



**FEDERAL RESERVE BANK
OF DALLAS**

ROBERT D. McTEER, JR.
PRESIDENT
AND CHIEF EXECUTIVE OFFICER

DALLAS, TEXAS
75265-5906

April 1, 1994

Notice 94-36

**TO: The Chief Executive Officer of
each financial institution in the
Eleventh Federal Reserve District**

SUBJECT

**Amendments to Regulations
Y, J, H, D, and O;
Amendments and Corrections
to Regulation Z**

DETAILS

The Board of Governors of the Federal Reserve System has published amendments in slip-sheet form to Regulation Y (Bank Holding Companies and Change in Bank Control), effective November 1993, Regulation J (Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire), effective November 1993, Regulation H (Membership of State Banking Institutions in the Federal Reserve System), effective November 1993, Regulation D (Reserve Requirements of Depository Institutions), effective January 1994, and Regulation O (Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks), effective January 1994.

In addition, the Board has published amendments and corrections in slip-sheet form to Regulation Z (Truth in Lending), effective October 1993.

The new slip sheets should be inserted in your Regulations binder.

For additional copies, bankers and others are encouraged to use one of the following toll-free numbers in contacting the Federal Reserve Bank of Dallas: Dallas Office (800) 333-4460; El Paso Branch Intradate (800) 592-1631, Interstate (800) 351-1012; Houston Branch Intradate (800) 392-4162, Interstate (800) 221-0363; San Antonio Branch Intradate (800) 292-5810.

ENCLOSURES

The new slip sheets are enclosed.

MORE INFORMATION

For more information, please contact Michael Johnson regarding Regulations H and Y at (214) 922-6081; Terry Campbell regarding Regulation J at (214) 922-6603; this Bank's Reserve Management Division regarding Regulation D at (214) 922-5646; Jane Anne Schmoker regarding Regulation O at (214) 922-5101; and Eugene Coy regarding Regulation Z at (214) 922-6201.

For additional copies of this Bank's notice and the slip sheets, please contact the Public Affairs Department at (214) 922-5254.

Sincerely yours,

Robert D. McTeer, Jr.

Amendments to Regulation Y Bank Holding Companies and Change in Bank Control November 1993*

1. *Effective October 8, 1993, section 225.4 is amended by adding a new subsection (g) as follows:*

(g) *Criminal referral report.* A bank holding company or any nonbank subsidiary thereof, or a foreign bank that is subject to the BHC Act or any nonbank subsidiary of such foreign bank operating in the United States, shall file a criminal referral form in accordance with the provisions of section 208.20 of the Board's Regulation H, 12 CFR 208.20.

2. *Effective January 28, 1993, section 225.11(f) is amended to read as follows:*

(f) *Transactions by foreign banking organization.* Any transaction described in paragraphs (a) through (e) of this section by a foreign banking organization (as defined in 12 CFR 211.21(n)) that involves the acquisition of an interest in a U.S. bank or in a bank holding company for which application would be required if the foreign banking organization were a bank holding company.

* A complete Regulation Y, as revised effective October 8, 1993, consists of—

- the regulation pamphlet dated March 1993 (see inside cover) and
- this slip sheet.

Amendments to Regulation J Collection of Checks and Other Items by Federal Reserve Banks and Funds Transfers Through Fedwire November 1993*

1. *Effective October 14, 1993, section 210.2(d) is amended to read as follows:*

(d) "Banking day" means the part of a day on which a bank is open to the public for carrying on substantially all of its banking functions.

2. *Effective October 14, 1993, the last sentence of section 210.2(g) is amended to read as follows:*

"Item" does not include a check that cannot be collected at par, or a payment order as defined in section 210.26(i) and handled under subpart B of this part.

3. *Effective October 14, 1993, section 210.2 is amended by adding subsections (n) and (o) as follows:*

(n) "Clock hour" means a time that is on the hour, such as 1:00, 2:00, etc.

(o) "Fedwire" has the same meaning as that set forth in section 210.26(e) of this part.

4. *Section 210.5(b) is corrected to read as follows:*

- (b) * * *
(1) * * *
(2) * * *
(3) * * *

the Reserve Bank may, upon entry of a final judgment or decree, recover from the sender the amount of attorneys' fees and

other expenses of litigation incurred, as well as any amount the Reserve Bank is required to pay because of the judgment or decree of the tender of defense, together with interest thereon.

5. *Effective October 14, 1993, the title of section 210.9 is changed to "Settlement and Payment".*

6. *Effective October 14, 1993, section 210.9(a) is amended to read as follows:*

SECTION 210.9—Settlement and Payment

(a) *Cash items.* (1) On the day a paying bank receives² a cash item directly or indirectly from a Reserve Bank, it shall settle for the item such that the proceeds of the settlement are available to the Reserve Bank by the close of Fedwire on that day, or it shall return the item by the later of the close of the paying bank's banking day or the close of Fedwire. If the paying bank fails to settle for or return a cash item in accordance with this paragraph (a)(1), it is accountable for the amount of the item as of the close of its banking day or the close of Fedwire on the day it receives the item, whichever is earlier.

(2)(i) On the day a paying bank receives a cash item directly or indirectly from a Reserve Bank, it shall settle for the item so that the proceeds of the settlement are available to the Reserve

* A complete Regulation J, as revised effective October 14, 1993, consists of—

- the regulation pamphlet dated March 1991 (see inside cover) and
- this slip sheet.

² A paying bank is deemed to receive a cash item on its next banking day if it receives the item (1) on a day other than a banking day for it; or (2) on a banking day for it, but after a "cut-off hour" established by it in accordance with state law.

Bank, or return the item, by the latest of—

- (A) the next clock hour that is at least one hour after the paying bank receives the item;
- (B) one hour after the scheduled opening of Fedwire; or
- (C) such later time as provided in the Reserve Bank's operating circular.

(ii) If the paying bank fails to settle for or return a cash item in accordance with paragraph (a)(2)(i) of this section, it shall be subject to any applicable overdraft charges. Settlement under paragraph (a)(2)(i) of this section satisfies the settlement requirements of paragraph (a)(1) of this section.

(3)(i) If a paying bank closes voluntarily on a day that is a banking day for a Reserve Bank, and the Reserve Bank makes a cash item available to the paying bank on that day, the paying bank shall either—

(A) on that day, settle for the item so that the proceeds of the settlement are available to the Reserve Bank, or return the item, by the latest of—

- (1) the next clock hour that is at least one hour after the paying bank ordinarily would have received the item;
- (2) one hour after the scheduled opening of Fedwire; or
- (3) such later time as provided in the Reserve Bank's operating circular; or

(B) on the next day that is a banking day for both the paying bank and the Reserve Bank, settle for the item so that the proceeds of the settlement are available to the Reserve Bank by the later of—

- (1) one hour after the scheduled opening of Fedwire on that day; or
- (2) such later time as provided in the Reserve Bank's operating circular;

and compensate the Reserve Bank

for the value of the float associated with the item in accordance with procedures provided in the Reserve Bank's operating circular.

(ii) If a paying bank closes voluntarily on a day that is a banking day for a Reserve Bank, and the Reserve Bank makes a cash item available to the paying bank on that day, the paying bank is not considered to have received the item until its next banking day, but it shall be subject to any applicable overdraft charges if it fails to settle for or return the item in accordance with paragraph (a)(3)(i) of this section. The settlement requirements of paragraphs (a)(1) and (a)(2) of this section do not apply to a paying bank that settles in accordance with paragraph (a)(3)(i) of this section.

(4)(i) If a paying bank receives a cash item directly or indirectly from a Reserve Bank on a banking day that is not a banking day for the Reserve Bank—

(A) The paying bank shall—

- (1) settle for the item so that the proceeds of the settlement are available to the Reserve Bank by the close of Fedwire on the Reserve Bank's next banking day; or
- (2) return the item by midnight of the day it receives the item.

If the paying bank fails to settle for or return a cash item in accordance with this paragraph (a)(4)(i)(A), it shall become accountable for the amount of the item as of the close of its banking day on the day it receives the item.

(B) The paying bank shall—

- (1) settle for the item so that the proceeds of the settlement are available to the Reserve Bank by one hour after the scheduled opening of Fedwire on the Reserve Bank's next banking day or such later time as provided in the Reserve Bank's operating circular; or
- (2) return the item by midnight of the day it receives the item.

If the paying bank fails to settle for or return a cash item in accordance with this paragraph (a)(4)(i)(B), it shall be subject to any applicable overdraft charges. Settlement under this paragraph (a)(4)(i)(B) satisfies the settlement requirements of paragraph (a)(4)(i)(A) of this section.

(ii) The settlement requirements of paragraphs (a)(1) and (a)(2) of this section do not apply to a paying bank that settles in accordance with paragraph (a)(4)(i) of this section.

(5) Settlement with a Reserve Bank under paragraphs (1) through (4) of this section shall be made by debit to an account on the Reserve Bank's books, cash, or other form of settlement to which the Reserve Bank agrees.

(6) If a cash item is unavailable for return, the paying bank may send a notice in lieu of return as provided in section 229.30(f) of this title.

7. *Effective October 14, 1993, section 210.28(b) is amended by adding paragraph (5) as follows:*

(5) If a sender, other than a government sender described in section 210.25(d) of

this part, incurs an overdraft in its account as a result of a debit to the account by a Federal Reserve Bank under paragraph (a) of this section, the account will be subject to any applicable overdraft charges, regardless of whether the overdraft has become due and payable. A Federal Reserve Bank may debit a sender's account under paragraph (a) of this section immediately on acceptance of the payment order.

FEDERAL RESERVE ACT

8. *The last sentence of the first paragraph of section 16 is corrected to read as follows:*

The Board of Governors of the Federal Reserve System shall, by rule, fix the charges to be collected by the member banks from its patrons whose checks and other items, including negotiable orders of withdrawal and share drafts are cleared through the Federal reserve bank and the charge which may be imposed for the service of clearing or collection rendered by the Federal reserve bank.

9. *Effective December 19, 1991, section 25(b) is redesignated section 25B.*

Amendments to Regulation H Membership of State Banking Institutions in the Federal Reserve System November 1993*

1. *Effective October 8, 1993, a new section 208.20 is added, as follows:*

SECTION 208.20—Reports of Crimes and Suspected Crimes

(a) *Purpose.* This section applies to known or suspected crimes involving state member banks. This section ensures that law enforcement agencies are notified by means of criminal referral reports when unexplained losses or known or suspected criminal acts are discovered. Based on these reports, the federal government will take appropriate measures and will maintain an interagency database that is derived from these reports.

(b) *Institution-affiliated party.* *Institution-affiliated party* means any institution-affiliated party as that term is defined in sections 3(u) and 8(b)(3) and (4) of the FDIA (12 USC 1813(u) and 1818(b)(3) and (4)).

(c) *Reports required.* A state member bank shall file a criminal referral report using a standardized form (Form),¹⁴ in accordance with instructions for the Form, in every situation where—

- (1) the state member bank suspects one of its directors, officers, employees, agents, or other institution-affiliated parties of having committed or aided in the commission of a crime;
- (2) there is an actual or potential loss to the state member bank (before reimbursement or recovery) of more than

\$1,000 where the state member bank has a substantial basis for identifying a possible suspect or group of suspects and the suspect(s) is not a director, officer, employer, agent, or institution-affiliated party of the state member bank;

(3) there is an actual or potential loss to the state member bank (before reimbursement or recovery) of \$5,000 or more and where the state member bank has no substantial basis for identifying a possible suspect or group of suspects; or
(4) the state member bank suspects that it is being used as a conduit for criminal activity, such as money laundering or structuring transactions to evade the Bank Secrecy Act reporting requirements.

(d) *Time for reporting.* (1) A state member bank shall file the report required by paragraph (c) of this section no later than 30 calendar days after the date of detection of the loss or the known or suspected criminal violation or activity. If no suspect has been identified within 30 calendar days after the date of the detection of the loss or the known, attempted, or suspected criminal violation or activity, reporting may be delayed an additional 30 calendar days or until a suspect has been identified; but in no case shall reporting of known or suspected crimes be delayed more than 60 calendar days after the date of the detection of the loss or the known, attempted, or suspected criminal violation or activity. When a report requirement is triggered by the identification of a suspect or group of suspects, the reporting period commences with the identification of each suspect or group of suspects.

(2) When a state member bank detects a pattern of crimes committed by an identifiable individual, the state member

¹⁴ Copies of the Form (FR 2230) are available from the Federal Reserve Banks. The Form may be prepared using a computer shell that is distributed by the Board

* A complete Regulation H, as amended effective October 8, 1993, consists of—

- the regulation pamphlet dated March 1993 (see inside cover) and
- this slip sheet.

bank shall file a report no later than 30 calendar days after the aggregated amount of the crimes exceeds \$1,000.

(3) In situations involving violations requiring immediate attention or where a reportable violation is ongoing, the state member bank shall immediately notify by telephone the appropriate law enforcement agency and the appropriate Federal Reserve Bank in addition to filing a timely written report.

(e) *Reporting to state and local authorities.* State member banks are encouraged to file copies of the Form with state and local authorities where appropriate.

(f) *Exceptions.* A state member bank need not file the Form—

(1) for those robberies and burglaries that are reported to local law enforcement authorities; and

(2) for lost, missing, counterfeit, or stolen securities if a report is filed pursuant to the reporting requirements of 17 CFR 240.17f-1.

(g) *Retention of records.* A state member bank shall maintain copies of any Form that it filed and the originals of all related documents for a period of 10 years from the date of the report.

(h) *Notification to board of directors.* The management of a state member bank shall promptly notify its board of directors of any report filed pursuant to this section.

(i) *Penalty.* Failure to file a report in accordance with the instructions on the Form and this regulation may subject the state member bank, its directors, officers, employees, agents, or other institution-affiliated parties to supervisory action.

Amendments to Regulation D Reserve Requirements of Depository Institutions January 1994*

1. *Effective December 14, 1993, the table in section 204.9(a)(1) is amended to read as follows:*

| <i>Category</i> | <i>Reserve requirement</i> |
|---------------------------|--|
| NET TRANSACTION ACCOUNTS* | |
| \$0 to \$51.9 million | 3% of amount |
| Over \$51.9 million | \$1,557,000 plus 10% of amount over \$51.9 million |
| NONPERSONAL TIME DEPOSITS | |
| | 0% |
| EUROCURRENCY LIABILITIES | |
| | 0% |

* Dollar amounts do not reflect the adjustment to be made by the next paragraph.

2. *Effective December 14, 1993, section 204.9(a)(2) is amended by changing \$3.8 million to \$4.0 million.*

*A complete Regulation D, as amended effective December 14, 1993, consists of—

- the regulation pamphlet dated April 1993 (see inside cover) and
- this slip sheet.

Amendments to Regulation O Loans to Executive Officers, Directors, and Principal Shareholders of Member Banks January 1994*

1. *Effective December 17, 1992, section 215.2 (l) is amended to read as follows:*

(l)(1) *Principal shareholder* means a person (other than an insured bank) that directly or indirectly, or acting through or in concert with one or more persons, owns, controls, or has the power to vote more than 10 percent of any class of voting securities of a member bank or company. Shares owned or controlled by a member of an individual's immediate family are considered to be held by the individual.

(2) A principal shareholder of a member bank includes—

(i) a principal shareholder of a company of which the member bank is a subsidiary, and

(ii) a principal shareholder of any other subsidiary of that company.

(3) A principal shareholder of a member bank does not include a company of which a member bank is a subsidiary.

2. *Effective November 18, 1993, section 215.4(d)(2) is amended to extend the November 18, 1993, deadline for three months, to February 18, 1994.*

3. *Effective May 3, 1993, section 215.4(d) is amended to read as follows:*

- (d) * * *
(1) * * *
(2) * * *

*A complete Regulation O, as amended effective November 18, 1993, consists of—

• the regulation pamphlet dated July 1992 (see inside cover) and

• this slip sheet.

Item 2 is new. Items 1, 3, 4, and 5 were included in the June 1993 slip sheet.

(3) *Exceptions.* The general limit specified in paragraph (d)(1) of this section does not apply to the following:

(i) extensions of credit secured by a perfected security interest in bonds, notes, certificates of indebtedness, or Treasury bills of the United States or in other such obligations fully guaranteed as to principal and interest by the United States;

(ii) extensions of credit to or secured by unconditional takeout commitments or guarantees of any department, agency, bureau, board, commission or establishment of the United States or any corporation wholly owned directly or indirectly by the United States; or

(iii) extensions of credit secured by a perfected security interest in a segregated deposit account in the lending bank.

(iv) the exceptions in this paragraph (d)(3) apply only to the amount of such extensions of credit that are secured in the manner described herein.

4. *Section 22(h)(2) of the Federal Reserve Act is corrected to read as follows:*

(2) A member bank may extend credit to its executive officers, directors, or principal shareholders, or to any related interest of such a person, only if the extension of credit—

(A) is made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions by the bank with persons who are not executive officers, directors, principal shareholders, or employees of the bank;

(B) does not involve more than the nor-

mal risk of repayment or present other unfavorable features; and

(C) the bank follows credit underwriting procedures that are not less stringent than those applicable to comparable transactions by the bank with persons who are not executive officers, directors, principal shareholders, or employees of the bank.

5. *Section 22(h)(9)(D) of the Federal Reserve Act is amended to read as follows:*

- (D)(i) A member bank *extends credit* by making or renewing any loan, granting a line of credit, or entering into any similar transaction as a result of which a person becomes obligated (directly or indirectly, or by any means whatsoever) to pay money or its equivalent to the bank.
- (ii) The Board may, by regulation, make exceptions to clause (i) for transactions that the Board determines pose minimal risk.

Amendments and Corrections to Regulation Z

Truth in Lending

October 1993*

1. Section 226.5a(a)(3) is corrected by adding the words "of the type" before the words "subject to the requirements of section 226.5b".

2. Section 226.5a(g)(2) is corrected by deleting "and is figured in the same way as the first balance" from the last sentences of subparagraphs (i) and (ii).

3. Effective July 29, 1992, section 226.5b(f)(2) is amended by deleting "or" at the end of paragraph (ii), by deleting the period and adding "; or" at the end of paragraph (iii), and by adding a new paragraph (iv) to read as follows:

(iv) federal law dealing with credit extended by a depository institution to its executive officers specifically requires that as a condition of the plan the credit shall become due and payable on demand, provided that the creditor includes such a provision in the initial agreement.

4. Effective September 19, 1990, section 226.5b(f)(3) is amended by deleting subparagraph (vi)(G) and revising subparagraph (i) to read as follows:

(i) Provide in the initial agreement that it may prohibit additional extensions of credit or reduce the credit limit during any period in which the maximum annual percentage rate is reached. A creditor also may provide in the initial agreement that specified

changes will occur if a specified event takes place (for example, that the annual percentage rate will increase a specified amount if the consumer leaves the creditor's employment).

5. Effective September 19, 1990, section 226.9(c)(3) is amended to read as follows:

(3) *Notice for home-equity plans.* If a creditor prohibits additional extensions of credit or reduces the credit limit applicable to a home-equity plan pursuant to section 226.5b(f)(3)(i) or 226.5b(f)(3)(vi), the creditor shall mail or deliver written notice of the action to each consumer who will be affected. The notice must be provided not later than three business days after the action is taken and shall contain specific reasons for the action. If the creditor requires the consumer to request reinstatement of credit privileges, the notice also shall state that fact.

6. Section 226.9(e)(1) and (f)(1) are corrected by adding the words "of the type" before the words "subject to section 226.5a".

7. Effective July 29, 1993, section 226.15(e) is amended by designating the first paragraph as (1), modifying the last sentence of the first paragraph, adding a paragraph (2), and redesignating the existing footnote numbers to accommodate the new footnote as follows:

(e) *Consumer's waiver of right to rescind.*

(1) The consumer may modify or waive the right to rescind if the consumer determines that the extension of credit is needed to meet a bona fide personal financial emergency. To modify or waive the right, the consumer shall give the creditor a

* A complete Regulation Z, as amended and corrected effective July 29, 1993, consists of—

• the pamphlet dated July 1989 (see inside cover) and
• this slip sheet.

Items 7, 8, and 12 are new. The other items were included in the August 1992 slip sheet.

dated written statement that describes the emergency, specifically modifies or waives the right to rescind, and bears the signatures of all the consumers entitled to rescind. Printed forms for this purpose are prohibited, except as provided in paragraph (2) of this section.

(2) The need of the consumer to obtain funds immediately shall be regarded as a bona fide personal financial emergency provided that the dwelling securing the extension of credit is located in an area declared during June through September 1993, pursuant to 42 USC 5170, to be a major disaster area because of severe storms and flooding in the Midwest.^{36a} In this instance, creditors may use printed forms for the consumer to waive the right to rescind. This exemption to paragraph (e)(1) of this section shall expire one year from the date an area was declared a major disaster.

^{36a} A list of the affected areas will be maintained by the Board. Such areas now include parts of Iowa, Illinois, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin.

8. *Effective July 29, 1993, section 226.23(e) is amended by designating the first paragraph as (1), modifying the last sentence of the first paragraph, and adding a paragraph (2) as follows:*

(e) Consumer's waiver of right to rescind.

(1) The consumer may modify or waive the right to rescind if the consumer determines that the extension of credit is needed to meet a bona fide personal financial emergency. To modify or waive the right, the consumer shall give the creditor a dated written statement that describes the emergency, specifically modifies or waives the right to rescind, and bears the signature of all of the consumers entitled to rescind. Printed forms for this purpose are prohibited, except as provided in paragraph (2) of this section.

(2) The need of the consumer to obtain funds immediately shall be regarded as a bona fide personal financial emergency provided that the dwelling securing the extension of credit is located in an area

declared during June through September 1993, pursuant to 42 USC 5170, to be a major disaster area because of severe storms and flooding in the Midwest.^{48a} In this instance, creditors may use printed forms for the consumer to waive the right to rescind. This exemption to paragraph (e)(1) of this section shall expire one year from the date an area was declared a major disaster.

^{48a} A list of the affected areas will be maintained by the Board. Such areas now include parts of Illinois, Iowa, Minnesota, Missouri, Nebraska, South Dakota, and Wisconsin.

9. *Effective September 19, 1990, appendix G-14C is removed.*
10. *Appendix I is amended, effective October 8, 1991, and May 13, 1992, by revising the introductory paragraph and the first four entries to read as follows:*

APPENDIX I—Federal Enforcement Agencies

The following list indicates which federal agency enforces Regulation Z for particular classes of businesses. Any questions concerning compliance by a particular business should be directed to the appropriate enforcement agency. Terms that are not defined in the Federal Deposit Insurance Act (12 USC 1813(s)) shall have the meaning given to them in the International Banking Act of 1978 (12 USC 3101).

National banks and federal branches and federal agencies of foreign banks

District office of the Office of the Comptroller of the Currency for the district in which the institution is located.

State member banks, branches and agencies of foreign banks (other than federal branches, federal agencies, and insured state branches of foreign banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act

Federal Reserve Bank serving the District in which the institution is located.

Nonmember insured banks and insured state branches of foreign banks

Federal Deposit Insurance Corporation regional director for the region in which the institution is located.

Savings institutions insured under the Savings Association Insurance Fund of the FDIC and federally chartered savings banks insured under the Bank Insurance Fund of the FDIC (but not including state-chartered savings banks insured under the Bank Insurance Fund).

Office of Thrift Supervision regional director for the region in which the institution is located.

* * * * *

TRUTH IN LENDING ACT

11. *Effective December 19, 1991, section 108(a) of the Truth in Lending Act is amended to read as follows:*

SECTION 108—Administrative Enforcement

(a) Compliance with the requirements imposed under this title shall be enforced under

(1) section 8 of the Federal Deposit Insurance Act, in the case of—

(A) national banks, and Federal branches and Federal agencies of foreign banks, by the Office of the Comptroller of the Currency;

(B) member banks of the Federal Reserve System (other than national banks), branches and agencies of foreign banks (other than Federal branches, Federal agencies, and insured State branches of foreign

banks), commercial lending companies owned or controlled by foreign banks, and organizations operating under section 25 or 25A of the Federal Reserve Act, by the Board; and (C) banks insured by the Federal Deposit Insurance Corporation (other than members of the Federal Reserve System) and insured State branches of foreign banks, by the Board of Directors of the Federal Deposit Insurance Corporation.

(2) section 8 of the Federal Deposit Insurance Act, by the Director of the Office of Thrift Supervision, in the case of a savings association the deposits of which are insured by the Federal Deposit Insurance Corporation.

* * * * *

(4) the Federal Aviation Act of 1958, by the Secretary of Transportation with respect to any air carrier or foreign air carrier subject to that Act.

* * * * *

The terms used in paragraph (1) that are not defined in this title or otherwise defined in section 3(s) of the Federal Deposit Insurance Act (12 U.S.C. 1813(s)) shall have the meaning given to them in section 1(b) of the International Banking Act of 1978 (12 U.S.C. 3101).

COMPETITIVE EQUALITY BANKING ACT OF 1987

12. *Effective October 28, 1992, section 1204(d)(2) of the Competitive Equality Banking Act of 1987 is amended by adding the word "consumer" before the words "loan secured by a lien".*