To minimize loss to the assets' value, it is critical that such servicing occur with minimal disruption. Both FDIC and private sector asset managers and servicers require loan information similar to that of a purchaser.

Because the acquisition and servicing of assets requires more information than deposit accounts, the rule requires additional standardized fields of information for loans. The information required by the rule is the minimum number of fields necessary for a purchaser or the FDIC to make timely and accurate determinations of estimated asset values, portfolio compositions and for planning conversions to Y2K-ready purchasers, asset managers or service providers. Similarly, before it is placed in receivership, the ALBP files may help an affected institution transfer its loan accounts to a temporary servicer

while it repairs its systems.

6. The Rule Facilitates Addressing Y2K Technical Problems

The FDIC has developed, and is adopting, separate standardized backup programs for deposits and loans. Use of these standardized backup programs will make available a consistent set of information, increasing the possibility that the FDIC or an acquiring institution can readily process a closed institution's deposit or loan information.

When ownership of an insured depository institution changes hands, whether in a commercial transaction or a FDIC-assisted transaction, detailed account information is converted from the electronic data processing (EDP) systems of the acquired institution to the EDP systems of the purchaser. Conversion of information from one system to another normally requires several months to accomplish as the process involves extensive research into the manner that information is provided, processed, reported and used. During this time, the two systems continue to be operated side-by-side until such time as the steps are in place for conversion of the information to a purchaser's systems; detailed information as to the programming language and record layout used by the originating EDP systems to store information is also acquired; programs to translate the coded information readable by one system into coded information recognized by another system are written; and the information is transferred and tested before use in the new electronic data processing systems.

Few depository institutions use the same format for their information. The specific information fields, field lengths, and software differ from institution to institution. The mapping process requires time and information code definitions. As part of the conversion process, the FDIC must map the failing institution's information fields to the

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correct information fields in its own systems. In addition, information may be grouped in one field in one system and separated in multiple fields in another system. The information fields must conform to the new system. Use of the ALBPs will expedite this process as programs can be written in advance to convert the ALBP record layouts into the format needed for the various applications used by the FDIC in the resolution process.

The standard layouts of the ALBP will allow purchasers of closed affected institutions to pre-map the incoming file specifications to their own record layouts, thus avoiding delays that would otherwise be necessary if a purchaser had to input account information manually, or map the closed institution's information to its own system and then write a conversion program. In a non-Y2K closing, an acquiring institution would be able to use the closed institution's systems, but this may not be an option in a Y2K closing. Institutions and service bureaus interested in providing short-term and long-term support to institutions with Y2K-related problems can use the ALBP files to facilitate the transfer of account data to their compliant systems. This may provide extra protection for the continuation of financial services before FDIC resolution action is required.

C. The Rule Places Minimal Burden on the Industry

The rule requires affected institutions to be able to provide electronic files of limited fields of information already maintained by

those institutions in a standardized format, for a limited period of time. To minimize burden and recognize the efforts of most financial institutions, only those insured depository institutions that have a higher degree of Y2K risk must comply with the rule. Information will be reorganized, not created. There are no new reports required or transmissions of useable information to the FDIC or any other government agency. No confidential records will be released. The FDIC will use ALBPs only if an affected institution is closed and experiences a Y2K problem and to give depositors timely and accurate access to their insured deposits, help maintain loan customer relationships and facilitate the quick resolution of the institution. Once an institution's computer systems are operating successfully in the new millennium to the satisfaction of the institution's primary federal regulator, the rule will no longer be applicable to that institution. The rule will sunset on June 30, 2000.

There will be minimal costs for the programming and processing associated with creating and maintaining the ALBPs. Production of the information may require creating extract files of standard information from multiple systems (e.g., demand deposit account systems and time deposit account systems). Some institutions may have to adjust their electronic data processing production schedules to accommodate these additional tasks. Based upon the results of the FDIC's survey of the industry discussed below, the FDIC believes that these minor costs represent a prudent investment in Y2K contingency planning.

To minimize the burden of this rule, each affected institution is permitted to extract and retain the required information in the manner that is most cost effective for that institution. The institution may choose to extract the requisite information as part of its normal nightly processing production runs or from routine nightly backup programs. In either case, the institution must demonstrate to the FDIC that it has segregated and preserved the information so that it may be obtained using hardware and software located separately from the institution's primary system. If the institution chooses to extract the information as part of its normal nightly processing production runs, the institution must store the files each night beginning December 24, 1999 until the ``termination date.'' Alternatively, if the institution chooses to extract the data from routine nightly backup programs, the institution may choose to store the ALBPs each night as set forth above or demonstrate to the FDIC the ability to produce on demand the files for each night from December 24, 1999, through the termination date. The FDIC has limited the duration of this rule to the shortest time period possible. The termination date for the requirements of this regulation for any affected institution is the earlier of (i) the date on which the institution's primary federal regulator changes the institution's Y2K readiness rating to Satisfactory; or (ii) the date on which the institution establishes to the satisfaction of its primary federal regulator that its deposit and loan systems are fully functional and reliable after December 31, 1999; or (iii) June 30, 2000.

The FDIC estimates the average cost to produce the ALBPs to be $17,500 for institutions under $1 billion in asset size and $190,000 for institutions greater than $1 billion in asset size when using in-house programming and processing. Service providers do the programming for most small institutions. For institutions using service providers or licensed software where the vendor provides the programming service, the FDIC estimates the cost of the ALBPs to be approximately $10,500 per service provider or software vendor customer. Overall, the total

cost burden to the 205 institutions rated as less than Satisfactory as of May 21, 1999, is estimated to be $3,000,000. The FDIC assumed that on average each service provider or software vendor offered at least two product lines and serviced five customers affected by this regulation per product line, thus allocating their costs across each affected institution. The FDIC believes that the burden of these costs is far outweighed by the benefits to be obtained.

The FDIC surveyed thirteen financial institutions and five major service providers of software and/or processing support to insured depository institutions (Office of Management and Budget Paperwork control number 3064-0130). The survey addressed: (1) current business practices, including number and types of clients, software development practices and backup procedures; (2) programming costs, including estimates of the hours and labor costs to program their EDP systems to produce the ALBP files; and (3) production costs, including estimates of the additional Central Processing Unit time to run the file extract routines, storage media and impacts on overall production schedules. The FDIC also discussed its proposed rule with representatives of two financial industry trade associations, national clearinghouse authorities, a major financial information publisher and representatives of other federal financial institution regulatory agencies.

The FDIC believes that it is appropriate for affected institutions to pay for their own programming costs because the burden of the rule applies only to those demonstrating the highest risk of not being Y2K ready and therefore present a greater risk to the deposit insurance funds. The rule also provides additional incentives for such institutions to improve their preparedness and soundness to avoid requirements imposed by the ALBPs.

It is necessary that the standardized backup programs be in place pre-millennium in order to ensure that the ALBP data will be available as of January 1, 2000. The rule requires affected institutions to complete programming of the ALBP file formats by September 30, 1999. Programming of the ALBP files must begin by early August 1999, to allow establishment of

the system requirements, analysis and design, and internal testing of the file production programs. No later than October 31, 1999, each affected institution will submit to the FDIC a sample of the deposit and loan files created using the backup programs and containing test data meeting the ALBP specifications. This will allow the FDIC sufficient time to test the accuracy of the file formats and coordinate any required modifications to bring the formats into compliance with the rule. A key benefit of the ALBPs is to allow the FDIC to quickly and accurately make insured deposit determinations, estimate asset valuations and facilitate the transfer of information to the electronic data processing systems of the FDIC or a purchaser of a closed institution. Therefore, it is essential that the file formats be certified as compliant with the rule before January 1, 2000.

II. Discussion

A. Affected Institutions

Section 331.1 of the rule sets forth those insured depository

institutions to which the rule applies (affected institutions). The rule applies to all insured depository institutions as that term is defined at section 3(c) of the Federal Deposit Insurance Act (12 U.S.C. 1813(c)) that have received a rating of less than Satisfactory in Y2K readiness by their primary federal regulator as of July 31, 1999. The rule also applies prospectively to any insured depository institution that had received a Satisfactory rating as of July 31, 1999, and subsequently receives a rating of less than Satisfactory. The rule continues to apply to both categories of institutions until the termination date specified in Sec. 331.3(d). Prior to January 1, 2000, if an affected institution's primary federal regulator changes the institution's Y2K readiness rating to Satisfactory, it will not be required to comply with the rule as of the date of the change. This permits institutions that demonstrate improvement in Y2K readiness after July 31, 1999, to avoid the requirements of the rule. After January 1, 2000, an affected institution will not be required to comply with the rule as of the earlier of the date on which the institution's primary federal regulator verifies that the institution's systems are Y2K ready or June 30, 2000.

B. Exemption

Section 331.2 of the rule provides that an affected institution will, without application, be exempted by the FDIC from the rule upon a written determination by its primary federal regulator that the ALBP is not needed for that institution. For example, the primary federal regulator may find that an institution has ensured its systems' readiness during the testing phase and developed adequate business resumption contingency plans, but for less critical reasons was assessed a less than Satisfactory rating. A primary federal regulator's written determination would be submitted to the Executive Secretary of the FDIC. In the case of an FDIC-regulated institution, the determination would be made by the FDIC's Director of the Division of Supervision, or designee, and submitted to the Executive Secretary of the FDIC.

C. Asset and Liability Backup Program Requirements

Sections 331.3(b) and (c) of the rule require all affected institutions to prepare and retain daily extract files of information concerning deposit accounts and loan accounts. The specifications for the deposit ALBPs are contained in appendix A; the specifications for the loan ALBPs are contained in appendix B. The rule requires the institution to segregate and preserve all daily extract files created in compliance with the rule so that they can be obtained using hardware and software located separately from the institution's primary electronic data processing system. This will ensure that the ALBP data will be accessible if the affected institution experiences a Y2K problem. Affected institutions may choose whether to prepare the daily extract file as part of the institution's normal nightly processing production runs or from routine nightly backup programs. If the institution prepares its daily extract files as part of its normal nightly processing production runs, it must store the files each night beginning December 24, 1999, through the termination date. If the institution chooses to prepare its daily extract files from routine nightly backup programs it must either store the files each night as set out above, or it may demonstrate to the FDIC that it is able to

produce to the FDIC, upon demand, the daily extract files for each night from December 24, 1999, through the termination date.

Section 331.3(d) of the rule specifies a ``termination date,'' after which the requirements of the rule do not apply to an affected institution. The termination date is (1) the date on which the institution's primary federal regulator changes the institution's Y2K rating to Satisfactory; (2) the date on which the institution establishes to the satisfaction of its primary federal regulator that its deposit and loan systems are fully functional and reliable after December 31, 1999; or (3) June 30, 2000. The first termination date recognizes that an institution that is rated less than satisfactory on July 31, 1999, or thereafter, may improve its readiness so that it is rated Satisfactory. Such an institution would be required to comply with the regulation as long as it was rated less than Satisfactory; however, once the primary federal regulator changed its rating to Satisfactory, the institution would have no further obligations under the rule. For those institutions that enter the millennium with a less than Satisfactory rating, the second termination date requires them to comply with the rule until they establish that their deposit and loan systems are fully functional and reliable in Y2K. The rule will sunset on June 30, 2000, and its requirements will no longer apply to any affected institution.

These ALBP requirements will ensure that information is available if an affected institution's business systems are unable to receive, process, and produce deposit and loan balances and transactions in a timely and accurate manner due to a Y2K problem. The ALBPs include the minimum number of fields necessary for (1) the FDIC to make timely and accurate determinations of estimated insured deposits, asset values and portfolio compositions, and (2) potential purchasers, asset managers and service providers to move quickly to transfer and set up loan and deposit accounts from the closed institution, convert the closed institution's systems to their own, and implement a timely relationship with the new customers.

D. Programming and Testing

Section 331.4 of the rule requires each affected institution to program and test its ALBPs. In order to provide sufficient time to make necessary corrections to the ALBP, the rule requires each institution to complete its programming and testing by September 30, 1999, and to provide a sample output file composed of at least ten test records containing test data meeting the ALBP criteria to be delivered to the FDIC no later than October 31, 1999. The FDIC will use these test files only to verify that the ALBP complies with this rule. If an institution that had been rated Satisfactory in Y2K readiness as of July 31, 1999, receives a less than Satisfactory rating subsequent to that date, the FDIC will determine the timetable by which the institution must complete the programming, testing and correction of the ALBP.

E. Supporting Documentation

Section 331.5 of the rule requires institutions providing ALBPs to the FDIC to also provide narratives

describing the process by which the ALBPs were produced and a trial

balance or other hard copy report summarizing the contents of the electronic files. These documents will allow the FDIC to ensure that it is properly interpreting the information provided in the ALBPs.

F. Sunset Date

Section 331.6 of the rule specifies its sunset date as June 30, 2000. The FDIC believes that any Y2K problem posing significant risk will have been manifested and resolved by that time.

III. Authority for the Regulation

This regulation is authorized by the FDIC's general rulemaking authority and pursuant to its fundamental responsibilities to ensure the safety and soundness of insured depository institutions and act as receiver or conservator of those institutions as required by law.

Specifically, 12 U.S.C. 1819(a) Tenth provides the FDIC with general authority to issue such rules and regulations as it deems necessary to carry out the statutory mandates of the Federal Deposit Insurance Act (FDI Act) and other laws that the FDIC is charged with administering or enforcing. 12 U.S.C. 1819(a) Seventh permits the FDIC to exercise incidental powers related to those granted in the FDI Act. One of the FDIC's fundamental powers is to ensure the safety and soundness of insured depository institutions pursuant to 12 U.S.C. 1818(a) and (b). The FDI Act also empowers the FDIC to act as receiver or conservator for insured depository institutions in the event of insolvency and permits the FDIC to promulgate rules related to the conduct of conservatorships or receiverships and implement certain other requirements set forth in section 11 of the FDI Act. (12 U.S.C. 1821).

IV. The Administrative Procedure Act

The FDIC is adopting this regulation as an interim final rule effective thirty days after publication in the Federal Register without the usual notice and comment period as provided in the Administrative Procedure Act (APA), 5 U.S.C. 551, et seq., or the delayed effective date as provided in section 302 of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI), 12 U.S.C. 4802(b). The APA provides that the requirement for such notice and comment periods does not apply ``when the agency for good cause finds * * * that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(3)(B). Section 302 of CDRI provides that certain new regulations should ``take effect on the first day of a calendar quarter which begins on or after the date on which the regulations are published in final form, unless--(A) the agency determines, for good cause published with the regulation, that the regulation should become effective before such time.'' 12 U.S.C. 4802(b)(1)(A).

The FDIC has found that promulgation of this regulation on an expedited basis is required. This rule is necessary to protect the public's interest in the continued stability of the financial system and to ensure timely and accurate access to deposits in insured depository institutions in the event that such institutions experiencing a Y2K problem are closed. All efforts to create ALBPs must be completed and operational by December 24, 1999, to ensure that public confidence in the financial system continues. The changes

required by this rule would be impracticable to implement in less than six months. These backup programs must be in place pre-millennium to ensure that all systems will function as of January 1, 2000. Programming of the backup program files must begin by early August 1999, to allow establishment of the system requirements, analysis and design, and internal testing of the file production programs. Subsequently, the FDIC must have sufficient time to test the sample formats for compliance with the rule and to work with the institutions to correct any deficiencies. Delay in the effective date of this rule would be detrimental to the efforts of the regulatory agencies and the banking industry to prepare for potential problems caused by the Y2K date change.

V. Regulatory Flexibility Analysis

The Regulatory Flexibility Act, 5 U.S.C. 601-612, requires an agency to publish an initial regulatory flexibility analysis, except to the extent provided in 5 U.S.C. 605(b), whenever the agency is required to publish a general notice of proposed rulemaking for a proposed rule. For good cause discussed above, the FDIC is publishing this rule as an interim final rule, for which publication of a general notice of proposed rulemaking is not necessary. No initial regulatory flexibility analysis is required.

VI. Paperwork Reduction Act

The collection of information contained in this interim final rule has been submitted to the Office of Management and Budget (OMB) for review and approval in accordance with the requirements of the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501, et seq. OMB is required to make a decision concerning the collection of information contained in the interim final regulation between 30 and 60 days after the publication of this document in the Federal Register. Therefore, a comment to OMB is best assured of having its full effect if OMB receives it within 30 days of this publication. This does not affect the deadline for the public to comment to the FDIC on the interim final regulation.

Comments are invited on (a) whether the collection of the required information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimates of the burden of the information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the information collection, including through the use of automated collection techniques or other forms of information technology. Comments should be addressed to the Office of Information and Regulatory Affairs, Office of Management and Budget, Attention: Desk Officer Alexander Hunt, New Executive Office Building, Room 3208, Washington, DC 20503, with copies of such comments to Steven F. Hanft, Assistant Executive Secretary (Regulatory Analysis), FDIC, Room F-4062, 550 17th Street, N.W., Washington, DC 20429.

Title of the collection: All comments should refer to ``Asset and Liability Backup Program.''

Summary of the collection: This new requirement calls for affected FDIC-insured depository institutions to develop and retain extracts of deposit and loan account information maintained by such institutions, stored in electronic form, beginning December 24, 1999, and continuing

until the earlier of approval by the institution's primary federal regulator or June 30, 2000 (12 CFR 331.3); to program and test the required ALBP extract files by September 30, 1999, and to submit a test file of sample information for each ALBP format to the FDIC for validation purposes (12 CFR 331.4); and to submit supporting documentation to the FDIC (12 CFR 331.5).

Need and use of the information: The FDIC needs the information to facilitate timely and accurate restoration of key financial records. The FDIC will use the information only in the event of the closure of an affected institution experiencing a Y2K problem.

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Respondents: This rule applies those FDIC-insured depository institutions receiving Y2K ratings from their primary federal regulators of less than ``Satisfactory'' on or after July 31, 1999.

Estimated annual burden resulting from this proposed rulemaking:

Frequency of response: Daily, beginning December 24, 1999 and continuing until released from the rule's requirements or June 30, 2000, whichever occurs first.

Number of respondents: 205.

Average number of hours per respondent: 131.4.

Total annual burden hours: 26,945.

It is noted that the total annual burden includes service bureau and other contractor time, and that the actual burden experienced by individual institutions may range from 70 hours per institution to 2,500 per institution.

VII. Small Business Regulatory Enforcement Fairness Act

The Office of Management and Budget has determined that this interim final rule is not a ``major rule'' within the meaning of the relevant sections of the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), 5 U.S.C. 801, et seq. As required by SBREFA, the FDIC will file the appropriate reports with Congress and the General Accounting Office so that the interim final rule can be reviewed.

VIII. Assessment of Impact of Federal Regulation on Families

The FDIC has determined that this regulation will not affect family well-being within the meaning of section 654 of the Treasury Department Appropriations Act, 1999, enacted as part of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (Pub. L.105-277, 112 Stat. 2681).

By order of the Board of Directors.

Dated at Washington D.C., this 3rd day of June, 1999.

Federal Deposit Insurance Corporation.
Robert E. Feldman,
Executive Secretary.

List of Subjects in 12 CFR Part 331

Bank deposit insurance, Banks, banking, Reporting and recordkeeping requirements, Savings associations.

For the reasons stated in the preamble, a new part 331 is added to chapter III of title 12 of the Code of Federal Regulations to read as follows:

PART 331--ASSET AND LIABILITY BACKUP PROGRAM

Sec.
331.1 Affected institutions.
331.2 Exemption.
331.3 ALBP requirements.
331.4 Programming and testing required.
331.5 Supporting documentation required.
331.6 Sunset of program.

Appendix A to Part 331--Asset and Liability Backup Program Technical Instructions and Deposit Extract File Format

Appendix B to Part 331--Asset and Liability Backup Program Technical Instructions and Loan Extract File Format

Authority: 12 U.S.C. 1818(a) and (b), 1819(a) (Seventh and Tenth), 1821.

Sec. 331.1 Affected institutions.

The provisions of this part 331 apply to all insured depository institutions, as defined in 12 U.S.C. 1813(c)(2), that are rated as less than Satisfactory in Y2K readiness by their primary federal regulator on or after July 31, 1999 (affected institutions), until the termination date specified in Sec. 331.3(d).

Sec. 331.2 Exemption.

An affected institution will, without application, be exempted by the FDIC from the requirements of this part 331 upon a written determination made by, and in the sole discretion of, its primary federal regulator that the asset and liability backup program (ALBP) is not needed for that institution. Such written determination shall be submitted to the Executive Secretary, FDIC. In the case of an FDIC-regulated affected institution, the Director of the Division of Supervision, or designee, shall have the authority to waive the requirements of this part 331 upon a written determination submitted to the Executive Secretary, FDIC, that the ALBP procedures are not needed for that institution.

Sec. 331.3 ALBP requirements.

(a) ALBPs required. (1) All affected institutions shall prepare and retain daily extract files of information concerning:

(i) Deposit accounts following the ALBP format specified in appendix A to this part 331; and

(ii) Loan accounts following the ALBP format specified in appendix B to this part 331.

(2) All daily extract files shall be segregated and preserved so that they can be obtained using hardware and software located separately from the institution's primary information processing system.

(b) Preparation of the daily extract files. Each affected institution shall prepare its daily extract files either--

(1) As part of the institution's normal nightly processing production runs; or

(2) From routine nightly backup programs.

(c) Retention of daily extract files. Each daily extract file shall be retained in one of three media meeting the specifications contained in appendices A and B to this part 331, until the termination date.

(1) If the institution prepares its daily extract files as part of its normal nightly processing production runs under Sec. 331.3(b)(1), the institution must store the files each night beginning December 24, 1999, through the termination date specified in Sec. 331.3(d).

(2) If the institution prepares its daily extract files from routine nightly backup programs under Sec. 331.3(b)(2), the institution shall either retain the daily extract files each night as set forth in Sec. 331.3(c)(1), or demonstrate to the FDIC its ability to produce to the FDIC, upon demand, the daily extract files for each night from December 24, 1999, through the termination date specified in Sec. 331.3(d).

(d) Termination date. (1) The termination date of the ALBP requirement for any affected institution is the earlier of:

(i) The date on which the institution's primary federal regulator changes the institution's Y2K rating to Satisfactory;

(ii) The date on which the institution establishes to the satisfaction of its primary federal regulator that its deposit and loan systems are fully functional and reliable after December 31, 1999; or

(iii) June 30, 2000.

(2) An affected institution that wishes to receive verification under paragraph (d)(1)(ii) of this section shall make its request to the primary federal regulator in writing.

Sec. 331.4 Programming and testing required.

Programming and testing of the required ALBP extract files shall be completed by each affected institution by September 30, 1999. A sample output file with at least ten (10) records containing test information meeting the ALBP criteria shall be delivered to the FDIC no later than October 31, 1999, in accordance with the instructions contained in appendices A and B to this part 331. The FDIC will test the sample output file against the specifications contained in appendices A and B of this part 331. Corrections of any identified errors must be made, and a new sample output file provided to the FDIC, within fifteen (15) days of receipt of notice of such errors from the FDIC. For any institution that receives a less than Satisfactory rating after July 31, 1999,

the FDIC will determine the completion and delivery dates under this section.

Sec. 331.5 Supporting documentation required.

In addition to the files submitted to the FDIC under Sec. 331.4, the institution shall submit the following supporting documentation:

(a) A narrative describing the process by which the daily extract files were produced; and

(b) A trial balance or other hard copy summary of the contents of the electronic files to permit the FDIC to verify the accurate receipt and interpretation of the information transmitted to the FDIC.

Sec. 331.6 Sunset of program.

The ALBP procedures contained in this part 331 shall not be required after June 30, 2000.

Appendix A to Part 331--Asset and Liability Backup Program Technical Instructions and Deposit Extract File Format

TECHNICAL INSTRUCTIONS

FDIC Standard Deposit Extract File Format

THE FDIC STANDARD DEPOSIT EXTRACT FILE FORMAT

The attached ``Deposit Extract File Format'' is a list of fields developed as a tool for requesting information from an institution for the purposes of insurance estimation and other related functions. Please match your institution's deposit information field names to those on the ``Deposit Extract File Format.'' For your convenience, descriptions of each field are provided.

STANDARD DEPOSIT EXTRACT FILE PREFERENCES:

1. Information must be provided in an ASCII-flat, tab delimited file.

(a) The preferred media is diskette, CD, ZIP Disk or fixed length 9-track tape.

(b) All deposit records should be included in one file. Separate files are acceptable in those cases where the information will not fit on the selected media type.

(c) Diskette and CD files zipped with PKZIP or WINZIP are also acceptable.

If information cannot be provided on preferred media, or you cannot provide the information in ASCII format, please contact Mr. James Murphy, at the FDIC's Dallas Field Operations Branch, Telephone No. (972) 761-2226, for possible alternatives.

2. Please provide ALL requested information where possible.

3. Provide a record layout in a printout accompanying the file. The field order and field names are indicated. The field names are under the column heading 'FDIC NAME.' Your record layout must include field order, field name, type (e.g., Character, Numeric), field length and decimal places (precision).

4. Do not duplicate records within the download.

5. Decimal points should be included in the information provided, not implied (i.e., $10,300.75 should be provided as 10300.75, interest rate of 8.45% should be provided as .0845). Please do NOT include packed or zoned decimals.

6. Date formats should be MM/DD/YYYY (e.g., March 14, 2001 should

be provided as 03/14/2001).

Deposit Extract File Format

Info Name	Information Field Info Type	Length	Definition Dec	FDIC
1..... STATUS.....	Account Status.....	C.....	Code defining account status (Open, Closed, Dormant, etc)..	4
2..... BRANCH.....	Branch Number.....	C.....	Branch Number.....	4
3..... ACCTNO.....	Account Number.....	C.....	Unique account number. Include all fields required to avoid duplicate account numbers..	16
4..... TAXID.....	Tax ID Number.....	C.....	Taxpayer identification number of the primary account holder (ex: 428-78-1992 or 58-2345679 Include Hyphens)..	11
5..... SHORTNAME.....	Customer Short Name	C.....	Alpha sort key used to create an alpha list of accounts..	20
6..... NAME1.....	Customer Name.....	C.....	Full name line 1 as it appears on deposit account..	40
7..... NAME2.....	Joint Customer Name	C.....	Full name line 2 as it appears on deposit account..	40
8..... ADDR1.....	Customer Street Address.	C.....	The street address as it appears on the statement. May also be provided in multiple fields (provide as ADDR1, ADDR2, ADDR3, etc).	40
9..... CITY.....	Customer City.....	C.....	Address city as it appears on statement..	25
10..... STATE.....	Customer State.....	C.....	State postal abbreviation as it appears on statement..	2

```
11..........  Customer Zip.......  Address zip code as it
ZIP................  N..........        9
                                   appears on statement--
                                   no hyphens..
12..........  Financial           The Financial
FITYPE.............  C..........        4
               Institution's       Institution's account
               Account Type.       types. Use any
                                   pertinent codes
                                   relevant to identifying
                                   the type of account..
13..........  Account Type        Description of the
FIDESC.............  C..........       20
               Description.        Financial Institution's
                                   account types. May also
                                   be used to describe
                                   class codes..
14..........  FDIC Account Type..  FDIC Claim Types (e.g.,
FDICTYPE...........  C..........        4
                                   DDA, SAV, CD, NOW, MMA,
                                   IRA, KEO (KEOGH), TRU
                                   (TRUST))..
15..........  GL Code............  Financial Institution's
GLCODE.............  C..........        6
                                   GL code that the
                                   account is aggregated
                                   to for GL accounting..
16..........  GL Code Description  Description of Financial
GLDESC.............  C..........       20
                                   Institution's GL code
                                   that the account is
                                   aggregated to for GL
                                   accounting..
17..........  Class Code.........  All codes identifying
CLASS..............  C..........        4
                                   deposit account
                                   products on bank's
                                   system (may be the same
                                   as FITYPE)..
```

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```
18..........  Municipality.......  Indicates account of
MUNICIPAL..........  C..........        4
                                   state, county or
                                   municipal entity..
19..........  Current Account      Current principal
CURRBAL............  N..........       15        2
               Balance.            account balance..
20..........  Accrued Interest...  Accrued interest earned
ACCRINT............  N..........       15        2
                                   but not paid on the
                                   account. Enter zero if
                                   not interest bearing..
21..........  Per Diem...........  Daily accrual amount or
PERDIEM............  N..........        9        5
```

				per diem. Enter zero if blank or null..
22..... INTPYTD.....	Interest Paid Year-to-Date.	N.....	15	2	Interest paid year-to-date. Enter zero if not interest bearing..
23..... RATE.....	Interest Rate.....	N.....	8	5	Current interest rate applicable to account on cutoff date. Rate is based on the current balance, not base rate. If minimum balance requirements are not met, rate is zero..
24..... ORIGDATE.....	Original Date.....	D.....	8		Date account opened.....
25..... MATDATE.....	Maturity Date.....	D.....	8		Maturity date for all CDs and IRA accounts..
26..... PDTHRUDT.....	Interest Paid Through Date.	D.....	8		Date interest is paid through..
27..... LOANACCT.....	Collateral Account Number.	C.....	16		Loan account number for which this deposit account is serving as collateral..
28..... OPDACCT.....	Overdraft Account Number.	C.....	16		Overdraft Protection account number this account is tied to..
29..... AVAILOD.....	Available Overdraft Protection Amount.	N.....	15		Current available Overdraft Protection Balance.
30..... DAILYBAL.....	Average Daily Balance.	N.....	15		Average daily balance, maintained for the current statement period (monthly, quarterly)..
31..... AVAILBAL.....	Available Balance..	N.....	15		Current available balance.
32..... HOLDCODE.....	Hold Code.....	C.....	4		Hold code(s)/flag(s) indicating account secures a loan(s)..
33..... HOLDDESC.....	Hold Description...	C.....	20		Description of hold code(s)/flag(s) indicating account secures a loan(s) etc..
34..... HOLDAMT.....	Hold Amount.....	N.....	15	2	Amount of hold(s).....

Appendix B to Part 331--Asset and Liability Backup Program
Technical Instructions and Loan Extract File Format

TECHNICAL INSTRUCTIONS

FDIC Standard Loan Extract File Format

THE FDIC STANDARD LOAN EXTRACT FILE FORMAT

The attached ``Loan Extract File Format'' is a list of fields developed as a tool for requesting information from an institution for the purposes of categorizing, analyzing and transmitting the loan portfolio and other related functions. Please match your institution's loan information field names to those on the ``Loan Extract File Format.'' For your convenience, descriptions of each field are provided.

STANDARD LOAN EXTRACT FILE PREFERENCES:

1. Information must be provided in an ASCII-flat, tab delimited file.

(a) The preferred media is diskette, CD, ZIP Disk or fixed length 9-track tape.

(b) All loan records should be included in one file. Separate files are acceptable in those cases where the information will not fit on the selected media type.

(c) Diskette and CD files zipped with PKZIP or WINZIP are also acceptable.

If information cannot be provided on preferred media, or you cannot provide the information in ASCII format, please contact Mr. James Murphy, at the FDIC's Dallas Field Operations Branch, Telephone No. (972) 761-2226, for possible alternatives.

2. Please provide ALL requested information where possible.

3. Provide a record layout in a printout accompanying the file. The field order and field names are indicated. The field names are under the column heading `FDIC NAME'. Your record layout must include field order, field name, type (e.g. Character, Numeric), field length and decimal places (precision).

4. Do not duplicate records within the download.

5. Decimal points should be included in the information provided, not implied (i.e., $10,300.75 should be provided as 10300.75, interest rate of 8.45% should be provided as .0845). Please do NOT include packed or zoned decimals.

6. Date formats should be MM/DD/YYYY (e.g., March 14, 2001 should be provided as 03/14/2001).

7. All information for each loan must be contained within one record.

a. Participation sold information should not be provided as a separate record (provide as separate field).

b. Partial charge-off information should not be provided as a separate record (provide as separate field).

c. Completely charged-off loans and paid-off loans should not be included in the download.

d. Loans with partial charge-off should be provided with balances net of partial charge-off.

Loan Extract File Format

Info Name	Information Field	Info Type	Length	Definition	Dec	FDIC
1..... NAME.....	Borrower Name.....	C.....		The full legal name (Last Name, First Name, MI) of the borrower (preferred). The information may also be provided in multiple fields (Last Name in field called NAME1, First Name in a field called NAME2, MI in a field called NAME3).	50	
2..... SHORTNAME.....	Borrower Short Name	C.....		Abbreviated name assigned to each borrower.	50	
3..... ADDR1.....	Borrower Street Address.	C.....		The street address where the borrower's home or head office is located. May also be provided in multiple fields (provide as ADDR1, ADDR2, ADDR3, etc).	50	
4..... CITY.....	Borrower City.....	C.....		The city where the borrower's home or head office is located.	40	
5..... STATE.....	Borrower State.....	C.....		The state where the borrower's home or head office is located.	2	
6..... ZIP.....	Borrower Zip.....	C.....		The zip code where the borrower's home or head office is located.	10	
7..... CIF.....	CIF Number.....	C.....		Central Information File identifier. The number that links all loan, deposit, and other accounts to the borrower. (This number may be the same as the	15	

					Borrower ID Number.)
8.....	Insider.....				Indicates if the
INSIDER.....		C.....		1	borrower is either an
Y/N.....					insider of the bank or a related interest of an insider of the bank. If possible, indicate the type of insider (e.g., director, executive officer, principal shareholder, non-executive officer, or employee).
9.....	Tax ID Number.....				Taxpayer identification
TAXID.....		C.....		11	number of the primary account holder (e.g., 428-78-1992 or 58-2345679 Include Hyphens).
10.....	Accrued Interest...				Total amount of interest
ACCRINT.....		N.....	14	2	accrued and unpaid on a note/credit facility.
11.....	Amortizing or Non				Indicates if the note/
AMORTCD.....		C.....		1	credit facility is
Y/N.....	Amortizing Status.				amortizing or non-amortizing.
12.....	Branch ID.....				Identifies the branch
BRANCH.....		N.....		3	location where the note/ credit facility was originated or is managed. Please indicate in your supporting documentation if this identification number is part of the note/ credit facility number.
13.....	Charged-Off Amount.				The amount associated
CHGOFFAMT.....		N.....	14	2	with the note/credit facility that has been charged off. If the note/credit facility balances reported elsewhere are not net of charged-off amounts, please indicate this in your supporting documentation.

14.....	Co-Maker or Joint Maker.	COMAKER.....	C.....	50	The name of the co-maker(s) or joint maker(s) whose signature(s) appears on the promissory note or loan agreement.
15.....	Current Balance....	CURRBAL.....	N.....	14 2	The portion of the note/credit facility that appears as an asset on the bank's General Ledger. This balance is net of all participations sold, charge-off, and specific reserves.
16.....	Number of Days Past Due.	DAYSLATE.....	N.....	4	If interest or principal is delinquent, indicate the number of days delinquent. If both are delinquent, indicate the larger of the two numbers.
17.....	Dealer Code.....	DEALERCD.....	C.....	5	The code identifying loans accepted from auto, mobile home, or other sales agents.
18.....	Dealer Name.....	DEALNAME.....	C.....	50	Dealer name.....
19.....	Dealer Reserve Balance.	DEALERRES.....	N.....	14 2	The amount of the dealer reserve held in conjunction with the applicable account.
20.....	Escrow Balance.....	ESCRBAL.....	N.....	14 2	The amount currently held in escrow for payment to third parties, such as insurance and real estate taxes.
21.....	Guarantor or Endorser Name.	GTYNAME.....	C.....	50	Name of the individual or entity that guarantees, in part or in full, the borrower's note.
22.....	Index.....	INDEX.....	C.....	10	The specific underlying market index used to calculate the interest rate of an adjustable rate note/credit facility (i.e. LIBOR,

				Wall Street Prime, Cost of Funds Index, One-Year Treasury Bill).
23..... RATE.....	Interest Rate.....	N.....	8	3 The interest rate currently applicable to the note/credit facility. If the interest rate is variable, indicate the current rate (e.g., 7.25%, not Prime + 1).

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24..... INTPAID.....	Interest Paid to Date.	N.....	14	2 Amount of interest collected since origination or other institution-defined time period.
25..... RTCHGFRQ.....	Interest Rate Reset Interval.	N.....	3	The time between periodic reset dates for variable or adjustable rate loans.
26..... RESETDTE.....	Interest Rate Reset Date.	D.....		The next periodic reset date for variable or adjustable rate loans.
27..... LASTPMT.....	Last Payment Date..	D.....		Date Date the last payment was made.
28..... LASTRENEW.....	Last Renewal Date..	D.....		Date on which the legally binding note/credit facility was extended or renewed, even if principal reductions have been made.
29..... LTCHGBAL.....	Late Charges.....	N.....	14	2 Late charges that are currently due.
30..... RTCEIL.....	Lifetime Interest Rate Cap.	N.....	8	3 The upper limit on the interest rate that can be charged over the life of the loan.
31..... RATEFL.....	Lifetime Interest Rate Floor.	N.....	8	3 The lower limit on the interest rate that can be charged over the life of the loan.
32..... MATDATE.....	Maturity Date.....	D.....		The date on which the

				legally binding note/ credit facility matures.
33..... MTGTYPE.....	Mortgage Loan Type.	C.....	15	For real estate loans, indicates if the note/ credit facility is secured by a first lien on single-family residential real estate.
34..... NXTDUEDT.....	Next Payment Date..	D.....		Date the next scheduled payment is due.
35..... NONACCRCD..... Y/N.....	Non-accrual.....	C.....	1	Idicates if the note/ credit facility is on non-accrual status.
36..... ACCTNO.....	Note Number or Credit Facility Number.	C.....	15	The number used by the bank to uniquely identify a note/credit facility.
37..... LOANTYPE.....	Note Type or Credit Facility Type.	C.....	5	A code representing the type of loan May correspond to the FFIEC Report of Condition.
38..... TYPEDESC.....	Note Type or Credit Facility Type Description.	C.....	15	A description of the code representing the type of loan.
39..... PAYNUM.....	Number of Payments.	N.....	3	The number of payments specified in the loan agreement or note.
40..... EXTENDS.....	Number of Extensions.	N.....	2	The number of times the loan has been extended beyond original maturity date.
41..... ORIGAMT.....	Original Balance...	N.....	14 2	The amount of the note or credit facility that has been executed. If a note/credit facility has been renewed one or more times and the original amount is not available, provide the amount most recently executed.
42..... ORIGDATE.....	Original Date.....	D.....		The date your institution extended credit to the borrower. Date should be consistent with the

					information provided for original balance.
43..... PAYAMT.....	Payment Amount.....	N.....	Amount of regularly	14	2 scheduled payments.
44..... PIAMT.....	P&I Payment.....	N.....	Amount of regularly	14	2 scheduled P&I payments.
45..... PAYFREQ.....	Payment Frequency..	C.....	The frequency payments	15	are due to the bank (i.e. monthly, quarterly, annually).
46..... PRTCAP.....	Periodic Interest Rate Cap.	N.....	For variable or	8	3 adjustable rate loans, the maximum percentage points that the rate may change each reset interval.
47..... BASIS.....	Basis Code.....	C.....	Day basis on which	12	interest calculations are made (e.g., 3/360, Actual/360, etc.).
48..... REVCODE.....	Revolving Line of Credit.	C.....	Indicates if the loan is	5	a revolving line of credit.
49..... PERFDATE.....	Security Perfection Date.	D.....	The date that the last		security interest, lien, or UCC-1 was perfected.
50..... LATE30.....	Times Past Due 30-59 Days.	N.....	Number of times the note/	4	credit facility has been past due 30-59 days during the last 12 months of the loan.
51..... LATE60.....	Times Past Due 60-89 Days.	N.....	Number of times the note/	4	credit facility has been past due 60-89 days during the last 12 months of the loan.
52..... LATE90.....	Times Past Due 90+ Days.	N.....	Number of times the note/	4	credit facility has been past due 90 or more days during the last 12 months of the loan.
53..... CREDLMT.....	Total Commitment...	N.....	The sum of the	14	2 outstanding balance and the undisbursed amount

				legally available to be drawn upon.
54..... RTDCODE.....	Troubled Debt Restructured Code.	C..... Y/N.....	1	Code indicating if the note/credit facility is considered to be a troubled debt restructure.
55..... UNFUNDED.....	Unfunded or Undisbursed Balance.	N.....	14 2	The amount legally available under a note/ credit facility that has not been disbursed.
56..... RATECODE.....	Variable Rate Code.	C.....	5	Code indicating adjustable, floating, or variable interest rate.

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57..... RATEDESC.....	Variable Rate Description.	C.....	15	Description of code indicating adjustable, floating or variable interest rate.
58..... COLLCODE.....	Collateral Code....	C.....	5	The code associated with a unique collateral type (i.e. commercial real estate, 1-4 family real estate, UCC filings, marketable securities).
59..... COLLDESC.....	Collateral Description.	C.....	50	The narrative description of collateral or a description Referencing a collateral code. The collateral code for each description must be included in a separate table.
60..... COLSTATE.....	Collateral State...	C.....	2	State in which the collateral is located.
61..... APPRLAMT.....	Collateral Value...	N.....	14 2	The total value assigned to the collateral. If the bank has adjusted this value, please indicate this in your supporting documentation.

62..... APPRDATE.....	Collateral Valuation or Appraisal Date.	D.....		Date collateral was last appraised or valued.
63..... INSCODE.....	Insurance Code/Flag	C.....	5	Code indicating the status of insurance covering collateral for a note/credit facility.
64..... INSEXP.....	Insurance Expiration Date.	D.....		The date that the related insurance policy covering bank collateral expires.
65..... LIENCODE.....	Lien Status.....	C.....	10	The priority lien held by this bank (i.e. 1st lien, 2nd lien).
66..... INVESTOR.....	Participating Institution Code.	C.....	5	Code indicating the institution participating in the credit. If the credit is sold to multiple institutions, please indicate this in your supporting documentation.
67..... INVDESC.....	Participating Institution Description.	C.....	50	Description of the code indicating the institution participating in the credit. If the credit is sold to multiple institutions, please indicate this in your supporting documentation.
68..... PARTSOLD.....	Participation Amount.	N.....	14 2	The current outstanding dollar amount of the loan sold to or purchased from another institution.
69..... PARTTYPE.....	Participation Code.	C.....	5	A code indicating that the loan/credit facility involves a participation purchased or sold. Please identify the purchased and sold codes.
70..... PARTDESC.....	Participation Code Description.	C.....	15	Description of the code indicating that the loan/credit facility

				involves a participation purchased or sold.
71..... PARTORG.....	Participation Sold Original Amount.	N.....	14	2 The original amount of the loan participation sold or purchased.
72..... REBATE.....	Rebate Flag.....	C.....	1	Flag indicating there is any kind of rebate associated with the account. (i.e. insurance, interest etc.).

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