

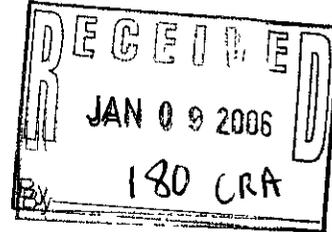


FIDELITY FEDERAL

BANK & TRUST

January 6, 2006

Mr. Robert E. Feldman, Executive Secretary
Attention: Comments
Federal Deposit Insurance Corporation
550 17th Street, NW
Washington, DC 20429



RIN No. 3064-AC97

Re: Community Reinvestment Act: Interagency Questions and Answers

Dear Mr. Feldman:

Fidelity Federal Bank & Trust appreciates the opportunity to submit to the Federal Deposit Insurance Corporation comment on the current proposed Interagency Questions and Answers concerning the Community Reinvestment Act (RIN No. 3064-AC97), as published in the November 10, 2005 Federal Register. As the oldest and largest financial institution based in Palm Beach County, Florida, we take particular interest in the banking, financing, housing and community development issues in our area.

Within the proposed Q&A is a discussion concerning revision to the definition of "Community Development," especially as it addresses areas designed as Federal or State Disaster Areas. As the primary community bank in an area that has been so designated by FEMA three times within a fourteen month period, we applaud the efforts of the agencies in their willingness to consider the need to rebuild communities from a "disaster" status as "Community Development."

Within the proposed guidance is a request for comment on the window of one year past the closing of the disaster period for such an event to allow rebuilding/redevelopment projects to be considered as "Community Development."

From both the Bank's experience with 2004's Hurricanes Frances and Jeanne, 2005's Hurricane Wilma, and observations from the damage caused this year by Hurricanes Katrina and Rita in the Gulf Coast region, it is our opinion that setting a universal cap of one year will not offer a true opportunity to both initiate substantial projects and arrange for all necessary financing.

This perspective is based on the possibility of varying levels of disaster, with the New Orleans area being a primary example of one of the worst. The redevelopment efforts for this community



as well as many others that were impacted by Hurricanes Katrina and Rita this year will be ongoing for years, far beyond a one-year window. Some estimates show that exploration and survey of some wards in New Orleans may not be fully realized for a year or more.

In addition, the possibility of repeat disasters in an area both requires changes and additional phases to projects. Also, due to the frequent need for government assistance in such projects and a history of lags in the fulfillment of funding from sources established to provide such funding, projects can often not even be fully realized in the planning stages within the one-year window.

As an example, Palm Beach County was designated a Federal Disaster Area on September 4, 2004, due to the impact of Hurricane Frances. This designation was noted to expire October 8, 2004. Hurricane Jeanne made landfall two miles from the landfall of Frances on September 25, with a declaration as a Federal Disaster Area on September 26, 2004. This designation was noted to expire November 17, 2004.

The proposed one year window would have had the deadline of November 17, 2005. On October 24, 2005, Palm Beach County was once again struck, this time by Hurricane Wilma. In our community, many residents were still living in homes damaged by the 2004 hurricanes, and some residences were so damaged that Wilma's further damage made these homes nearly uninhabitable. The deadline for Wilma's disaster designation was November 18; to date, there are still homeless residents in shelters, and communities are still trying to determine how to best serve the needs of their residents who have been impacted by the repeated storms. With multiple layers of government involved in the process of documenting these issues, requesting and approving funding and the tiers of bureaucracy involved, it may well be more than one year before a true damage assessment and needs assessment is completed, and any plan is under way.

Also, due to the agricultural component of part of our area, which is maintained primarily by lower-income workers, damage to the crops can have a longer-term impact to those workers than one year. The loss of crops, and hence the job of caring for and harvesting the plants, can have economic, health and social issues within these communities.

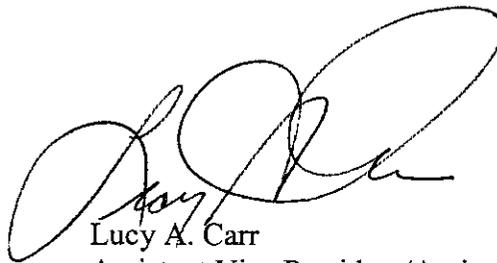
We believe it is in the best interest of the communities and the financial institutions that serve them that a blanket "one year" limitation not be placed on this definition, but that some form of sliding scale or other form of time-frame is designated.

We thank you for the consideration of our comments.

Sincerely,



Edward D. Welch
Senior Vice President
Community Reinvestment Officer



Lucy A. Carr
Assistant Vice President/Assistant Secretary
CRA Assistant Officer

