

SCHEDULE RC-E – DEPOSIT LIABILITIES

General Instructions

A complete discussion of deposits is included in the Glossary entry entitled "deposits." That discussion addresses the following topics and types of deposits in detail:

- (1) [Federal Deposit Insurance Act definition of deposits](#);
- (2) transaction accounts;
- (3) demand deposits;
- (4) NOW accounts;
- (5) ATS accounts;
- (6) telephone or preauthorized transfer accounts;
- (7) nontransaction accounts;
- (8) savings deposits;
- (9) money market deposit accounts;
- (10) other savings deposits;
- (11) time deposits;
- (12) time certificates of deposit;
- (13) time deposits, open account;
- (14) interest-bearing deposit accounts; and
- (15) noninterest-bearing deposit accounts.

Additional discussions pertaining to deposits will also be found under separate Glossary entries for:

- (1) brokered deposits;
- (2) cash management arrangements;
- (3) dealer reserve accounts;
- (4) hypothecated deposits;
- (5) letter of credit (for letters of credit sold for cash and travelers letters of credit);
- (6) overdraft;
- (7) pass-through reserve balances; and
- (8) reciprocal balances.

NOTE: For information about the reporting of deposits for deposit insurance assessment purposes, refer to Schedule RC-O.

NOTE: For the appropriate treatment of deposits of depository institutions for which the reporting bank is serving as a pass-through agent for balances maintained to satisfy reserve balance requirements, see the Glossary entry for "pass-through reserve balances."

NOTE: For banks that elect to report deposits at fair value under a fair value option, report the fair value of those deposits in the same items and columns as similar deposits to which a fair value option has not been applied. Currently, deposits that include a demand feature (e.g., demand and savings deposits) are not eligible to be reported under a fair value election.

Definitions

The term "deposits" is defined in the Glossary and generally follows the definitions of deposits used in the Federal Deposit Insurance Act and in [Federal Reserve Regulation D](#).

Reciprocal balances between the reporting bank and other depository institutions may be reported on a net basis in accordance with generally accepted accounting principles.

The following are not reported as deposits in Schedule RC-E:

- (1) Deposits received in one office of the bank for deposit in another office of the bank.
- (2) Outstanding drafts (including advices or authorizations to charge the bank's balance in another depository institution) drawn in the regular course of business by the reporting bank on other depository institutions.
- (3) Trust funds held in the bank's own trust department that the bank keeps segregated and apart from its general assets and does not use in the conduct of its business. NOTE: Such uninvested trust funds must be reported as deposit liabilities in Schedule RC-O, item 1.
- (4) Deposits accumulated for the payment of personal loans (i.e., hypothecated deposits), which should be netted against loans in Schedule RC-C, Loans and Lease Financing Receivables.
- (5) All obligations arising from assets sold under agreements to repurchase.
- (6) Overdrafts in deposit accounts. Overdrafts are to be reported as loans in Schedule RC-C and not as negative deposits. Overdrafts in one or more transaction accounts within a group of related transaction accounts of a single type (i.e., demand deposit accounts or NOW accounts, but not a combination thereof) maintained in the same right and capacity by a customer (a single legal entity) that are established under a bona fide cash management arrangement by this customer are not to be classified as loans unless there is a net overdraft position in the group of related transaction accounts taken as a whole. For reporting and deposit insurance assessment purposes, such accounts function as, and are regarded as, one account rather than multiple separate accounts. (NOTE: Affiliates and subsidiaries are considered separate legal entities.) See the Glossary entry for "cash management arrangements" for information on bona fide cash management arrangements.
- (7) Time deposits sold (issued) by the reporting bank that it has subsequently purchased in the secondary market (typically as a result of the bank's trading activities) and has not resold as of the report date. For purposes of these reports, a bank that purchases a time deposit it has issued is regarded as having paid the time deposit prior to maturity. The effect of the transaction is that the bank has cancelled a liability as opposed to having acquired an asset for its portfolio.
- (8) Cash payments received in connection with transfers of the reporting institution's other real estate owned that have been financed by the institution and do not qualify for sale accounting, which applicable accounting standards describe as a "liability," a "deposit," or a "deposit liability." Until a transfer qualifies for sale accounting, these cash payments shall be reported in Schedule RC-G, item 4, "All other liabilities." See the Glossary entry for "foreclosed assets" for further information.

The following are reported as deposits:

- (1) Deposits of trust funds standing to the credit of other banks and all trust funds held or deposited in any department of the reporting bank other than the trust department.
- (2) Credit items that could not be posted to the individual deposit accounts but that have been credited to the control accounts of the various deposit categories on the general ledger.

Definitions (cont.)

- (3) Credit items not yet posted to deposit accounts that are carried in suspense or similar nondeposit accounts and are material in amount. As described in the Glossary entry for "suspense accounts," the items included in such accounts should be reviewed and material amounts reported in the appropriate balance sheet accounts. NOTE: Regardless of whether deposits carried in suspense accounts have been reclassified as deposits and reported in Schedule RC-E, they must be reported as deposit liabilities in Schedule RC-O, items 1 and 4.
- (4) Escrow funds.
- (5) Payments collected by the bank on loans secured by real estate and other loans serviced for others that have not yet been remitted to the owners of the loans.
- (6) Credit balances resulting from customers' overpayments of account balances on credit cards and other revolving credit plans.
- (7) Funds received or held in connection with checks or drafts drawn by the reporting bank and drawn on, or payable at or through, another depository institution either on a zero-balance account or on an account that is not routinely maintained with sufficient balances to cover checks drawn in the normal course of business (including accounts where funds are remitted by the reporting bank only when it has been advised that the checks or drafts have been presented).
- (8) Funds received or held in connection with traveler's checks and money orders sold (but not drawn) by the reporting bank, until the proceeds of the sale are remitted to another party, and funds received or held in connection with other such checks used (but not drawn) by the reporting bank, until the amount of the checks is remitted to another party.
- (9) Checks drawn by the reporting bank on, or payable at or through, a Federal Reserve Bank or a Federal Home Loan Bank.
- (10) Refundable loan commitment fees received or held by the reporting bank prior to loan closing.
- (11) Refundable stock subscription payments received or held by the reporting bank prior to the issuance of the stock. (Report nonrefundable stock subscription payments in Schedule RC-G, item 4, "All other liabilities.")
- (12) Improperly executed repurchase agreement sweep accounts (repo sweeps). According to [Section 360.8 of the FDIC's regulations](#), an "internal sweep account" is "an account held pursuant to a contract between an insured depository institution and its customer involving the pre-arranged, automated transfer of funds from a deposit account to . . . another account or investment vehicle located within the depository institution." When a repo sweep from a deposit account is improperly executed by an institution, the customer obtains neither an ownership interest in identified assets subject to a repurchase agreement nor a perfected security interest in the applicable assets. In this situation, the institution should report the swept funds as deposit liabilities, not as repurchase agreements.
- (13) The unpaid balance of money received or held by the reporting institution that the reporting institution promises to pay pursuant to an instruction received through the use of a card, or other payment code or access device, issued on a prepaid or prefunded basis.

In addition, the gross amount of debit items ("throw-outs," "bookkeepers' cutbacks," or "rejects") that cannot be posted to the individual deposit accounts without creating overdrafts or for some other reason (e.g., stop payment, missing endorsement, post or stale date, or account closed), but which have been

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charged to the control accounts of the various deposit categories on the general ledger, should be credited to (added back to) the appropriate deposit control totals and reported in Schedule RC-F, item 6, "All other assets."

The Monetary Control Act of 1980 and the resulting revision to [Federal Reserve Regulation D, "Reserve Requirements of Depository Institutions,"](#) established, for purposes of federal reserve requirements on deposit liabilities, a category of deposits designated as "transaction accounts." The distinction between transaction and nontransaction accounts is discussed in detail in the Glossary entry for "deposits."
NOTE: Money market deposit accounts (MMDAs) are regarded as savings deposits and are specifically excluded from the "transaction account" classification.

Summary of Transaction Account Classifications (See the Glossary entry for "deposits" for detailed definitions and further information.)**A. Always regarded as transaction accounts:**

1. Demand deposits.
2. NOW accounts.
3. ATS accounts.
4. Accounts (other than savings deposits) from which payments may be made to third parties by means of an automated teller machine (ATM), a remote service unit (RSU), or another electronic device, including by debit card.
5. Accounts (other than savings deposits) that permit third party payments through use of checks, drafts, negotiable instruments, or other similar instruments.

B. Deposits or accounts that are regarded as transaction accounts if the following specified conditions exist:

1. Accounts that otherwise meet the definition of savings deposits but that authorize or permit the depositor to exceed the transfer and withdrawal rules for a savings deposit.
2. Any deposit or account that otherwise meets the definition of a time deposit but that allows withdrawals within the first six days after the date of deposit and that does not require an early withdrawal penalty of at least seven days' simple interest on amounts withdrawn within those first six days, unless the deposit or account meets the definition of a savings deposit. Any such deposit or account that meets the definition of a savings deposit shall be reported as a savings deposit, otherwise it shall be reported as a demand deposit, which is a transaction account.
3. The remaining balance of a time deposit from which a partial early withdrawal is made, unless the remaining balance either (a) is subject to additional early withdrawal penalties of at least seven days' simple interest on amounts withdrawn within six days after each partial withdrawal (in which case the deposit or account continues to be reported as a time deposit) or (b) is placed in an account that meets the definition of a savings deposit (in which case the deposit or account shall be reported as a savings deposit). Otherwise, the deposit or account shall be reported as a demand deposit, which is a transaction account.

Summary of Transaction Account Classifications (cont.)**C. Not regarded as transaction accounts (unless specified above):**

1. Savings deposits (including accounts commonly known as money market deposit accounts (MMDAs)).
2. Accounts that permit telephone or preauthorized transfers or transfers by ATMs or RSUs to repay loans made or serviced by the same depository institution.
3. Accounts that permit telephone or preauthorized withdrawals where the proceeds are to be mailed to or picked up by the depositor.
4. Accounts that permit transfers to other accounts of the depositor at the same institution through ATMs or RSUs.

Column Instructions

Deposits as summarized above are divided into two general categories, "Transaction Accounts" (columns A and B) and "Nontransaction Accounts (including MMDAs)" (column C).

Column A - Total transaction accounts. Report in column A the total of all transaction accounts as summarized above and fully defined in the Glossary entry for "deposits." With the exceptions noted in the item instructions and the Glossary entry, the term "transaction account" is defined as a deposit or account from which the depositor or account holder is permitted to make transfers or withdrawals by negotiable or transferable instruments, payment orders of withdrawal, telephone transfers, or other similar devices for the purpose of making third party payments or transfers to third persons or others, or from which the depositor may make third party payments at an automated teller machine (ATM), a remote service unit (RSU), or another electronic device, including by debit card.

Column B - Memo: Total demand deposits. Report in item 7, column B, the total of all demand deposits, both interest-bearing and noninterest-bearing. Also include any matured time or savings deposits without automatic renewal provisions, unless the deposit agreement specifically provides for the funds to be transferred at maturity to another type of account (i.e., other than a demand deposit). (See the Glossary entry for "deposits.")

NOTE: Demand deposits are, of course, one type of transaction account. Therefore, the amount reported in item 7, column B, should be included by category of depositor in the breakdown of transaction accounts by category of depositor that is reported in column A.

Column C - Total nontransaction accounts (including MMDAs). Report in column C all deposits other than transaction accounts as summarized above and defined in the Glossary entry for "deposits." Include in column C all interest-bearing and noninterest-bearing savings deposits and time deposits together with all interest paid by crediting savings and time deposit accounts.

Item Instructions

In items 1 through 6 of Schedule RC-E, banks report separate breakdowns of their transaction and nontransaction accounts by category of depositor. When reporting brokered deposits in these items, the funds should be categorized as deposits of "Individuals, partnerships, and corporations," "States and political subdivisions in the U.S.," or "Commercial banks and other depository institutions in the U.S." based on the beneficial owners of the funds that the broker has placed in the bank. However, if this information is not readily available to the issuing bank for certain brokered deposits because current deposit insurance rules do not require the deposit broker to provide information routinely on the beneficial owners of the deposits and their account ownership capacity to the bank issuing the deposits, these brokered deposits may be rebuttably presumed to be deposits of "Individuals, partnerships, and corporations" and reported in Schedule RC-E, item 1, below. For further information, see the Glossary entry for "brokered deposits."

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- 1** **Deposits of individuals, partnerships, and corporations (include all certified and official checks).** Report in the appropriate column all deposits of individuals, partnerships, and corporations, wherever located, and all certified and official checks.

Include in this item:

- (1) Deposits related to the personal, household, or family activities of both farm and nonfarm individuals and to the business activities of sole proprietorships.
- (2) Deposits of corporations and organizations (other than depository institutions), regardless of whether they are operated for profit, including but not limited to:
 - (a) mutual funds and other nondepository financial institutions;
 - (b) foreign government-owned nonbank commercial and industrial enterprises; and
 - (c) quasi-governmental organizations such as post exchanges on military posts and deposits of a company, battery, or similar organization (unless the reporting bank has been designated by the U.S. Treasury as a depository for such funds and appropriate security for the deposits has been pledged, in which case, report in Schedule RC-E, item 2).
- (3) Dealer reserve accounts (see the Glossary entry for "dealer reserve accounts" for the definition of this term).
- (4) Deposits of U.S. Government agencies and instrumentalities such as the:
 - (a) Banks for Cooperatives,
 - (b) Export-Import Bank of the U.S.,
 - (c) Federal Deposit Insurance Corporation,
 - (d) Federal Financing Bank,
 - (e) Federal Home Loan Banks,
 - (f) Federal Home Loan Mortgage Corporation,
 - (g) Federal Intermediate Credit Banks,
 - (h) Federal Land Banks,
 - (i) Federal National Mortgage Association,
 - (j) National Credit Union Administration Central Liquidity Facility, and
 - (k) National Credit Union Share Insurance Fund.

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- 1**
(cont.)
- (5) Deposits of trust funds standing to the credit of other banks and all trust funds held or deposited in any department (except the trust department) of the reporting bank if the beneficiary is an individual, partnership, or corporation.
 - (6) Credit balances on credit cards and other revolving credit plans as a result of customer overpayments.
 - (7) Deposits of a federal or state court held for the benefit of individuals, partnerships, or corporations, such as bankruptcy funds and escrow funds.
 - (8) Deposits of a pension fund held for the benefit of individuals.
 - (9) Certified and official checks, which include the following:
 - (a) Unpaid depositors' checks that have been certified.
 - (b) Cashiers' checks, money orders, and other officers' checks issued for any purpose including those issued in payment for services, dividends, or purchases that are drawn on the reporting bank by any of its duly authorized officers and that are outstanding on the report date.
 - (c) Funds received or held in connection with checks or drafts drawn by the reporting bank and drawn on, or payable at or through, another depository institution either on a zero-balance account or on an account that is not routinely maintained with sufficient balances to cover checks drawn in the normal course of business (including accounts where funds are remitted by the reporting bank only when it has been advised that the checks or drafts have been presented).
 - (d) Funds received or held in connection with traveler's checks and money orders sold (but not drawn) by the reporting bank, until the proceeds of the sale are remitted to another party, and funds received or held in connection with other such checks used (but not drawn) by the reporting bank, until the amount of the checks is remitted to another party.
 - (e) Checks drawn by the reporting bank on, or payable at or through, a Federal Reserve Bank or a Federal Home Loan Bank.
 - (f) Outstanding travelers' checks, travelers' letters of credit and other letters of credit (less any outstanding drafts accepted thereunder) sold for cash or its equivalent by the reporting bank or its agents.
 - (g) Outstanding drafts and bills of exchange accepted by the reporting bank or its agents for money or its equivalent, including drafts accepted against a letter of credit issued for money or its equivalent.

Exclude from this item deposits of:

- (1) The U.S. Government (report in Schedule RC-E, item 2).
- (2) States and political subdivisions in the U.S. (report in Schedule RC-E, item 3).
- (3) Commercial banks in the U.S. (report in Schedule RC-E, item 4).

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1 (4) Other depository institutions in the U.S. (report in Schedule RC-E, item 4).
(cont.)

(5) Banks in foreign countries (report in Schedule RC-E, item 5).

2 **Deposits of U.S. Government.** Report in the appropriate column all deposits of federal public funds made by or for the account of the United States or some department, bureau, or official thereof.

Include in this item:

(1) Deposits of the U.S. Treasury.

(2) Deposits standing to the credit of certain quasi-governmental institutions when the reporting bank has been designated by the U.S. Treasury as a depository for such funds.

(3) Deposits of the U.S. Postal Service and local post offices.

Exclude from this item deposits of U.S. Government agencies and instrumentalities. (Such deposits are to be reported in Schedule RC-E, item 1, above.)

3 **Deposits of states and political subdivisions in the U.S.** Report in the appropriate column all deposits standing to the credit of states, counties, municipalities, and local housing authorities; school, irrigation, drainage, and reclamation districts; other instrumentalities of one or more states of the United States, the District of Columbia, Puerto Rico, and U.S. territories and possessions; and Indian tribes in the U.S.

Also include deposits of funds advanced to states and political subdivisions by U.S. Government agencies and corporations and deposits of withheld income taxes of states and political subdivisions.

4 **Deposits of commercial banks and other depository institutions in the U.S.** Report in the appropriate column all deposits of commercial banks and other depository institutions located in the U.S.

Commercial banks in the U.S. cover:

(1) U.S. branches and agencies of foreign banks; and

(2) all other commercial banks in the U.S., i.e., U.S. branches of U.S. banks.

Other depository institutions in the U.S. cover:

(1) Building or savings and loan associations, homestead associations, and cooperative banks;

(2) credit unions; and

(3) mutual and stock savings banks.

For purposes of these reports, U.S. branches and agencies of foreign banks include U.S. branches and agencies of foreign official banking institutions and investment companies that

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4 are chartered under Article XII of the New York State banking law and that are majority-owned
(cont.) by one or more foreign banks.

For the appropriate treatment of deposits of depository institutions for which the reporting bank is serving as a pass-through correspondent for balances maintained to satisfy reserve balance requirements, see the Glossary entry for "pass-through reserve balances." For the appropriate treatment of deposits of depository institutions for which the reporting bank is acting as an agent for an excess balance account at a Federal Reserve Bank, see the Glossary entry for "excess balance account."

Refer to the Glossary entries for "banks, U.S. and foreign" and "depository institutions in the U.S." for further discussion of these terms.

Exclude from this item deposits of banks in foreign countries (report in Schedule RC-E, item 5, below). (See the Glossary entry for "banks, U.S. and foreign" for the definition of this term.)

5 **Deposits of banks in foreign countries.** Report in the appropriate column all deposits of banks located in foreign countries.

Banks in foreign countries cover:

- (1) foreign-domiciled branches of other U.S. banks; and
- (2) foreign-domiciled branches of foreign banks.

See the Glossary entry for "banks, U.S. and foreign" for further discussion of these terms.

Exclude from this item deposits of foreign official institutions and foreign central banks (to be reported in Schedule RC-E, item 6 below) and deposits of U.S. branches and agencies of foreign banks and New York State investment companies (to be reported in Schedule RC-E, item 4 above).

For the appropriate treatment of deposits of depository institutions for which the reporting bank is serving as a pass-through agent for balances maintained to satisfy reserve balance requirements, see the Glossary entry for "pass-through reserve balances."

6 **Deposits of foreign governments and official institutions.** Report in the appropriate column all deposits of foreign governments and official institutions. (See the Glossary entry for "foreign governments and official institutions" for the definition of this term.)

Exclude from this item deposits of:

- (1) U.S. branches and agencies of foreign official banking institutions (report in Schedule RC-E, item 4, above).
- (2) Nationalized banks and other banking institutions that are owned by foreign governments and that do not function as central banks, banks of issue, or development banks (report in Schedule RC-E, item 5, above).

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- 6** (3) Foreign government-owned nonbank commercial and industrial enterprises (report in
(cont.) Schedule RC-E, item 1, above).
- 7** **Total.** Report in column B the total of all demand deposits. Report in columns A and C the
sum of items 1 through 6. The sum of columns A and C of this item must equal
Schedule RC, item 13.a, "Deposits in domestic offices."

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- 1** **Selected components of total deposits.** The amounts to be reported in Memorandum items 1.a through 1.g below are included as components of total deposits (Schedule RC-E, sum of item 7, columns A and C).

NOTE: Schedule RC-E, Memorandum item 1.a, is to be completed semiannually in the June and December reports only.

- 1.a** **Total Individual Retirement Accounts (IRAs) and Keogh Plan accounts.** Report in this Memorandum item the total of all IRA and Keogh Plan deposits included in total deposits (Schedule RC-E, sum of item 7, columns A and C). IRAs include traditional IRAs, Roth IRAs, Simplified Employee Pension (SEP) IRAs, and SIMPLE IRAs.

Exclude deposits in "Section 457" deferred compensation plans and self-directed defined contribution plans, which are primarily 401(k) plan accounts. Also exclude deposits in Health Savings Accounts, Medical Savings Accounts, and Coverdell Education Savings Accounts (formerly known as Education IRAs).

- 1.b** **Total brokered deposits.** Report in this Memorandum item the total of all brokered deposits included in total deposits (Schedule RC-E, sum of item 7, columns A and C), regardless of size or type of deposit instrument. (See the Glossary entry for "brokered deposits" for the definition of this term.)

Brokered deposits include "brokered reciprocal deposits." As defined in [Section 327.8\(q\) of the FDIC's regulations](#), "brokered reciprocal deposits" are "reciprocal deposits as defined in [Section 337.6\(e\)\(2\)\(v\) of the FDIC's regulations](#) that are not excepted from an institution's brokered deposits pursuant to [Section 337.6\(e\)](#)" of the FDIC's regulations.

Limited Exception for Reciprocal Deposits

Pursuant to [Section 337.6\(e\) of the FDIC's regulations](#), and consistent with Section 202 of the Economic Growth, Regulatory Relief, and Consumer Protection Act, an "agent institution" can except reciprocal deposits from being classified (and reported in this Memorandum item 1.b) as brokered deposits up to its applicable statutory caps, described below.

Definitions that apply to the limited exception for reciprocal deposits:

- "Agent institution" means an insured depository institution that places a covered deposit through a deposit placement network at other insured depository institutions in amounts that are less than or equal to the standard maximum deposit insurance amount, specifying the interest rate to be paid for such amounts, if the insured depository institution:
 - When most recently examined under [section 10\(d\) of the Federal Deposit Insurance Act](#) (12 U.S.C. 1820(d)) was found to have a composite condition of outstanding or good, and is well capitalized;
 - Has obtained a waiver pursuant to [Section 337.6\(c\) of the FDIC's regulations](#); or
 - Does not receive an amount of reciprocal deposits that causes the total amount of reciprocal deposits held by the agent institution to be greater than its *special cap*, described below.
- "Covered deposit" means a deposit that (i) is submitted for placement through a deposit placement network by the agent institution; and (ii) does not consist of funds that were obtained for the agent institution, directly or indirectly, by or through a deposit broker before submission for placement through a deposit placement network.
- "Deposit placement network" means a network in which an insured depository institution participates, together with other insured depository institutions, for the processing and receipt of reciprocal deposits.

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- 1.b**
(cont.)
- “Network member bank” means an insured depository institution that is a member of a deposit placement network.
 - “Reciprocal deposits” means deposits received by an agent institution through a deposit placement network with the same maturity (if any) and in the same aggregate amount as covered deposits placed by the agent institution in other network member banks.

All reciprocal deposits, whether they are brokered reciprocal deposits or not, should be reported in Schedule RC-E, Memorandum item 1.g, below.

Deposits placed and received through a “deposit placement network” that are not “covered deposits” under [Section 337.6\(b\)\(2\)\(ii\)\(e\)\(2\)\(ii\) of the FDIC’s regulations](#) must be reported as brokered deposits in this Memorandum item 1.b.

General Cap

Under the *general cap*, an agent institution may except reciprocal deposits from treatment as brokered deposits up to the lesser of \$5 billion or an amount equal to 20 percent of the agent institution’s total liabilities. An agent institution that holds reciprocal deposits in excess of the *general cap* should report such excess deposits as brokered deposits in this Memorandum item 1.b (and as brokered reciprocal deposits in Schedule RC-O, item 9, and, if applicable, item 9.a), and include such excess deposits as part of its total reciprocal deposits in Schedule RC-E, Memorandum item 1.g,

Special Cap

A *special cap* applies if the institution is either not well rated or not well capitalized.¹ The special cap is defined as:

“the average amount of reciprocal deposits held by the agent institution on the last day of each of the 4 calendar quarters preceding the calendar quarter in which the agent institution was found not to have a composite condition of outstanding or good or was determined to be not well capitalized.”

In no event, however, can an institution’s non-brokered reciprocal deposits exceed the *general cap*.

An institution that is not well rated or not well capitalized may qualify as an “agent institution” if:

- (1) The amount of reciprocal deposits that the institution holds as of the first reporting period of being subject to the special cap is below or equal to the special cap and, in any reporting period that it remains subject to the special cap, it does not subsequently receive reciprocal deposits that cause the total amount of reciprocal deposits to exceed the special cap; OR
- (2) The amount of reciprocal deposits that it holds as of the first quarter of being subject to the special cap is above the special cap, if such deposits were received before the institution became subject to the special cap and, in any reporting period that it remains

¹ See generally, [12 CFR Part 324, Subpart H](#) (FDIC); [12 CFR Part 208, Subpart D](#) (Federal Reserve Board); [12 CFR Part 6](#) (OCC). [12 U.S.C. 1831o](#). “Well capitalized” is defined in [12 CFR 337.6\(a\)\(3\)\(i\)](#).

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1.b subject to the special cap, it does not subsequently receive reciprocal deposits that cause
(cont.) the total amount of reciprocal deposits to exceed the special cap and the institution
 satisfies all other qualifications necessary to be an agent institution.

If an institution, subject to the *special cap*, receives reciprocal deposits that cause its total reciprocal deposits to be greater than the *special cap*, the institution will no longer meet the definition of "agent institution" and all of its reciprocal deposits should be reported as brokered deposits in this Memorandum item 1.b (and as brokered reciprocal deposits in Schedule RC-O, item 9, and, if applicable, item 9.a) and as total reciprocal deposits in Schedule RC-E, Memorandum item 1.g.

An institution shall consider the effective date of a CAMELS composite rating to be the date of written notification to the institution by its primary federal regulator, or state authority, of its supervisory rating.

An institution that is not well capitalized or that has composite supervisory rating of other than outstanding (CAMELS "1") or good (CAMELS "2") as of the quarter-end date of the Call Report for which the institution is filing shall calculate the special cap by:

- (1) Determining the most recent calendar quarter in which the institution was both well capitalized and had a composite CAMELS rating of "1" or "2" at quarter-end.
- (2) Calculating the average of the total amount of reciprocal deposits held by the institution on the last day of the calendar quarter determined above (in the preceding step) and on each of the three preceding calendar quarters.

To illustrate how an institution should calculate the special cap, consider the examples after the instructions to Schedule RC-E, Memorandum item 7.

1.c **Brokered deposits of \$250,000 or less (fully insured brokered deposits).** Report in this
item all fully insured brokered deposits (as defined in the Glossary entry for "brokered
deposits") included in Schedule RC-E, Memorandum item 1.b, above. Include brokered
deposits with balances of \$250,000 or less and time deposits issued to deposit brokers in the
form of certificates of deposit of more than \$250,000 that have been participated out by the
broker in shares with balances of \$250,000 or less.

In some cases, brokered certificates of deposit are issued in \$1,000 amounts under a master certificate of deposit issued by a bank to a deposit broker in an amount that exceeds \$250,000. For these so-called "retail brokered deposits," multiple purchases by individual depositors from an individual bank normally do not exceed the applicable deposit insurance limit (currently \$250,000), but under current deposit insurance rules the deposit broker is not required to provide information routinely on these purchasers and their account ownership capacity to the bank issuing the deposits. If this information is not readily available to the issuing bank, these brokered certificates of deposit in \$1,000 amounts may be rebuttably presumed to be fully insured brokered deposits and should be reported in this item. In addition, some brokered deposits are transaction accounts or money market deposit accounts (MMDAs) that are denominated in amounts of \$0.01 and established and maintained by the deposit broker (or its agent) as agent, custodian, or other fiduciary for the broker's customers. An individual depositor's deposits within the brokered transaction account or MMDA normally do not exceed the applicable deposit insurance limit. As with retail brokered deposits, if information on these depositors and their account ownership capacity is not readily available to the bank establishing the transaction account or MMDA,

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1.c the amounts in the transaction account or MMDA may be rebuttably presumed to be fully
(cont.) insured brokered deposits and should be reported in this item.

The dollar amount used as the basis for reporting fully insured brokered deposits in this Memorandum item reflects the deposit insurance limit in effect on the report date. At present, this limit is \$250,000.

1.d **Maturity data for brokered deposits.** Report in the appropriate subitem the indicated maturity data for brokered deposits (as defined in the Glossary entry for "brokered deposits") included in Schedule RC-E, Memorandum item 1.b, above.

1.d.(1) **Brokered deposits of \$250,000 or less with a remaining maturity of one year or less.**
Report in this item those brokered time deposits with balances of \$250,000 or less reported in Schedule RC-E, Memorandum item 1.c, above that have a remaining maturity of one year or less. Remaining maturity is the amount of time remaining from the report date until the final contractual maturity of a brokered deposit. Also report in this item all brokered demand and savings deposits with balances of \$250,000 or less that were reported in Schedule RC-E, Memorandum item 1.c, above.

1.d.(2) Not applicable.

1.d.(3) **Brokered deposits of more than \$250,000 with a remaining maturity of one year or less.**
Report in this item those brokered time deposits with balances of more than \$250,000 reported in Schedule RC-E, Memorandum item 1.b, above that have a remaining maturity of one year or less. Remaining maturity is the amount of time remaining from the report date until the final contractual maturity of a brokered deposit. Also report in this item all brokered demand and savings deposits with balances of more than \$250,000 that were reported in Schedule RC-E, Memorandum item 1.b, above.

1.e **Preferred deposits.** (This item is to be reported for the December 31 report only.)
Report in this item all deposits of states and political subdivisions in the U.S. included in Schedule RC-E, item 3, columns A and C above, which are secured or collateralized as required under state law. Exclude deposits of the U.S. Government which are secured or collateralized as required under federal law. Also exclude deposits of trust funds which are secured or collateralized as required under state law unless the beneficiary is a state or political subdivision in the U.S. The amount reported in this memorandum item must be less than the sum of Schedule RC-E, item 3, column A, and item 3, column C, above.

State law may require a bank to pledge securities (or other readily marketable assets) to cover the uninsured portion of the deposits of a state or political subdivision. If the bank has pledged securities with a value that exceeds the amount of the uninsured portion of the state or political subdivision's deposits, only the uninsured amount (and none of the insured portion of the deposits) should be reported as a "preferred deposit." For example, a political subdivision has \$450,000 in deposits at a bank which, under state law, is required to pledge securities to cover only the uninsured portion of such deposits (\$200,000 in this example). The bank has pledged securities with a value of \$300,000 to secure these deposits. Only the \$200,000 uninsured amount of the political subdivision's \$450,000 in deposits, given the currently applicable \$250,000 deposit insurance limit, would be considered "preferred deposits."

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1.e
(cont.) In other states, banks must participate in a state public deposits program in order to receive deposits from the state or from political subdivisions within the state in amounts that would not be covered by federal deposit insurance. Under state law in such states, the value of the securities a bank must pledge to the state is calculated annually, but represents only a percentage of the uninsured portion of its public deposits. Institutions participating in the state program may potentially be required to share in any loss to public depositors incurred in the failure of another participating institution. As long as the value of the securities pledged to the state exceeds the calculated requirement, all of the bank's uninsured public deposits are protected from loss under the operation of the state program if the bank fails and, therefore, all of the uninsured public deposits are considered "preferred deposits." For example, a bank participating in a state public deposits program has \$1,600,000 in public deposits under the program from four political subdivisions and \$700,000 of this amount is uninsured, given the currently applicable \$250,000 deposit insurance limit. The bank's most recent calculation indicates that it must pledge securities with a value of at least \$77,000 to the state in order to participate in the state program. The bank has pledged securities with an actual value of \$80,000. The bank should report the \$700,000 in uninsured public deposits as "preferred deposits."

1.f **Estimated amount of deposits obtained through the use of deposit listing services that are not brokered deposits.** Report in this Memorandum item the estimated amount of all nonbrokered deposits obtained through the use of deposit listing services included in total deposits (Schedule RC-E, sum of item 7, columns A and C), regardless of size or type of deposit instrument.

The objective of this Memorandum item is not to capture all deposits obtained through the Internet, such as deposits that a bank receives because a person or entity has seen the rates the bank has posted on its own Web site or on a rate-advertising Web site that has picked up and posted the bank's rates on its site without the bank's authorization. Rather, the objective of this Memorandum item is to collect the estimated amount of deposits obtained as a result of action taken by the bank to have its deposit rates listed by a listing service, and the listing service is compensated for this listing either by the bank whose rates are being listed or by the persons or entities who view the listed rates. A bank should establish a reasonable and supportable estimation process for identifying listing service deposits that meet these reporting parameters and apply this process consistently over time. However, for those nonbrokered deposits acquired through the use of a deposit listing service that offers deposit tracking, the actual amount of listing service deposits, rather than an estimate, should be reported.

When a nonbrokered time deposit obtained through the use of a deposit listing service is renewed or rolled over at maturity, the time deposit should continue to be reported in this item as a listing service deposit if the reporting institution continues to have its time deposit rates listed by a listing service and the listing service is compensated for this listing as described above. In contrast, if the reporting institution no longer has its time deposit rates listed by a listing service when a nonbrokered listing service time deposit matures and is renewed or rolled over by the depositor, the time deposit would no longer need to be reported as a listing service deposit after the renewal or rollover. The reporting institution should continue to report nonbrokered listing service deposits other than time deposits in this item as long as the reporting institution continues to have its deposit rates for the same type of deposit (e.g., NOW account, money market deposit account) listed by a listing service and the listing service is compensated for this listing as described above.

Memoranda**Item No. Caption and Instructions**

1.f
(cont.) If the reporting institution has merged with or acquired another institution that had obtained nonbrokered deposits through the use of deposit listing services, these deposits would continue to be regarded as listing service deposits after the merger or acquisition. In this situation, the reporting institution should determine whether it must continue to report these deposits as listing service deposits after the merger or acquisition in accordance with the guidance in the preceding paragraph.

Exclude from this item all brokered deposits reported in Schedule RC-E, Memorandum item 1.b.

A deposit listing service is a company that compiles information about the interest rates offered on deposits, such as certificates of deposit, by insured depository institutions. A particular company could be a deposit listing service (compiling information about certificates of deposits) as well as a deposit broker (facilitating the placement of certificates of deposit). A deposit listing service is not a deposit broker if all of the following four criteria are met:

- (1) The listing service is not involved in placing deposits. Any funds to be invested in deposit accounts are remitted directly by the depositor to the insured depository institution and not, directly or indirectly, by or through the listing service.
- (2) The person or entity providing the listing service is compensated solely by means of subscription fees (i.e., the fees paid by subscribers as payment for their opportunity to see the rates gathered by the listing service) and/or listing fees (i.e., the fees paid by depository institutions as payment for their opportunity to list or “post” their rates). The listing service does not require a depository institution to pay for other services offered by the listing service or its affiliates as a condition precedent to being listed.
- (3) The fees paid by depository institutions are flat fees: they are not calculated on the basis of the number or dollar amount of deposits accepted by the depository institution as a result of the listing or “posting” of the depository institution’s rates.
- (4) In exchange for these fees, the listing service performs no services except (A) the gathering and transmission of information concerning the availability of deposits; and/or (B) the transmission of messages between depositors and depository institutions (including purchase orders and trade confirmations). In publishing or displaying information about depository institutions, the listing service must not attempt to steer funds toward particular institutions (except that the listing service may rank institutions according to interest rates and also may exclude institutions that do not pay the listing fee). Similarly, in any communications with depositors or potential depositors, the listing service must not attempt to steer funds toward particular institutions.

1.g **Total reciprocal deposits.** Report in this Memorandum item the total amount of the reporting institution’s reciprocal deposits as of the report date that are included in the institution’s total deposits (Schedule RC-E, sum of item 7, columns A and C). As defined in [Section 337.6\(e\)\(2\)\(v\) of the FDIC’s regulations](#), “reciprocal deposits” means “deposits received by an agent institution through a deposit placement network with the same maturity (if any) and in the same aggregate amount as covered deposits placed by the agent institution in other network member banks.”

An institution should report its total reciprocal deposits in this Memorandum item 1.g, including any reciprocal deposits that are reported as brokered deposits in Schedule RC-E, Memorandum item 1.b (and, if applicable, in Memorandum items 1.c and 1.d), and as brokered reciprocal deposits in Schedule RC-O, item 9 (and, if applicable, in item 9.a).

Memoranda**Item No. Caption and Instructions**

1.g
(cont.) In this regard, if an institution, subject to the *special cap*, receives reciprocal deposits that cause its total reciprocal deposits to be greater than the *special cap*, the institution will no longer meet the definition of “agent institution,” but the institution should report all of its reciprocal deposits in this Memorandum item 1.g (and as brokered deposits in Schedule RC-E, Memorandum item 1.b, and as brokered reciprocal deposits in Schedule RC-O, item 9, and, if applicable, item 9.a). See the instructions for Schedule RC-E, Memorandum item 1.b, for the definitions of “special cap” and “agent institution.”

Funds obtained through a deposit placement network, with the assistance of a deposit broker, should only be reported as brokered deposits in Schedule RC-E, Memorandum item 1.b, and, if applicable, in Memorandum items 1.c and 1.d, and should not be reported in this Memorandum item 1.g as total reciprocal deposits.

For an institution that is not well capitalized or not well rated, the amount reported in this Memorandum item will be used to compute the institution’s average amount of reciprocal deposits held at quarter-end during the last four quarters preceding the quarter that the institution fell below well capitalized or well rated. This average will be used to determine whether the institution meets the third prong of the definition of “agent institution” under Section 202 of the Economic Growth, Regulatory Relief, and Consumer Protection Act and [Section 337.6\(e\)\(2\)\(i\) of the FDIC’s regulations](#). Section 202 and [Section 337.6\(e\)\(2\)\(i\)](#) allow an institution to meet the “agent institution” definition, and exclude certain reciprocal deposits from its brokered deposits, if it does not receive reciprocal deposits that cause its total reciprocal deposits to exceed the four-quarter average mentioned above.

2 **Components of total nontransaction accounts.** Memorandum item 2 divides total nontransaction accounts into two major categories: savings deposits (Memorandum items 2.a.(1) and 2.a.(2)) and time deposits (Memorandum items 2.b, 2.c, and 2.d). The sum of Memorandum items 2.a.(1) and 2.a.(2) equals total savings deposits. The sum of Memorandum items 2.b, 2.c, and 2.d equals total time deposits. The sum of Memorandum items 2.a.(1) and 2.a.(2) (savings deposits) and Memorandum items 2.b, 2.c, and 2.d (time deposits) equals total nontransaction deposits reported in item 7, column C, above.

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2
(cont.)

Include as time deposits in Memorandum items 2.b, 2.c, and 2.d:

- (1) All time deposits (as defined in the Glossary entry for "deposits") with original maturities of seven days or more that are not classified as transaction accounts.
- (2) Interest paid by crediting time deposit accounts.

2.a

Savings deposits. Report in the appropriate subitem all savings deposits included in column C above. See the Glossary entry for "deposits" for the definition of savings deposits.

Include as savings deposits in Memorandum items 2.a.(1) and 2.a.(2) interest paid by crediting savings deposit accounts.

Exclude from Memorandum items 2.a.(1) and 2.a.(2):

- (1) NOW accounts, ATS accounts, and telephone or preauthorized transfer accounts that meet the definition of a transaction account (report in Schedule RC-E, column A, as transaction accounts).
- (2) Special passbook or statement accounts, such as "90-day notice accounts," "golden passbook accounts," or deposits labeled as "savings certificates," that have a specified original maturity of seven days or more (report as time deposits in Schedule RC-E, Memorandum item 2.b, 2.c, or 2.d, below).
- (3) Interest accrued on savings deposits but not yet paid or credited to a deposit account (exclude from this schedule and report in Schedule RC-G, item 1.a, "Interest accrued and unpaid on deposits").

2.a.(1)

Money market deposit accounts (MMDAs). Report in this item the total amount of all money market deposit accounts (MMDAs) that are included in Schedule RC-E, column C, above. See the Glossary entry for "deposits" for the definition of money market deposit accounts.

2.a.(2)

Other savings deposits. Report in this item the total amount of all other savings deposits that are included in Schedule RC-E, column C, above. This item includes those accounts commonly known as passbook savings and statement savings. See the Glossary entry for "deposits" for the definition of other savings deposits.

2.b

Total time deposits of less than \$100,000. Report in this item all time deposits included in Schedule RC-E, column C, above with balances of less than \$100,000. This item includes both time certificates of deposit and open-account time deposits with balances of less than \$100,000, regardless of negotiability or transferability. This item also includes time deposits issued to deposit brokers in the form of large (\$100,000 or more) certificates of deposit that have been participated out by the broker in shares of less than \$100,000. In addition, if the bank has issued a master certificate of deposit to a deposit broker in an amount that exceeds \$100,000 and under which brokered certificates of deposit are issued in \$1,000 amounts (so-called "retail brokered deposits"), individual depositors who purchase multiple certificates issued by the bank normally do not exceed the applicable deposit insurance limit (currently \$250,000). Under current deposit insurance rules the deposit broker is not required to

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2.b
(cont.) provide information routinely on these purchasers and their account ownership capacity to the bank issuing the deposits. If this information is not readily available to the issuing bank, these brokered certificates of deposit in \$1,000 amounts should be reported in this item as time deposits of less than \$100,000.

Exclude from this item all time deposits with balances of \$100,000 or more (report in Schedule RC-E, Memorandum items 2.c and 2.d, below).

2.c **Total time deposits of \$100,000 through \$250,000.** Report in this item all time deposits included in Schedule RC-E, column C, above with balances of \$100,000 through \$250,000. This item includes both time certificates of deposit and open-account time deposits with balances of \$100,000 through \$250,000, regardless of negotiability or transferability.

Exclude from this item and from Schedule RC-E, Memorandum item 2.d, below:

- all time deposits issued to deposit brokers in the form of large (\$100,000 or more) certificates of deposit that have been participated out by the broker in shares of less than \$100,000, and
- all time deposits with balances of less than \$100,000,

which should be reported in Schedule RC-E, Memorandum item 2.b, above.

NOTE: Banks should include as time deposits of \$100,000 through \$250,000 those time deposits originally issued in denominations of less than \$100,000 that, because of interest paid or credited, or because of additional deposits, now have balances of \$100,000 through \$250,000.

2.d **Total time deposits of more than \$250,000.** Report in this item all time deposits included in Schedule RC-E, column C, above with balances of more than \$250,000. This item includes both time certificates of deposit and open-account time deposits with balances of more than \$250,000, regardless of negotiability or transferability.

NOTE: Banks should include as time deposits of more than \$250,000 those time deposits originally issued in denominations of \$250,000 or less that, because of interest paid or credited, or because of additional deposits, now have balances of more than \$250,000.

2.e **Individual Retirement Accounts (IRAs) and Keogh Plan accounts included in Memorandum items 2.c and 2.d above.** Report in this item all IRA and Keogh Plan time deposits of \$100,000 or more included in Schedule RC-E, Memorandum items 2.c and 2.d, above. These IRA and Keogh Plan time deposits will also have been included in Schedule RC-E, Memorandum item 1.a., "Total Individual Retirement Accounts (IRAs) and Keogh Plan accounts."

IRAs include traditional IRAs, Roth IRAs, Simplified Employee Pension (SEP) IRAs, and SIMPLE IRAs. Exclude deposits in "Section 457" deferred compensation plans and self-directed defined contribution plans, which are primarily 401(k) plan accounts. Also exclude deposits in Health Savings Accounts, Medical Savings Accounts, and Coverdell Education Savings Accounts (formerly known as Education IRAs).

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- 3 Maturity and repricing data for time deposits of \$250,000 or less.** Report in the appropriate subitem maturity and repricing data for the bank's time deposits of \$250,000 or less, i.e., the bank's time certificates of deposit of \$250,000 or less and the bank's open-account time deposits of \$250,000 or less. The time deposits included in this item will have been reported in Schedule RC-E, Memorandum items 2.b and 2.c, above. Therefore, the sum of the amounts reported in Schedule RC-E, Memorandum items 3.a.(1) through 3.a.(4), must equal the sum of Schedule RC-E, Memorandum items 2.b and 2.c, above.

For purposes of this memorandum item and Schedule RC-E, Memorandum item 4, the following definitions apply:

A fixed interest rate is a rate that is specified at the origination of the transaction, is fixed and invariable during the term of the time deposit, and is known to both the bank and the depositor. Also treated as a fixed interest rate is a predetermined interest rate which is a rate that changes during the term of the time deposit on a predetermined basis, with the exact rate of interest over the life of the time deposit known with certainty to both the bank and the depositor when the time deposit is acquired.

A floating rate is a rate that varies, or can vary, in relation to an index, to some other interest rate such as the rate on certain U.S. Government securities or the bank's "prime rate," or to some other variable criterion the exact value of which cannot be known in advance. Therefore, the exact rate the time deposit carries at any subsequent time cannot be known at the time the time deposit is received by the bank or subsequently renewed.

When the rate on a time deposit with a floating rate has reached a contractual floor or ceiling level, the time deposit is to be treated as "fixed rate" rather than as "floating rate" until the rate is again free to float.

Remaining maturity is the amount of time remaining from the report date until the final contractual maturity of a time deposit.

Next repricing date is the date the interest rate on a floating rate time deposit can next change in accordance with the terms of the contract or the contractual maturity date of the deposit, whichever is earlier.

Banks whose records or information systems provide data on the final contractual maturities and next repricing dates of their time deposits for time periods that closely approximate the maturity and repricing periods specified in this Memorandum item and Schedule RC-E, Memorandum item 4 (e.g., 89 or 90 days rather than three months, 359 or 360 days rather than 12 months) may use these data to complete this Memorandum item and Schedule RC-E, Memorandum item 4.

Time deposits held in Individual Retirement Accounts (IRAs) and Keogh Plan accounts should be reported without regard to distribution schedules that may be in effect for funds held in certain depositors' accounts. Such time deposits should be reported in this Memorandum item and in Schedule RC-E, Memorandum item 4, in the same manner as time deposits not held in IRAs and Keogh Plan accounts.

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3
(cont.) Noninterest-bearing time deposits should be treated as fixed rate time deposits and reported according to the amount of time remaining until the final contractual maturity in this Memorandum item and in Schedule RC-E, Memorandum item 4.

Fixed rate time deposits that offer the depositor the option to reset the interest rate on the deposit to a current market rate one time during the term of the deposit should be treated as fixed rate deposits and reported based on their remaining maturity.

Fixed rate time deposits that are callable at the option of the issuing bank should be reported according to their remaining maturity without regard to their next call date unless the time deposit has actually been called. When fixed rate time deposits have been called, they should be reported on the basis of the time remaining until the call date. Callable floating rate time deposits should be reported on the basis of their next repricing date, without regard to their next call date unless the time deposit has actually been called. Floating rate time deposits that have been called should be reported on the basis of their next repricing date or their actual call date, whichever is earlier.

Fixed rate time deposits that provide depositors with the option to redeem them at one or more specified dates prior to their contractual maturity date without penalty should be reported according to their remaining maturity without regard to "put" dates if the depositor has not exercised the "put." If a redemption option has been exercised, however, such deposits should be reported on the basis of the time remaining until the date on which the time deposit will be redeemed. Floating rate time deposits that provide depositors with redemption options without penalty should be reported on the basis of their next repricing date without regard to the "put" dates if the depositor has not exercised the "put." If a redemption option has been exercised but the time deposit has not yet been redeemed, the deposit should be reported on the basis of its next repricing date or its scheduled redemption date, whichever is earlier.

3.a Time deposits of \$250,000 or less with a remaining maturity or next repricing date of.

Report the dollar amount of the bank's fixed rate time deposits of \$250,000 or less in the appropriate subitems according to the amount of time remaining to their final contractual maturities. Report the dollar amount of the bank's floating rate time deposits of \$250,000 or less in the appropriate subitems according to their next repricing dates.

3.a.(1) Three months or less. Report the dollar amount of:

- the bank's fixed rate time deposits of \$250,000 or less with remaining maturities of three months or less, and
- the bank's floating rate time deposits of \$250,000 or less with the next repricing date occurring in three months or less.

3.a.(2) Over three months through 12 months. Report the dollar amount of:

- the bank's fixed rate time deposits of \$250,000 or less with remaining maturities of over three months through 12 months, and
- the bank's floating rate time deposits of \$250,000 or less with the next repricing date occurring in over three months through 12 months.

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3.a.(3) Over one year through three years. Report the dollar amount of:

- the bank's fixed rate time deposits of \$250,000 or less with remaining maturities of over one year through three years, and
- the bank's floating rate time deposits of \$250,000 or less with the next repricing date occurring in over one year through three years.

3.a.(4) Over three years. Report the dollar amount of:

- the bank's fixed rate time deposits of \$250,000 or less with remaining maturities of over three years, and
- the bank's floating rate time deposits of \$250,000 or less with the next repricing date occurring in over three years.

3.b Time deposits of \$250,000 or less with a remaining maturity of one year or less. Report all time deposits of \$250,000 or less with a remaining maturity of one year or less. Include both fixed rate and floating rate time deposits of \$250,000 or less.

The fixed rate time deposits that should be included in this item will also have been reported by remaining maturity in Schedule RC-E, Memorandum items 3.a.(1) and 3.a.(2), above. The floating rate time deposits that should be included in this item will have been reported by next repricing date in Memorandum items 3.a.(1) and 3.a.(2), above. However, Memorandum items 3.a.(1) and 3.a.(2) may include floating rate time deposits with a remaining maturity of more than one year, but on which the interest rate can next change in one year or less; those time deposits should not be included in this Memorandum item 3.b.

4 Maturity and repricing data for time deposits of more than \$250,000. Report in the appropriate subitem maturity and repricing data for the bank's time deposits of more than \$250,000, i.e., the bank's time certificates of deposit of more than \$250,000 and the bank's open-account time deposits of more than \$250,000. The time deposits included in this item will have been reported in Schedule RC-E, Memorandum item 2.d, above. Therefore, the sum of the amounts reported in Schedule RC-E, Memorandum items 4.a.(1) through 4.a.(4) must equal Schedule RC-E, Memorandum item 2.d, above. Refer to the definitions and other instructions about time deposits in Schedule RC-E, Memorandum item 3, above.

4.a Time deposits of more than \$250,000 with a remaining maturity or next repricing date of. Report the dollar amount of the bank's fixed rate time deposits of more than \$250,000 in the appropriate subitems according to the amount of time remaining to their final contractual maturities. Report the dollar amount of the bank's floating rate time deposits of more than \$250,000 in the appropriate subitems according to their next repricing dates.

4.a.(1) Three months or less. Report the dollar amount of:

- the bank's fixed rate time deposits of more than \$250,000 with remaining maturities of three months or less, and
- the bank's floating rate time deposits of more than \$250,000 with the next repricing date occurring in three months or less.

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4.a.(2) Over three months through 12 months. Report the dollar amount of:

- the bank's fixed rate time deposits of more than \$250,000 with remaining maturities of over three months through 12 months, and
- the bank's floating rate time deposits of more than \$250,000 with the next repricing date occurring in over three months through 12 months.

4.a.(3) Over one year through three years. Report the dollar amount of:

- the bank's fixed rate time deposits of more than \$250,000 with remaining maturities of over one year through three years, and
- the bank's floating rate time deposits of more than \$250,000 with the next repricing date occurring in over one year through three years.

4.a.(4) Over three years. Report the dollar amount of:

- the bank's fixed rate time deposits of more than \$250,000 with remaining maturities of over three years, and
- the bank's floating rate time deposits of more than \$250,000 with the next repricing date occurring in over three years.

4. b Time deposits of more than \$250,000 with a remaining maturity of one year or less.
Report all time deposits of more than \$250,000 with a remaining maturity of one year or less. Include both fixed rate and floating rate time deposits of more than \$250,000.

The fixed rate time deposits that should be included in this item will also have been reported by remaining maturity in Schedule RC-E, Memorandum items 4.a.(1) and 4.a.(2), above. The floating rate time deposits that should be included in this item will have been reported by next repricing date in Memorandum items 4.a.(1) and 4.a.(2), above. However, Memorandum items 4.a.(1) and 4.a.(2) may include floating rate time deposits with a remaining maturity of more than one year, but on which the interest rate can next change in one year or less; those time deposits should not be included in this Memorandum item 4.b.

NOTE: Schedule RC-E, Memorandum item 5, is to be completed semiannually in the June and December reports only.

5 Does your institution offer one or more consumer deposit account products, i.e., transaction account or nontransaction savings account deposit products intended primarily for individuals for personal, household, or family use? Indicate in the boxes marked "Yes" and "No" whether your institution offers one or more transaction account or nontransaction savings account deposit products intended, marketed, or presented to the public primarily for consumer use, i.e., deposit products offered primarily to individuals for personal, household, and family use. For purposes of this item, consumer deposit account products exclude (1) time deposits, (2) certified and official checks, and (3) pooled funds and commercial products with sub-account structures, such as escrow accounts, that are held for individuals but not eligible for consumer transacting, saving, or investing. Consumer deposit account products also exclude Health Savings Accounts, Medical Savings Accounts, and Coverdell Education Savings Accounts when such accounts are offered in the form of pooled funds and commercial products.

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(cont.) Your institution should answer “Yes” if it offers one or more transaction account or nontransaction savings account deposit products intended primarily for consumer use even if it also offers other transaction account or nontransaction savings account deposit products intended for use by a broad range of depositors (which may include individuals) rather than being intended, marketed, or presented to the public primarily for individuals for consumer use and regardless of whether the products intended, marketed, or presented to the public primarily for consumer use carry the same terms as other deposit products intended for use by a broad range of depositors (which may include individuals).

Your institution should answer “No” if all of the transaction account and nontransaction savings account deposit products it offers are intended for use by a broad range of depositors (which may include individuals) or by non-consumer depositors and none of these products is intended, marketed, or presented to the public primarily for individuals for personal, household, or family use.

Transaction accounts include demand deposits, negotiable order of withdrawal (NOW) accounts, automatic transfer service (ATS) accounts, and telephone and preauthorized transfer accounts. Nontransaction savings accounts include money market deposit accounts (MMDAs) and other savings deposits. For the definitions of these types of accounts, see the Glossary entry for “deposits.”

NOTE: Memorandum items 6 and 7 are to be completed annually in the December report only by institutions with \$1 billion or more in total assets¹ that answered “Yes” to Schedule RC-E, Memorandum item 5, above.

6 and 7 **General Instructions for Consumer Deposit Account Balances** – Once a customer has opened a deposit account with the reporting institution that is a deposit product intended primarily for individuals for personal, household, or family use, the institution is not required thereafter to review the customer’s status or usage of the account to determine whether the transaction account is being used for personal, household, or family purposes. Thus, when reporting the amount of consumer deposit account balances in Memorandum items 6 and 7 of Schedule RC-E, the reporting institution is not required to identify those individual accounts within the population of a particular consumer deposit account product that are not being used for personal, household, or family purposes and remove the balances of these accounts from the total amount of deposit balances held in that consumer deposit account product.

An institution may have established a retail sweep arrangement for a transaction account deposit product that is offered primarily to individuals for personal, household, and family use. Under the sweep arrangement, the institution transfers funds between a customer’s transaction account and that customer’s nontransaction account. The “Reporting of Retail Sweep Arrangements Affecting Transaction and Nontransaction Accounts” section of the Glossary entry for “deposits” identifies three criteria that must be met in order for a retail sweep program to comply with the Federal Reserve Regulation D definitions of “transaction account” and nontransaction “savings account.” The retail sweeps section of that Glossary entry further provides that if all three criteria are met, an institution must report the transaction account and nontransaction account components of a retail sweep program separately when

¹ In general, the determination as to whether an institution has \$1 billion or more in total assets is measured as of June 30 of the previous calendar year. See pages 6a and 7 of the General Instructions for guidance on shifts in reporting status.

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6 and 7
(cont.) it reports its quarter-end deposit information in Schedule RC-E and certain other schedules. Thus, this separate reporting of the two components of a retail sweep program applies to the reporting of consumer deposit account balances in Memorandum items 6 and 7 of Schedule RC-E.

6 **Components of total transaction account deposits of individuals, partnerships, and corporations.** Report in the appropriate subitem the specified component of total transaction account deposits of individuals, partnerships, and corporations. The sum of Memorandum items 6.a and 6.b plus the total deposits in all other transaction account deposits of individuals, partnerships, and corporations must equal Schedule RC-E, item 1, column A, above.

If an institution offers one or more transaction account deposit products intended, marketed, or presented to the public primarily for individuals for personal, household, or family use, but has other transaction account deposit products intended for a broad range of depositors (which may include individuals who would use the product for personal, household, or family use), the institution should exclude the entire amount of these latter transaction account deposit products from Memorandum items 6.a and 6.b. For example, if an institution has a single negotiable order of withdrawal (NOW) account deposit product that it offers to all depositors eligible to hold such accounts, including individuals, sole proprietorships, certain nonprofit organizations, and certain government units, the institution would exclude the entire amount of its NOW accounts from Memorandum items 6.a and 6.b. The institution should not identify the NOW accounts held by individuals for personal, household, or family use and report the amount of these accounts in Memorandum item 6.b, above.

6.a **Total deposits in those noninterest-bearing transaction account deposit products intended primarily for individuals for personal, household, or family use.** Report the amount of deposits reported in Schedule RC-E, item 1, column A, held in noninterest-bearing *transaction* accounts intended, marketed, or presented to the public primarily for individuals for personal, household, or family use. Exclude certified and official checks as well as pooled funds and commercial products with sub-account structures, such as escrow accounts, that are held for individuals but not eligible for consumer transacting, saving, or investing.

6.b **Total deposits in those interest-bearing transaction account deposit products intended primarily for individuals for personal, household, or family use.** Report the amount of deposits reported in Schedule RC-E, item 1, column A, held in interest-bearing *transaction* accounts intended, marketed, or presented to the public primarily for individuals for personal, household, or family use. Exclude pooled funds and commercial products with sub-account structures, such as escrow accounts, that are held for individuals but not eligible for consumer transacting, saving, or investing.

7 **Components of total nontransaction savings account deposits of individuals, partnerships, and corporations.** Report in the appropriate subitem the specified component of total nontransaction savings account deposits of individuals, partnerships, and corporations. Exclude all time deposits of individuals, partnerships, and corporations reported in Schedule RC-E, item 1, column C. The sum of Memorandum items 7.a.(1), 7.a.(2), 7.b.(1), and 7.b.(2) plus all time deposits of individuals, partnerships, and corporations must equal Schedule RC-E, item 1, column C, above.

If an institution offers one or more nontransaction savings account deposit products intended, marketed, or presented to the public primarily for individuals for personal, household, or

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(cont.) family use, but has other nontransaction savings account deposit products intended for a broad range of depositors (which may include individuals who would use the product for personal, household, or family use), the institution should report the entire amount of these latter nontransaction savings account deposit products in Memorandum item 7.a.(2) or 7.b.(2), as appropriate.
- 7.a** **Money market deposit accounts (MMDAs) of individuals, partnerships, and corporations.** Report in the appropriate subitem the specified component of MMDA deposits of individuals, partnerships, and corporations reported in Schedule RC-E, item 1, column C, above. The sum of Memorandum items 7.a.(1) and 7.a.(2) must be less than or equal to Schedule RC-E, Memorandum item 2.a.(1), above.
- 7.a.(1)** **Total deposits in those MMDA deposit products intended primarily for individuals for personal, household, or family use.** Report the amount of deposits reported in Schedule RC-E, item 1, column C, held in MMDAs intended, marketed, or presented to the public primarily for individuals for personal, household, or family use. Exclude MMDAs in the form of pooled funds and commercial products with sub-account structures, such as escrow accounts, that are held for individuals but not eligible for consumer transacting, saving, or investing.
- 7.a.(2)** **Deposits in all other MMDAs of individuals, partnerships, and corporations.** Report the amount of all other MMDA deposits of individuals, partnerships, and corporations included in Schedule RC-E, item 1, column C, that were not reported in Memorandum item 7.a.(1).
- 7.b** **Other savings deposit accounts of individuals, partnerships, and corporations.** Report in the appropriate subitem the specified component of other savings deposits of individuals, partnerships, and corporations reported in Schedule RC-E, item 1, column C, above. The sum of Memorandum items 7.b.(1) and 7.b.(2) must be less than or equal to Schedule RC-E, Memorandum item 2.a.(2), above.
- 7.b.(1)** **Total deposits in those other savings deposit account deposit products intended primarily for individuals for personal, household, or family use.** Report the amount of deposits reported in Schedule RC-E, item 1, column C, held in other savings deposit accounts intended, marketed, or presented to the public primarily for individuals for personal, household, or family use. Exclude other savings deposit accounts in the form of pooled funds and commercial products with sub-account structures, such as escrow accounts, that are held for individuals but not eligible for consumer transacting, saving, or investing.
- 7.b.(2)** **Deposits in all other savings deposit accounts of individuals, partnerships, and corporations.** Report the amount of all other savings deposits of individuals, partnerships, and corporations included in Schedule RC-E, item 1, column C, that were not reported in Memorandum item 7.b.(1).

Examples – Calculating the Special Cap

(Note: Amounts shown are in thousands of dollars.)

Example 1 – Well capitalized but not well rated

As of March 31, 2019, an institution has \$9,000,000 in liabilities and \$180,000 in total reciprocal deposits, is well capitalized (and has been well capitalized in every quarter for 10 years), but has a composite supervisory rating of “3”. Therefore, the institution is subject to the special cap.

- (1) Determine the most recent calendar quarter in which the institution was both well capitalized and had a composite CAMELS rating of “1” or “2” at quarter-end.

The effective date of the composite CAMELS rating of not “1” or “2” was March 15, 2018, the day the institution was notified in writing of a downgrade from CAMELS “2” to CAMELS “3”. Thus, December 31, 2017, represents the most recent quarter-end that the bank was rated CAMELS “1” or “2” and was well capitalized

- (2) Calculate the average of the total amount of reciprocal deposits held by the institution on the last day of the calendar quarter determined above (in the preceding bullet) and on each of the three preceding calendar quarters.

To calculate the special cap, the institution must calculate the average amount of total reciprocal deposits that it held as of the end of the four quarters ending December 31, 2017, September 30, 2017, June 30, 2017, and March 31, 2017. In this example, the institution received reciprocal deposits as follows for the last quarter in which it was well capitalized and had a composite CAMELS rating of “1” or “2”, and for the three prior quarters:

• December 31, 2017	= \$180,000
• September 30, 2017	= \$300,000
• June 30, 2017	= \$300,000
• March 31, 2017	= \$350,000
• Average for the four quarters	= <u>\$282,500</u>

The special cap would be \$282,500 and the general cap would be \$1,800,000 (the lesser of \$5,000,000 or \$9,000,000 multiplied by 20 percent). In this example, assuming that the institution satisfies all other qualifications necessary to be an agent institution, the institution would meet the definition of an “agent institution.”

For its March 31, 2019, Call Report, the institution would report \$180,000 in total reciprocal deposits in Schedule RC-E, Memorandum item 1.g. Because the institution holds total reciprocal deposits that are below its special cap, it would not have to report any reciprocal deposits as brokered reciprocal deposits in Schedule RC-O, items 9 and 9.a, and would not have to include the reciprocal deposits in its brokered deposits in Schedule RC-E, Memorandum items 1.b, 1.c, and 1.d.

If the institution receives reciprocal deposits that cause its total reciprocal deposits to be greater than \$282,500, it would no longer meet the definition of “agent institution” and all of the institution’s reciprocal deposits would need to be reported as brokered reciprocal deposits in Schedule RC-O, item 9 (and, if applicable, item 9.a), and as total reciprocal deposits in Schedule RC-E, Memorandum item 1.g, and they also would need to be included as part of the institution’s brokered deposits in Schedule RC-E, Memorandum item 1.b (and, if applicable, in Memorandum items 1.c and 1.d).

Examples – Calculating the Special Cap (cont.)**Example 2 – Well rated but not well capitalized**

As of March 31, 2019, an institution has \$5,000,000 in liabilities and \$80,000 in total reciprocal deposits, has a composite CAMELS rating of “2” (and has been “2”-rated in every quarter for 5 years), but is not well capitalized, and has not received a waiver to accept brokered deposits. Therefore, the institution is subject to the special cap.

- (1) Determine the most recent calendar quarter in which the institution was both well capitalized and had a composite CAMELS rating of “1” or “2” at quarter-end.

The bank was last well capitalized as of its September 30, 2017, Call Report. Thus, September 30, 2017, represents the most recent quarter-end that the bank was well capitalized and rated CAMELS “1” or “2”.

- (2) Calculate the average of the total amount of reciprocal deposits held by the institution on the last day of the calendar quarter determined above (in the preceding bullet) and on each of the three preceding calendar quarters.

To calculate the special cap, the institution must calculate the average amount of total reciprocal deposits that it held as of the end of the four quarters ending September 30, 2017, June 30, 2017, March 31, 2017, and December 31, 2016. In the example, the institution held reciprocal deposits as follows for the last quarter in which it was well-capitalized and had a composite CAMELS rating of “1” or “2”, and for the three prior quarters:

• September 30, 2017	= \$100,000
• June 30, 2017	= \$150,000
• March 31, 2017	= \$100,000
• December 31, 2016	= \$0
• Average for the four quarters	= <u>\$87,500</u>

The special cap would be \$87,500 and the general cap would be \$1,000,000 (the lesser of \$5,000,000 or \$5,000,000 multiplied by 20 percent). In this example, assuming that the institution satisfies all other qualifications necessary to be an agent institution, the institution would meet the definition of an “agent institution.”

For its March 31, 2019, Call Report, the institution would report \$80,000 in total reciprocal deposits in Schedule RC-E, Memorandum item 1.g. Because the institution holds total reciprocal deposits that are below its special cap, it would not have to report any reciprocal deposits as brokered reciprocal deposits in Schedule RC-O, items 9 and 9.a, and would not have to include the reciprocal deposits in its brokered deposits in Schedule RC-E, Memorandum items 1.b, 1.c, and 1.d.

The institution may not receive reciprocal deposits that cause its total reciprocal deposits to be greater than \$87,500. Doing so would prevent the institution from meeting the definition of “agent institution” and, as a consequence, all of its reciprocal deposits then would need to be reported as brokered reciprocal deposits in Schedule RC-O, item 9 (and, if applicable, item 9.a), and as total reciprocal deposits in Schedule RC-E, Memorandum item 1.g, and they also would need to be included as part of its brokered deposits in Schedule RC-E, Memorandum item 1.b (and, if applicable, in Memorandum items 1.c and 1.d).¹

¹ Under Section 29 of the Federal Deposit Insurance Act, an insured depository institution that is less than well capitalized is restricted from accepting deposits by or through a deposit broker. The FDIC may waive this restriction if the insured depository institution is adequately capitalized; however, the restriction cannot be waived if the institution is undercapitalized.

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