OCC 1999-29

Subject: Year 2000 FDIC Asset Liability Backup Program **Date: July 12, 1999**	**To: Chief Executive Officers and Chief Information Officers of All National Banks, General Managers of Federal Branches and Agencies, Department and Division Heads, and All Examining Personnel**

Description: Interim Final Rule

by the primary federal regulator (OCC) that the backup program is not needed for that institution.

The FDIC plans to notify institutions in early August 1999 that are subject to the FDIC Asset Liability Backup Program rule. Accordingly, the OCC will indicate to the FDIC which OCC-supervised institutions are exempt from the rule. The OCC anticipates that relatively few OCC-supervised institutions will be required to complete programming and testing as specified by the rule. For those OCC-supervised institutions that are subject to the rule, they will be required to complete programming and testing of the required backup program by September 30, 1999, and to deliver a sample output file to the FDIC no later than October 31, 1999. The backup files must be produced as part of the institution's normal nightly processing or from routine nightly backup programs and are required beginning on December 24, 1999, until as late as June 30, 2000.

Questions concerning the rule may be directed to Year 2000 Bank Supervision Policy at (202) 874-2340.

Emory W. Rushton
Senior Deputy Comptroller
for Bank Supervision Policy

Related Links

- 64 FR 30869

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FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Part 331

RIN 3064-AC23

Asset and Liability Backup Program

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Interim final rule; request for comment.

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

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

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

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

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

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

SUPPLEMENTARY INFORMATION:

I. Background

A. Introduction

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

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

B. The Rule's Benefits

1. The Rule Will Maintain Confidence in the Industry
     Congress created the FDIC in 1933 to restore public confidence in
the nation's banking system at a time of severe financial stress. For
over 65 years FDIC deposit insurance has helped ensure the stability of
the financial system by providing for the timely and accurate funding
of insured deposits and the consequent confidence in the U.S. banking
system in times of financial stress. The FDIC's ability to make insured
deposits available expeditiously, and resolve failed institutions
quickly, was critical during the bank and thrift crisis of the 1980s
and early 1990s. Despite the many bank and thrift closings during that
period, there were no serious runs on, or credit flow disruptions at,
FDIC-insured institutions. Most important, no depositors suffered any
loss of their insured deposits. The rule ensures that the FDIC will be
able to honor its deposit insurance commitments in a timely and
accurate manner if an affected insured depository institution should be
closed because of a Y2K problem.
     One of the potential challenges the FDIC must prepare for is the
possible inability to access the business systems and supporting
information of an insured depository institution that must be closed
because of a Y2K problem. The ultimate safety net will be FDIC deposit
insurance and the FDIC's commitment to provide access to insured funds
expeditiously. FDIC deposit insurance is absolute--insured deposits are
safe. The number of days that it will take the FDIC to provide access
to deposits and transfer assets to private sector purchasers, asset
managers or service providers will depend upon its ability to transfer
basic account information from one institution to another. The FDIC can
assure the public that if an affected institution that maintains ALBPs
in compliance with the rule should close because of a Y2K problem,
depositors will have expeditious access to their insured deposits and
the institution will be resolved as quickly as possible.
2. The Rule Assures That Depositors Will have Expeditious Access to
Insured Deposits
     As the federal insurer of deposits in more than 10,000 banks and
thrifts, the FDIC, through the deposit insurance funds it administers,
is statutorily required to pay insured deposits as quickly and
accurately as possible when an insured bank or thrift is closed.\1\ In
the event that an insured depository institution is closed, the FDIC
would be responsible for providing depositors access to their insured
deposits as quickly and accurately as possible. Public confidence in
the financial system will depend upon the FDIC's ability to effect such
funding as quickly and accurately as possible. Historically, the FDIC
has provided depositors with access to their insured deposits within
one to three days of an institution closing.

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

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

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

pay out such amounts for the benefit of depositors.
3. The ALBP Constitutes an Essential Component of Y2K Contingency
Planning
    ALBPs are an essential part of Y2K contingency planning worldwide.
The Basle Committee on Banking Supervision, in its recent paper on Y2K
contingency planning, stated:

    As with existing disaster recovery plans, data integrity
procedures are critical to ensuring that adequate and consistent
data are available in the event of a technological failure. The
procedures may address both mission-critical and other systems. They
should address the issue of recovery difficulties associated with
institutions of all types and should preserve sufficient historical
mission-critical data to enable records to be accurately
reconstructed after the century date change in the event that data
is corrupted.
    While all banks will already have back-up procedures that they
consider adequate in normal circumstances, there are special
features of the Year 2000 challenge that merit extra attention.
Supervisors should issue a mandate that banks within their
jurisdiction maintain specified back-up records in electronically
retrievable media for certain periods or key dates. These records
may be a specification of the minimum data elements and format to
capture certain assets, liabilities, and income accounts. It is
essential that all processes for creating back-up data files are
completed before the millennium date change or other potentially
sensitive dates and be thoroughly tested. Whatever happens, it is
essential to have back-up which has the certainty to provide a clear
audit trail and enable the bank, an acquirer, or a receiver to
reconstruct corrupt records. Some supervisors may wish to assure
depositors and other bank customers that they will verify the safety
of banks' back-up arrangements.

Year 2000 The Supervisory Contingency Planning Process, January 1999,
at 4, 5. The ALBP rule is consistent with the Basle Committee's
recommendation.
4. The Rule Will Minimize Resolution Costs
    The FDIC is statutorily required to resolve closed insured
depository institutions in the manner that is least costly to the
insurance funds.\2\ FDIC experience has shown generally that the more
quickly an institution can be resolved, the greater the franchise and
asset/liability value to be realized from the sale of that institution.
Maximization of the value of the closed institution and its assets and
liabilities and minimization of resolution costs result in a greater
return to the closed institution's creditors and the FDIC insurance
funds.\3\

    \2\ 12 U.S.C. 1823(c)(4).
    \3\ The FDIC's responsibility as insurer is carried out by the
assessment and collection of premiums from insured depository
institutions, the administration of the deposit insurance fund
resulting from such assessments, and the timely and accurate funding
of claims for insured deposits in a closed institution. When the
FDIC funds insured deposits, it becomes subrogated to the claims of
the insured depositors. Proceeds from the sale of the institution
and its assets are returned to the FDIC as subrogee to the
depositors.

    By facilitating the timely resolution of an affected institution
and the prompt servicing of any assets not sold at resolution, the rule
will maximize the value of the institution and its assets. The value of
an institution will be enhanced by this rule because the information
will already be available to the FDIC or a purchaser in a pre-defined,
useable format. Fewer FDIC or acquiring institution personnel will be
needed to receive, interpret, map, and distribute information, thereby
further reducing costs of resolution.
5. The Rule Will Expedite the Return of Assets to the Marketplace and
Minimize Customer Disruptions
    The FDIC is responsible for the sale or liquidation of all assets
of a bank or thrift for which it is appointed receiver. It is generally
preferable for bank customers and the financial system to keep bank and
thrift assets in the private sector where they can continue to perform
without disruption. For these reasons, the FDIC attempts to sell as
many assets of a closed institution as possible as part of a closed
bank or thrift resolution transaction.
    The asset backup program will provide the FDIC with the loan
information necessary to expeditiously value and sell an institution
and its assets in the event that the institution's systems are unable
to receive, process and produce loan balances and transactions. This
information will enable purchasers to establish communication with
borrowers and maintain important account relationships. Without
accurate information related to loans, such as the rule requires,
purchasers are unlikely to risk acquiring a bank's assets.
    Where there are no immediate purchasers for a closed institution's
assets, the FDIC acts as quickly as possible to transfer loans to an
asset manager or a service provider or to begin servicing the loans
itself. To minimize loss to the assets' value, it is critical that such
servicing occur with minimal disruption. Both FDIC and private sector
asset managers and servicers require loan information similar to that
of a purchaser.
    Because the acquisition and servicing of assets requires more
information than deposit accounts, the rule requires additional
standardized fields of information for loans. The information required
by the rule is the minimum number of fields necessary for a purchaser
or the FDIC to make timely and accurate determinations of estimated
asset values, portfolio compositions and for planning conversions to
Y2K-ready purchasers, asset managers or service providers. Similarly,
before it is placed in receivership, the ALBP files may help an
affected institution transfer its loan accounts to a temporary servicer

while it repairs its systems.

6. The Rule Facilitates Addressing Y2K Technical Problems

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

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

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

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

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

C. The Rule Places Minimal Burden on the Industry

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

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

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

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

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

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

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

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

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

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

II. Discussion

A. Affected Institutions

    Section 331.1 of the rule sets forth those insured depository

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

B. Exemption

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

C. Asset and Liability Backup Program Requirements

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

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

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

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

D. Programming and Testing

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

E. Supporting Documentation

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

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

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

F. Sunset Date

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

III. Authority for the Regulation

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

IV. The Administrative Procedure Act

The FDIC is adopting this regulation as an interim final rule effective thirty days after publication in the Federal Register without the usual notice and comment period as provided in the Administrative Procedure Act (APA), 5 U.S.C. 551, et seq., or the delayed effective date as provided in section 302 of the Riegle Community Development and Regulatory Improvement Act of 1994 (CDRI), 12 U.S.C. 4802(b). The APA provides that the requirement for such notice and comment periods does not apply ``when the agency for good cause finds * * * that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest.'' 5 U.S.C. 553(b)(3)(B). Section 302 of CDRI provides that certain new regulations should ``take effect on the first day of a calendar quarter which begins on or after the date on which the regulations are published in final form, unless--(A) the agency determines, for good cause published with the regulation, that the regulation should become effective before such time.'' 12 U.S.C. 4802(b)(1)(A).
The FDIC has found that promulgation of this regulation on an expedited basis is required. This rule is necessary to protect the public's interest in the continued stability of the financial system and to ensure timely and accurate access to deposits in insured depository institutions in the event that such institutions experiencing a Y2K problem are closed. All efforts to create ALBPs must be completed and operational by December 24, 1999, to ensure that public confidence in the financial system continues. The changes

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

V. Regulatory Flexibility Analysis

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

VI. Paperwork Reduction Act

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

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

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

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

until the earlier of approval by the institution's primary federal
regulator or June 30, 2000 (12 CFR 331.3); to program and test the
required ALBP extract files by September 30, 1999, and to submit a test
file of sample information for each ALBP format to the FDIC for
validation purposes (12 CFR 331.4); and to submit supporting
documentation to the FDIC (12 CFR 331.5).
    Need and use of the information: The FDIC needs the information to
facilitate timely and accurate restoration of key financial records.
The FDIC will use the information only in the event of the closure of
an affected institution experiencing a Y2K problem.

    Respondents: This rule applies those FDIC-insured depository
institutions receiving Y2K ratings from their primary federal
regulators of less than ``Satisfactory'' on or after July 31, 1999.
    Estimated annual burden resulting from this proposed rulemaking:
    Frequency of response: Daily, beginning December 24, 1999 and
continuing until released from the rule's requirements or June 30,
2000, whichever occurs first.
    Number of respondents: 205.
    Average number of hours per respondent: 131.4.
    Total annual burden hours: 26,945.
    It is noted that the total annual burden includes service bureau
and other contractor time, and that the actual burden experienced by
individual institutions may range from 70 hours per institution to
2,500 per institution.

VII. Small Business Regulatory Enforcement Fairness Act

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

VIII. Assessment of Impact of Federal Regulation on Families

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

    By order of the Board of Directors.

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

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

List of Subjects in 12 CFR Part 331

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

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

PART 331--ASSET AND LIABILITY BACKUP PROGRAM

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

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

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

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

Sec. 331.1 Affected institutions.

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

Sec. 331.2 Exemption.

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

Sec. 331.3 ALBP requirements.

    (a) ALBPs required. (1) All affected institutions shall prepare and retain daily extract files of information concerning:
    (i) Deposit accounts following the ALBP format specified in appendix A to this part 331; and
    (ii) Loan accounts following the ALBP format specified in appendix B to this part 331.

(2) All daily extract files shall be segregated and preserved so
that they can be obtained using hardware and software located
separately from the institution's primary information processing
system.
    (b) Preparation of the daily extract files. Each affected
institution shall prepare its daily extract files either--
    (1) As part of the institution's normal nightly processing
production runs; or
    (2) From routine nightly backup programs.
    (c) Retention of daily extract files. Each daily extract file shall
be retained in one of three media meeting the specifications contained
in appendices A and B to this part 331, until the termination date.
    (1) If the institution prepares its daily extract files as part of
its normal nightly processing production runs under Sec. 331.3(b)(1),
the institution must store the files each night beginning December 24,
1999, through the termination date specified in Sec. 331.3(d).
    (2) If the institution prepares its daily extract files from
routine nightly backup programs under Sec. 331.3(b)(2), the institution
shall either retain the daily extract files each night as set forth in
Sec. 331.3(c)(1), or demonstrate to the FDIC its ability to produce to
the FDIC, upon demand, the daily extract files for each night from
December 24, 1999, through the termination date specified in
Sec. 331.3(d).
    (d) Termination date. (1) The termination date of the ALBP
requirement for any affected institution is the earlier of:
    (i) The date on which the institution's primary federal regulator
changes the institution's Y2K rating to Satisfactory;
    (ii) The date on which the institution establishes to the
satisfaction of its primary federal regulator that its deposit and loan
systems are fully functional and reliable after December 31, 1999; or
    (iii) June 30, 2000.
    (2) An affected institution that wishes to receive verification
under paragraph (d)(1)(ii) of this section shall make its request to
the primary federal regulator in writing.

Sec. 331.4 Programming and testing required.

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

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

Sec. 331.5 Supporting documentation required.

     In addition to the files submitted to the FDIC under Sec. 331.4,
the institution shall submit the following supporting documentation:
     (a) A narrative describing the process by which the daily extract
files were produced; and
     (b) A trial balance or other hard copy summary of the contents of
the electronic files to permit the FDIC to verify the accurate receipt
and interpretation of the information transmitted to the FDIC.

Sec. 331.6 Sunset of program.

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

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

TECHNICAL INSTRUCTIONS

FDIC Standard Deposit Extract File Format

THE FDIC STANDARD DEPOSIT EXTRACT FILE FORMAT

     The attached ``Deposit Extract File Format'' is a list of fields
developed as a tool for requesting information from an institution for
the purposes of insurance estimation and other related functions.
Please match your institution's deposit information field names to
those on the ``Deposit Extract File Format.'' For your convenience,
descriptions of each field are provided.
     STANDARD DEPOSIT EXTRACT FILE PREFERENCES:
     1. Information must be provided in an ASCII-flat, tab delimited
file.
     (a) The preferred media is diskette, CD, ZIP Disk or fixed length
9-track tape.
     (b) All deposit records should be included in one file. Separate
files are acceptable in those cases where the information will not fit
on the selected media type.
     (c) Diskette and CD files zipped with PKZIP or WINZIP are also
acceptable.
     If information cannot be provided on preferred media, or you cannot
provide the information in ASCII format, please contact Mr. James
Murphy, at the FDIC's Dallas Field Operations Branch, Telephone No.
(972) 761-2226, for possible alternatives.
     2. Please provide ALL requested information where possible.
     3. Provide a record layout in a printout accompanying the file. The
field order and field names are indicated. The field names are under
the column heading 'FDIC NAME.' Your record layout must include field
order, field name, type (e.g., Character, Numeric), field length and
decimal places (precision).
     4. Do not duplicate records within the download.
     5. Decimal points should be included in the information provided,
not implied (i.e., $10,300.75 should be provided as 10300.75, interest
rate of 8.45% should be provided as .0845). Please do NOT include
packed or zoned decimals.
     6. Date formats should be MM/DD/YYYY (e.g., March 14, 2001 should

be provided as 03/14/2001).

Deposit Extract File Format

Info

```
                    Information Field        Definition          FDIC
Name            Info Type    Length    Dec
```


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

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

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

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


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

TECHNICAL INSTRUCTIONS

FDIC Standard Loan Extract File Format

THE FDIC STANDARD LOAN EXTRACT FILE FORMAT

    The attached ``Loan Extract File Format'' is a list of fields
developed as a tool for requesting information from an institution for
the purposes of categorizing, analyzing and transmitting the loan
portfolio and other related functions. Please match your institution's
loan information field names to those on the ``Loan Extract File
Format.'' For your convenience, descriptions of each field are
provided.
    STANDARD LOAN EXTRACT FILE PREFERENCES:
    1. Information must be provided in an ASCII-flat, tab delimited
file.
    (a) The preferred media is diskette, CD, ZIP Disk or fixed length
9-track tape.
    (b) All loan records should be included in one file. Separate files
are acceptable in those cases where the information will not fit on the
selected media type.
    (c) Diskette and CD files zipped with PKZIP or WINZIP are also
acceptable.
    If information cannot be provided on preferred media, or you cannot
provide the information in ASCII format, please contact Mr. James
Murphy, at the FDIC's Dallas Field Operations Branch, Telephone No.
(972) 761-2226, for possible alternatives.
    2. Please provide ALL requested information where possible.
    3. Provide a record layout in a printout accompanying the file. The
field order and field names are indicated. The field names are under
the column heading `FDIC NAME'. Your record layout must include field
order, field name, type (e.g. Character, Numeric), field length and
decimal places (precision).
    4. Do not duplicate records within the download.
    5. Decimal points should be included in the information provided,
not implied (i.e., $10,300.75 should be provided as 10300.75, interest
rate of 8.45% should be provided as .0845). Please do NOT include
packed or zoned decimals.
    6. Date formats should be MM/DD/YYYY (e.g., March 14, 2001 should
be provided as 03/14/2001).
    7. All information for each loan must be contained within one
record.
    a. Participation sold information should not be provided as a
separate record (provide as separate field).
    b. Partial charge-off information should not be provided as a
separate record (provide as separate field).
    c. Completely charged-off loans and paid-off loans should not be
included in the download.
    d. Loans with partial charge-off should be provided with balances
net of partial charge-off.

```
                                        Loan Extract File Format
------------------------------------------------------------------
-------------------------------------------

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

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

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

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

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

```
                                  legally binding note/
                                  credit facility matures.
33..........  Mortgage Loan Type.  For real estate loans,
MTGTYPE............  C...........      15
                                  indicates if the note/
                                  credit facility is
                                  secured by a first lien
                                  on single-family
                                  residential real estate.
34.........  Next Payment Date..  Date the next scheduled
NXTDUEDT...........  D...........
                                  payment is due.
35..........  Non-accrual.......  Idicates if the note/
NONACCRCD..........  C...........      1
                                  credit facility is on
Y/N........
                                  non-accrual status.
36..........  Note Number or      The number used by the
ACCTNO.............  C...........      15
             Credit Facility       bank to uniquely
             Number.               identify a note/credit
                                   facility.
37..........  Note Type or Credit  A code representing the
LOANTYPE...........  C...........      5
             Facility Type.        type of loan May
                                   correspond to the FFIEC
                                   Report of Condition.
38..........  Note Type or Credit  A description of the
TYPEDESC...........  C...........      15
             Facility Type         code representing the
             Description.          type of loan.
39.........  Number of Payments.  The number of payments
PAYNUM.............  N...........      3
                                  specified in the loan
                                  agreement or note.
40.........  Number of            The number of times the
EXTENDS............  N...........      2
             Extensions.          loan has been extended
                                  beyond original
                                  maturity date.
41..........  Original Balance...  The amount of the note
ORIGAMT............  N...........      14        2
                                  or credit facility that
                                  has been executed. If a
                                  note/credit facility
                                  has been renewed one or
                                  more times and the
                                  original amount is not
                                  available, provide the
                                  amount most recently
                                  executed.
42..........  Original Date......  The date your
ORIGDATE...........  D...........
                                  institution extended
                                  credit to the borrower.
                                  Date should be
                                  consistent with the
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                                         information provided
                                         for original balance.
43.......... Payment Amount.....   Amount of regularly
PAYAMT.............   N...........       14        2
                                         scheduled payments.
44......... P&I Payment.......   Amount of regularly
PIAMT.............   N...........       14        2
                                         scheduled P&I payments.
45.......... Payment Frequency..   The frequency payments
PAYFREQ............   C...........       15
                                         are due to the bank
                                         (i.e. monthly,
                                         quarterly, annually).
46......... Periodic Interest    For variable or
PRTCAP.............   N...........        8        3
          Rate Cap.                      adjustable rate loans,
                                         the maximum percentage
                                         points that the rate
                                         may change each reset
                                         interval.
47.......... Basis Code........   Day basis on which
BASIS.............   C...........       12
                                         interest calculations
                                         are made (e.g., 3/360,
                                         Actual/360, etc.).
48......... Revolving Line of    Indicates if the loan is
REVCODE............   C...........        5
          Credit.                        a revolving line of
                                         credit.
49......... Security Perfection  The date that the last
PERFDATE...........   D...........
          Date.                          security interest,
                                         lien, or UCC-1 was
                                         perfected.
50.......... Times Past Due 30-   Number of times the note/
LATE30.............   N...........        4
          59 Days.                       credit facility has
                                         been past due 30-59
                                         days during the last 12
                                         months of the loan.
51.......... Times Past Due 60-   Number of times the note/
LATE60.............   N...........        4
          89 Days.                       credit facility has
                                         been past due 60-89
                                         days during the last 12
                                         months of the loan.
52.......... Times Past Due 90+   Number of times the note/
LATE90.............   N...........        4
          Days.                          credit facility has
                                         been past due 90 or
                                         more days during the
                                         last 12 months of the
                                         loan.
53.......... Total Commitment...   The sum of the
CREDLMT............   N...........       14        2
                                         outstanding balance and
                                         the undisbursed amount
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                                          legally available to be
                                          drawn upon.
54..........  Troubled Debt            Code indicating if the
RTDCODE............  C...........          1
              Restructured Code.       note/credit facility is
Y/N........
                                        considered to be a
                                        troubled debt
                                        restructure.
55..........  Unfunded or              The amount legally
UNFUNDED...........  N...........         14        2
              Undisbursed              available under a note/
              Balance.                 credit facility that
                                       has not been disbursed.
56..........  Variable Rate Code.      Code indicating
RATECODE...........  C...........          5
                                       adjustable, floating,
                                       or variable interest
                                       rate.
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57..........  Variable Rate            Description of code
RATEDESC...........  C...........         15
              Description.             indicating adjustable,
                                       floating or variable
                                       interest rate.
58..........  Collateral Code....      The code associated with
COLLCODE...........  C...........          5
                                       a unique collateral
                                       type (i.e. commercial
                                       real estate, 1-4 family
                                       real estate, UCC
                                       filings, marketable
                                       securities).
59..........  Collateral               The narrative
COLLDESC...........  C...........         50
              Description.             description of
                                       collateral or a
                                       description Referencing
                                       a collateral code. The
                                       collateral code for
                                       each description must
                                       be included in a
                                       separate table.
60..........  Collateral State...      State in which the
COLSTATE...........  C...........          2
                                       collateral is located.
61..........  Collateral Value...      The total value assigned
APPRLAMT...........  N...........         14        2
                                       to the collateral. If
                                       the bank has adjusted
                                       this value, please
                                       indicate this in your
                                       supporting
                                       documentation.
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62..........  Collateral           Date collateral was last
APPRDATE...........  D...........
              Valuation or          appraised or valued.
              Appraisal Date.
63..........  Insurance Code/Flag  Code indicating the
INSCODE...........  C...........       5
                                    status of insurance
                                    covering collateral for
                                    a note/credit facility.
64..........  Insurance            The date that the
INSEXP.............  D...........
              Expiration Date.      related insurance
                                    policy covering bank
                                    collateral expires.
65..........  Lien Status........  The priority lien held
LIENCODE...........  C...........      10
                                    by this bank (i.e. 1st
                                    lien, 2nd lien).
66..........  Participating        Code indicating the
INVESTOR...........  C...........       5
              Institution Code.     institution
                                    participating in the
                                    credit. If the credit
                                    is sold to multiple
                                    institutions, please
                                    indicate this in your
                                    supporting
                                    documentation.
67..........  Participating        Description of the code
INVDESC...........  C...........       50
              Institution          indicating the
              Description.         institution
                                    participating in the
                                    credit. If the credit
                                    is sold to multiple
                                    institutions, please
                                    indicate this in your
                                    supporting
                                    documentation.
68..........  Participation        The current outstanding
PARTSOLD...........  N...........      14         2
              Amount.              dollar amount of the
                                    loan sold to or
                                    purchased from another
                                    institution.
69..........  Participation Code.  A code indicating that
PARTTYPE...........  C...........       5
                                    the loan/credit
                                    facility involves a
                                    participation purchased
                                    or sold. Please
                                    identify the purchased
                                    and sold codes.
70..........  Participation Code   Description of the code
PARTDESC...........  C...........      15
              Description.          indicating that the
                                    loan/credit facility
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                                    involves a
                                    participation purchased
                                    or sold.
71..........  Participation Sold  The original amount of
PARTORG............  N...........       14         2
            Original Amount.     the loan participation
                                    sold or purchased.
72.........  Rebate Flag........  Flag indicating there is
REBATE.............  C...........        1
                                    any kind of rebate
Y/N........
                                    associated with the
                                    account. (i.e.
                                    insurance, interest
                                    etc.).
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