Monday,
May 16, 2005

Part LI

Federal Deposit Insurance Corporation

Semiannual Regulatory Agenda
FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

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.

Effective March 1, 2005, the FDIC modernized and simplified its deposit insurance assessment regulations governing certified statements to provide regulatory burden relief to insured depository institutions. Under the final rule, insured institutions will obtain their certified statements on the Internet via the FDIC’s transaction-based e-business Web site, FDICconnect. In addition, the FDIC, along with the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Office of Thrift Supervision, adopted the final rule that generally requires each financial institution to develop, implement, and maintain, as part of its existing information security program, appropriate measures to properly dispose of consumer information derived from consumer reports to address the risks associated with identity theft.

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.

Robert E. Feldman, Executive Secretary.

<table>
<thead>
<tr>
<th>Sequence Number</th>
<th>Title</th>
<th>Regulation Identifier Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>3844</td>
<td>12 CFR 327 Assessments—Assessment Base</td>
<td>3064–AB46</td>
</tr>
<tr>
<td>3845</td>
<td>12 CFR 334 Fair Credit Reporting Act Regulations</td>
<td>3064–AC35</td>
</tr>
<tr>
<td>3846</td>
<td>Risk-Based Capital Standards: Implementation of New Basel Capital Accord</td>
<td>3064–AC73</td>
</tr>
</tbody>
</table>

Federal Deposit Insurance Corporation—Final Rule Stage

<table>
<thead>
<tr>
<th>Sequence Number</th>
<th>Title</th>
<th>Regulation Identifier Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>3847</td>
<td>12 CFR 303 Filing Procedures; Transactions With Affiliates</td>
<td>3064–AC78</td>
</tr>
<tr>
<td>3848</td>
<td>Definition of “Deposit” Stored Value Cards</td>
<td>3064–AC80</td>
</tr>
<tr>
<td>3849</td>
<td>Fair Credit Reporting Medical Information Regulations</td>
<td>3064–AC81</td>
</tr>
<tr>
<td>3850</td>
<td>Fair Credit Reporting Affiliate Marketing Regulations</td>
<td>3064–AC83</td>
</tr>
<tr>
<td>3851</td>
<td>Securities of Nonmember Insured Banks</td>
<td>3064–AC88</td>
</tr>
</tbody>
</table>

Federal Deposit Insurance Corporation—Long-Term Actions

<table>
<thead>
<tr>
<th>Sequence Number</th>
<th>Title</th>
<th>Regulation Identifier Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>3852</td>
<td>12 CFR 342 Qualification Requirements for the Recommendation or Sale of Certain Securities</td>
<td>3064–AB85</td>
</tr>
<tr>
<td>3853</td>
<td>12 CFR 325 Risk-Based Capital Guidelines: Market Risk Measure; Securities Borrowing Transactions</td>
<td>3064–AC46</td>
</tr>
<tr>
<td>3854</td>
<td>12 CFR 345 Community Reinvestment Act Regulations (Section 610 Review)</td>
<td>3064–AC50</td>
</tr>
<tr>
<td>3855</td>
<td>Regulatory Publication and Review</td>
<td>3064–AC59</td>
</tr>
<tr>
<td>3856</td>
<td>Community Reinvestment Act Regulations</td>
<td>3064–AC89</td>
</tr>
</tbody>
</table>
### Federal Deposit Insurance Corporation—Completed Actions

<table>
<thead>
<tr>
<th>Sequence Number</th>
<th>Title</th>
<th>Regulation Identifier Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>3858</td>
<td>Community Reinvestment Act</td>
<td>3064–AC82</td>
</tr>
<tr>
<td>3859</td>
<td>Deposit Insurance Assessments—Certified Statements</td>
<td>3064–AC84</td>
</tr>
<tr>
<td>3860</td>
<td>12 CFR 303 International Banking</td>
<td>3064–AC85</td>
</tr>
<tr>
<td>3861</td>
<td>Interagency Guidance on Response Programs for Unauthorized Access to Customer Information and Customer Notice</td>
<td>3064–AC87</td>
</tr>
</tbody>
</table>

### Federal Deposit Insurance Corporation (FDIC) Proposed Rule Stage

#### 3844. ASSESSMENTS—ASSESSMENT BASE

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 12 USC 1441; 12 USC 1817 to 1819

**CFR Citation:** 12 CFR 327

**Legal Deadline:** None

**Abstract:** In 1994, FDIC sought comment on a proposal to revise the assessment base used by insured institutions to determine the premium paid for deposit insurance. That initiative did not lead to a proposed rule. Instead, FDIC plans to revisit the issue with a new advance notice of proposed rulemaking on alternative options for the deposit component of the assessment base and on options regarding the float deduction and use of average daily deposit balances.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANPRM</td>
<td>10/05/94</td>
<td>59 FR 50710</td>
</tr>
<tr>
<td>ANPRM Comment</td>
<td>02/02/95</td>
<td>Period End</td>
</tr>
<tr>
<td>NPRM</td>
<td>06/00/05</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** Undetermined

**Government Levels Affected:** None

**Agency Contact:** Munsell St. Clair, Senior Policy Analyst, Division of Insurance and Research, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898–8967

**RIN:** 3064–AB46

#### 3845. FAIR CREDIT REPORTING ACT REGULATIONS

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 15 USC 1681s; 12 USC 1819(a)(Tenth)

**CFR Citation:** 12 CFR 334

**Legal Deadline:** None

**Abstract:** Section 506 of the Gramm-Leach-Bliley Act (Act) authorizes the Federal banking agencies to publish Fair Credit Reporting Act regulations to carry out the purposes of the Act. Due to comments received from a joint notice of proposed rulemaking, dated October 20, 2000, it is anticipated that the agencies will issue a new proposed rulemaking for public comment.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>10/20/00</td>
<td>65 FR 63120</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>12/04/00</td>
<td>Period End</td>
</tr>
<tr>
<td>Second NPRM</td>
<td>06/00/05</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None


**URL For Public Comments:** http://www.fdic.gov/regulations/laws/publiccomments/basel/index.html

**Agency Contact:** Michael Phillips, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898–3581

**RIN:** 3064–AC35

#### 3846. RISK–BASED CAPITAL STANDARDS: IMPLEMENTATION OF NEW BASEL CAPITAL ACCORD

**Priority:** Other Significant. Major under 5 USC 801.

**Legal Authority:** Not Yet Determined

**CFR Citation:** 12 CFR 325

**Legal Deadline:** None

**Abstract:** This joint advance notice of proposed rulemaking sponsored by OCC, FRB, FDIC, and OTS, describes significant elements of the advanced internal ratings-based approach for credit risk and the advanced measurement approaches for operational risk.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANPRM</td>
<td>08/04/03</td>
<td>68 FR 45900</td>
</tr>
<tr>
<td>NPRM</td>
<td>07/00/05</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** None

**Government Levels Affected:** None


**URL For Public Comments:** http://www.fdic.gov/regulations/laws/publiccomments/basel/index.html

**Agency Contact:** Robert A. Patrick, counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429

Phone: 202 898–3757

**RIN:** 3064–AC73
### 3847. FILING PROCEDURES; TRANSACTIONS WITH AFFILIATES

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Legal Authority:** 12 USC 1819 (Tenth); 12 USC 1828 (j)(1); 12 USC 378; 12 USC 1813; 12 USC 1815; 12 USC 1817; 12 USC 1818; 12 USC 1819 (Seventh); 12 USC 1820; 12 USC 1823; 12 USC 1828; 12 USC 1831a; 12 USC 1831e; 12 USC 1831p–1; 12 USC 1843(l); 12 USC 3104; 12 USC 3105; 12 USC 3108; 12 USC 3207; 15 USC 1601 to 1607

**CFR Citation:** 12 CFR 303; 12 CFR 324

**Legal Deadline:** None

**Abstract:** FDIC is proposing to adopt its own regulation that would cross reference Regulation W to make it clear that insured State nonmember banks are subject to the restrictions and limitations, and may take advantage of the exemptions, contained in Regulation W.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>03/17/04</td>
<td>69 FR 12571</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>05/03/04</td>
<td></td>
</tr>
<tr>
<td>Period End</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>06/00/05</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:** http://www.fdic.gov/regulations/laws/federal/propose.html

**URL For Public Comments:** http://www.fdic.gov/regulations/laws/federal/04comdepositdef.html

**Agency Contact:** Pamela E. F. LeCren, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429

**Phone:** 202 898–3730

**RIN:** 3064–AC78

### 3848. DEFINITION OF “DEPOSIT” STORED VALUE CARDS

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 12 USC 378; 12 USC 1813; 12 USC 1815 to 1818; 12 USC 1819 (Seventh); 12 USC 1820; 12 USC 1823; 12 USC 1828; 12 USC 1831a; 12 USC 1831e; 12 USC 1831p–1; 12 USC 1835a; 12 USC 1819 (Tenth)

**CFR Citation:** 12 CFR 303

**Legal Citation:** None

**Abstract:** FDIC is publishing for notice and comment a proposed rule that would clarify the meaning of “deposit” as that term relates to funds at insured depository institutions underlying stored value cards.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>04/16/04</td>
<td>69 FR 20588</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>07/15/04</td>
<td></td>
</tr>
<tr>
<td>Period End</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>06/00/05</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** No

**Small Entities Affected:** No

**Government Levels Affected:** None

**URL For More Information:** http://www.fdic.gov/regulations/laws/federal/propose.html

**URL For Public Comments:** http://www.fdic.gov/regulations/laws/federal/04comfaircredit.html

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

**Phone:** 202 898–3757

**RIN:** 3064–AC81

### 3850. FAIR CREDIT REPORTING AFFILIATE MARKETING REGULATIONS

**Priority:** Other Significant

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

**CFR Citation:** 12 CFR 334

**Legal Deadline:** None

**Abstract:** OCC, FRB, FDIC, OTS, and NCUA are publishing for comment proposed regulations 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 proposed 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.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>07/15/04</td>
<td>69 FR 42502</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>08/16/04</td>
<td></td>
</tr>
<tr>
<td>Period End</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>06/00/05</td>
<td></td>
</tr>
</tbody>
</table>
### Regulatory Flexibility Analysis

**FDIC Final Rule Stage**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interim Final Rule Comment Period End</td>
<td>03/31/05</td>
<td>70 FR 16398</td>
</tr>
<tr>
<td>Interim Final Rule Comment Period End</td>
<td>05/31/05</td>
<td></td>
</tr>
</tbody>
</table>

**Small Entities Affected:** No  
**Government Levels Affected:** None  
**URL For More Information:** http://www.fdic.gov/regulations/laws/federal/propose.html  
**Agency Contact:** Mark Flanigan, Federal Deposit Insurance Corporation, Washington, DC 20429  
**Phone:** 202 898–7426  
**RIN:** 3064–AC88

### Federal Deposit Insurance Corporation (FDIC)

**3851. • SECURITIES OF NONMEMBER INSURED BANKS**

**Priority:** Other Significant  
**Legal Authority:** 12 USC 1819; 15 USC 78l(i); 15 USC 78(m); 15 USC 78(n); 15 USC 78(p); 15 USC 78(w); 15 USC 7241 to 7244; 15 USC 7261; 15 USC 7262; 15 USC 7264; 15 USC 7265  
**CFR Citation:** 12 CFR 335  
**Legal Deadline:** None  
**Abstract:** FDIC is revising its securities disclosure regulations applicable to State nonmember banks with securities required to be registered under section 12 of the Securities Exchange Act of 1934.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interim Final Rule Comment Period End</td>
<td>03/31/05</td>
<td>70 FR 16398</td>
</tr>
<tr>
<td>Interim Final Rule Comment Period End</td>
<td>05/31/05</td>
<td></td>
</tr>
</tbody>
</table>

**Final Action To Be Determined**

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Robert F. Storch  
**Phone:** 202 898–8906  
**RIN:** 3064–AC46

### 3852. QUALIFICATION REQUIREMENTS FOR THE RECOMMENDATION OR SALE OF CERTAIN SECURITIES

**Priority:** Substantive, Nonsignificant  
**CFR Citation:** 12 CFR 342  
**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>12/30/96</td>
<td>61 FR 68824</td>
</tr>
<tr>
<td>NPRM Comment Period End</td>
<td>02/28/97</td>
<td></td>
</tr>
<tr>
<td>Second NPRM</td>
<td>To Be Determined</td>
<td></td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Richard M. Schwartz  
**Phone:** 202 898–7424  
**RIN:** 3064–AC50

### 3853. RISK–BASED CAPITAL GUIDELINES: MARKET RISK MEASURE; SECURITIES BORROWING TRANSACTIONS

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.  
**CFR Citation:** 12 CFR 325  
**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANPRM</td>
<td>07/19/01</td>
<td>66 FR 37602</td>
</tr>
<tr>
<td>ANPRM Comment Period End</td>
<td>10/17/01</td>
<td></td>
</tr>
<tr>
<td>NPRM</td>
<td>02/06/04</td>
<td>69 FR 5729</td>
</tr>
<tr>
<td>NPRM Comment Period End</td>
<td>04/04/04</td>
<td></td>
</tr>
<tr>
<td>NPRM</td>
<td>08/20/04</td>
<td>69 FR 51611</td>
</tr>
<tr>
<td>NPRM Comment Period End</td>
<td>09/20/04</td>
<td></td>
</tr>
<tr>
<td>NPRM</td>
<td>09/20/04</td>
<td>69 FR 56175</td>
</tr>
<tr>
<td>NPRM Comment Period End</td>
<td>10/20/04</td>
<td></td>
</tr>
<tr>
<td>NPRM</td>
<td>03/11/05</td>
<td>70 FR 12149</td>
</tr>
</tbody>
</table>

**Final Action To Be Determined**

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

### 3854. COMMUNITY REINVESTMENT ACT REGULATIONS (SECTION 610 REVIEW)

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.  
**CFR Citation:** None  
**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM Comment Period End</td>
<td>06/16/03</td>
<td>68 FR 35589</td>
</tr>
<tr>
<td>Second Notice Comment Period End</td>
<td>01/21/04</td>
<td>69 FR 2852</td>
</tr>
<tr>
<td>Second Notice Comment Period End</td>
<td>04/20/04</td>
<td></td>
</tr>
<tr>
<td>Third Notice Comment Period End</td>
<td>07/20/04</td>
<td>69 FR 43347</td>
</tr>
<tr>
<td>Third Notice Comment Period End</td>
<td>10/18/04</td>
<td></td>
</tr>
<tr>
<td>Fourth Notice Comment Period End</td>
<td>02/03/05</td>
<td>70 FR 5571</td>
</tr>
<tr>
<td>Fourth Notice Comment Period End</td>
<td>05/04/05</td>
<td></td>
</tr>
<tr>
<td>Fifth Notice Comment Period End</td>
<td>To Be Determined</td>
<td></td>
</tr>
</tbody>
</table>

**Final Action To Be Determined**

**Regulatory Flexibility Analysis Required:** Undetermined  
**Small Entities Affected:** No  
**Government Levels Affected:** None  
**Agency Contact:** Richard M. Schwartz  
**Phone:** 202 898–7424  
**RIN:** 3064–AC50

### 3855. REGULATORY PUBLICATION AND REVIEW

**Priority:** Other Significant. Major status under 5 USC 801 is undetermined.  
**CFR Citation:** None  
**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Notice</td>
<td>06/16/03</td>
<td>68 FR 35589</td>
</tr>
<tr>
<td>Second Notice</td>
<td>01/21/04</td>
<td>69 FR 2852</td>
</tr>
<tr>
<td>Second Notice Comment Period End</td>
<td>04/20/04</td>
<td></td>
</tr>
<tr>
<td>Third Notice Comment Period End</td>
<td>07/20/04</td>
<td>69 FR 43347</td>
</tr>
<tr>
<td>Third Notice Comment Period End</td>
<td>10/18/04</td>
<td></td>
</tr>
<tr>
<td>Fourth Notice Comment Period End</td>
<td>02/03/05</td>
<td>70 FR 5571</td>
</tr>
<tr>
<td>Fourth Notice Comment Period End</td>
<td>05/04/05</td>
<td></td>
</tr>
<tr>
<td>Fifth Notice Comment Period End</td>
<td>To Be Determined</td>
<td></td>
</tr>
</tbody>
</table>

**Final Action To Be Determined**

**Regulatory Flexibility Analysis Required:** No  
**Small Entities Affected:** No  
**Government Levels Affected:** None
Agency Contact: Claude A. Rollin  
Phone: 202 898–8741  
RIN: 3064–AC59

**3856. COMMUNITY REINVESTMENT ACT REGULATIONS**

**Priority:** Economically Significant. Major status under 5 USC 801 is undetermined.

**Unfunded Mandates:** Undetermined

**Legal Authority:** 12 USC 1814 to 1817; 12 USC 1819 to 1820; 12 USC 1828; 12 USC 1831u; 12 USC 2901 to 2907; 12 USC 3103; 12 USC 3104; 12 USC 3108(a)...

**CFR Citation:** 12 CFR 345

**Legal Deadline:** None

**Abstract:** OCC, FRB, and FDIC are issuing this notice of proposed rulemaking that would revise certain provisions of our rules implementing the Community Reinvestment Act.

**Regulatory Flexibility Analysis Required:** No

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>03/11/05</td>
<td>70 FR 12149</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>05/10/05</td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>To Be Determined</td>
<td></td>
</tr>
</tbody>
</table>

Federal Deposit Insurance Corporation (FDIC)

**3857. PROPER DISPOSAL OF CONSUMER INFORMATION UNDER THE FAIR AND ACCURATE CREDIT TRANSACTIONS ACT OF 2003**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1819; 12 USC 1819 (Tenth); 12 USC 1831p–1; 15 USC 1681b; 15 USC 1681a; 15 USC 1681w; 15 USC 6801(b); 15 USC 6805(b)(1)

**CFR Citation:** 12 CFR 334; 12 CFR 364

**Legal Deadline:** None

**Abstract:** OCC, OTS, FRB, FDIC, NCUA, FTC, CFTC, and SEC (the Agencies) are requesting comment on whether the Agencies should consider amending the regulations that implement sections 502 and 503 of the Gramm-Leach-Bliley Act to allow or require inimical institutions to provide alternative types of privacy notices, such as a short privacy notice, that would be easier for consumers to understand.

**Regulatory Flexibility Analysis Required:** No

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>ANPRM</td>
<td>12/30/03</td>
<td>68 FR 75164</td>
</tr>
<tr>
<td>ANPRM Comment</td>
<td>03/29/04</td>
<td></td>
</tr>
<tr>
<td>NPRM</td>
<td>06/08/04</td>
<td>69 FR 31913</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>07/23/04</td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>12/28/04</td>
<td>69 FR 77610</td>
</tr>
</tbody>
</table>

**Agency Contact:** Robert A. Patrick, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–3757  
RIN: 3064–AC77

**3858. COMMUNITY REINVESTMENT ACT**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1814 to 1817; 12 USC 1819 to 1820; 12 USC 1828; 12 USC 1831u; 12 USC 2901 to 2907; 12 USC 3103 to 3104; 12 USC 3108(a)

**CFR Citation:** 12 CFR 345

**Legal Deadline:** None

**Abstract:** OCC, FRB, FDIC, and OTS (collectively), are publishing this joint interim rule to conform our regulations implementing the Community Reinvestment Act (CRA) to changes in the Standards for Defining Metropolitan and Micropolitan Statistical Areas published by the U.S. Office of Management and Budget (OMB) in December 2000; the census tracts certified statements to provide regulatory burden relief to insured depository institutions.

**Federal Deposit Insurance Corporation (FDIC)**

**3859. DEPOSIT INSURANCE ASSESSMENTS—CERTIFIED STATEMENTS**

**Priority:** Other Significant

**Legal Authority:** 12 USC 1441; 12 USC 1441b; 12 USC 1813; 12 USC 1815; 12 USC 1817 to 1819; PL 104–208, 110 Stat 3009–479; 12 USC 1821

**CFR Citation:** 12 CFR 327

**Legal Deadline:** None

**Abstract:** FDIC proposes to modernize and simplify its deposit insurance assessment regulations governing certified statements to provide regulatory burden relief to insured depository institutions.

**URL For More Information:**


**Agency Contact:** Richard M. Schwartz, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–7424  
RIN: 3064–AC89

---

**Agency Contact:** Claude A. Rollin  
Phone: 202 898–8741  
RIN: 3064–AC59

**URL For More Information:**


**URL For Public Comments:**

http://www.fdic.gov/regulations/laws/federal/04comdispose.html

**Agency Contact:** Robert A. Patrick, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–3757  
RIN: 3064–AC77

**URL For More Information:**


**Agency Contact:** Susan Van den Toorn, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–8707  
RIN: 3064–AC82

**URL For More Information:**


**Agency Contact:** Richard M. Schwartz, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–7424  
RIN: 3064–AC89

**URL For More Information:**


**Agency Contact:** Susan Van den Toorn, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–8707  
RIN: 3064–AC82

---

**Agency Contact:** Claude A. Rollin  
Phone: 202 898–8741  
RIN: 3064–AC59

**URL For More Information:**


**URL For Public Comments:**

http://www.fdic.gov/regulations/laws/federal/04comdispose.html

**Agency Contact:** Robert A. Patrick, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–3757  
RIN: 3064–AC77

**URL For More Information:**


**Agency Contact:** Richard M. Schwartz, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–7424  
RIN: 3064–AC89

**URL For More Information:**


**Agency Contact:** Susan Van den Toorn, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–8707  
RIN: 3064–AC82

**URL For More Information:**


**Agency Contact:** Richard M. Schwartz, Counsel, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–7424  
RIN: 3064–AC89

---

**Agency Contact:** Claude A. Rollin  
Phone: 202 898–8741  
RIN: 3064–AC59

**URL For More Information:**


**URL For Public Comments:**

http://www.fdic.gov/regulations/laws/federal/04comdispose.html

**Agency Contact:** Robert A. Patrick, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429  
Phone: 202 898–3757  
RIN: 3064–AC77
### FDIC Completed Actions

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>06/08/04</td>
<td>69 FR 31922</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>08/09/04</td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>11/23/04</td>
<td>69 FR 68068</td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None


**Agency Contact:** Christopher Bellotto, Counsel, Federal Deposit Insurance Corporation

**RIN:** 3064–AC84

---

### 3860. INTERNATIONAL BANKING

**Priority:** Substantive, Nonsignificant

**Legal Authority:** 12 USC 378; 12 USC 1441; 12 USC 1441b; 12 USC 1813; 12 USC 1815; 12 USC 1815(a); 12 USC 1815(b); 12 USC 1816 to 1818; 12 USC 1818(a) to 1818(c); 12 USC 1819 (Seventh); 15 USC 1601 to 1607

**CFR Citation:** 12 CFR 303; 12 CFR 325; 12 CFR 327; 12 CFR 347

**Legal Deadline:** None

**Abstract:** FDIC is proposing amendments to the international banking rules contained in subpart J of part 303, containing the procedural rules implementing part 347. And to revise the rules contained in subpart A, relating to the international activities and investments of insured state nonmember banks, and subpart B, relating principally insured and noninsured U.S. branches of foreign banks.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>NPRM</td>
<td>07/19/04</td>
<td>69 FR 43060</td>
</tr>
<tr>
<td>NPRM Comment</td>
<td>09/17/04</td>
<td></td>
</tr>
<tr>
<td>Final Action</td>
<td>04/06/05</td>
<td>70 FR 17550</td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None


**Agency Contact:** Rodney D. Ray, Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429

**Phone:** 202 898–3556

**RIN:** 3064–AC85

---

### 3861. • INTERAGENCY GUIDANCE ON RESPONSE PROGRAMS FOR UNAUTHORIZED ACCESS TO CUSTOMER INFORMATION AND CUSTOMER NOTICE

**Priority:** Other Significant

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

**CFR Citation:** 12 CFR 364

**Legal Deadline:** None

**Abstract:** OCC, the Board, FDIC, and OTS are publishing an interpretation of the Gramm-Leach Bliley Act and the Interagency Guidelines Establishing Information Security Standards.

**Timetable:**

<table>
<thead>
<tr>
<th>Action</th>
<th>Date</th>
<th>FR Cite</th>
</tr>
</thead>
<tbody>
<tr>
<td>Final Action</td>
<td>03/29/05</td>
<td>70 FR 15736</td>
</tr>
</tbody>
</table>

**Regulatory Flexibility Analysis**

Required: No

Small Entities Affected: No

Government Levels Affected: None

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

**Phone:** 202 898–3757

**RIN:** 3064–AC87