



**FEDERAL RESERVE BANK
OF DALLAS**

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

DALLAS, TEXAS
75265-5906

November 18, 1994

Notice 94-112

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

SUBJECT

**Amendments to Regulations
A, H, Y, and Z**

DETAILS

The Board of Governors of the Federal Reserve System has published amendments in slip-sheet form to Regulation A (Extensions of Credit by Federal Reserve Banks), effective October 1994, Regulation H (Membership of State Banking Institutions in the Federal Reserve System), effective September 1994, Regulation Y (Bank Holding Companies and Change in Bank Control), effective September 1994, and Regulation Z (Truth in Lending), effective October 1994.

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 *Intrastate* (800) 592-1631, *Interstate* (800) 351-1012; Houston Branch *Intrastate* (800) 392-4162, *Interstate* (800) 221-0363; San Antonio Branch *Intrastate* (800) 292-5810.

ENCLOSURES

The new slip sheets are enclosed.

MORE INFORMATION

For more information regarding Regulation A, please contact the Discount and Credit Department at (214) 922-5333. For more information regarding Regulation H, please contact Dean Pankonien at (214) 922-6154 or Lynn Black at (214) 922-6069. For more information regarding Regulation Y, please contact Lynn Black at (214) 922-6069, Michael Johnson at (214) 922-6081, or Daniel Kirkland at (214) 922-6256. For more information regarding Regulation Z, please contact Eugene Coy 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 A

Extensions of Credit by Federal Reserve Banks

October 1994*

1. *Effective August 18, 1994, section 201.51 has been amended to read as follows:*

SECTION 201.51—Adjustment Credit for Depository Institutions

The rates for adjustment credit provided to depository institutions under section 201.3(a) are:

<i>Federal Reserve Bank</i>	<i>Rate</i>	<i>Effective</i>
Boston	4	August 16, 1994
New York	4	August 16, 1994
Philadelphia	4	August 18, 1994
Cleveland	4	August 17, 1994
Richmond	4	August 16, 1994
Atlanta	4	August 18, 1994
Chicago	4	August 16, 1994
St. Louis	4	August 16, 1994
Minneapolis	4	August 18, 1994
Kansas City	4	August 16, 1994
Dallas	4	August 16, 1994
San Francisco	4	August 17, 1994

2. *Effective June 2, 1994, section 201.52 has been amended to read as follows:*

SECTION 201.52—Extended Credit for Depository Institutions

(a) *Seasonal credit.* The rate for seasonal credit extended to depository institutions under section 201.3(b) is a flexible rate that takes into account rates on market sources of funds, but in no case will the rate charged be less than the rate for adjustment credit as set out in section 201.51.

(b) *Extended credit.* For extended credit to depository institutions under section 201.3(c), for credit outstanding for more than 30 days, a flexible rate will be charged that takes into account rates on market sources of funds, but in no case will the rate charged be less than the rate for adjustment credit, as set out in section 201.51, plus one-half percentage point. At the discretion of the Federal Reserve Bank, this time period may be shortened, and the rate may be the discount rate applicable to adjustment credit.

* A complete Regulation A, as amended effective August 18, 1994, consists of—

- the regulation pamphlet dated May 1994 (see inside front cover) and
- this slip sheet.

Amendments to Regulation H Membership of State Banking Institutions in the Federal Reserve System September 1994*

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;

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 July 5, 1994, consists of—

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

Item 2 is new. Item 1 was included in the November 1993 slip sheet.

- (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 com-

mences 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 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.

2. *Effective July 5, 1994, section 208.21 is reserved and a new section 208.22 is added, as follows:*

SECTION 208.21

[Reserved]

SECTION 208.22—Investment in Bank Premises

(a) Under section 24A of the Federal Reserve Act, state member bank investments in bank premises or in the stock, bonds, debentures, or other such obligations of any corporation holding the premises of the bank, and loans on the security of the stock of such corporation, do not require the approval of the Board if the aggregate of all such investments and loans, together with the indebtedness incurred by any such corporation that is an affiliate of the bank (as defined in section 2 of the Banking Act of 1933, as amended, 12 USC 221a)—

(1) does not exceed the capital stock amount of the bank; or

(2) does not exceed 50 percent of the bank's tier 1 capital and the bank—

(i) is well capitalized as defined in section 208.33(b)(1) of this part;

(ii) received a composite CAMEL rating of 1 or 2 as of its most recent examination by the relevant Federal Reserve Bank or state regulatory authority; and

(iii) is not subject to any written agreement, cease-and-desist order, capital directive, or prompt corrective-action directive issued by the Board or a Federal Reserve Bank.

Amendments to Regulation Y Bank Holding Companies and Change in Bank Control September 1994*

1. *Effective May 4, 1994, the first sentence of section 225.4(b)(1) is amended to read as follows:*

(1) *Filing notice.* Except as provided in paragraph (b)(6) of this section, a bank holding company shall give the Board prior written notice before purchasing or redeeming its equity securities if the gross consideration * * *

2. *Effective May 4, 1994, section 225.4(b) is amended by adding a new paragraph (6) as follows:*

(6) *Exception for well-capitalized bank holding companies.* A bank holding company seeking to redeem or purchase its equity securities is not required to obtain prior Board approval for the redemption or purchase under this section provided—

- (i) the total and tier 1 risk-based capital ratios and the leverage capital ratio for the bank holding company, both before and following the redemption, exceed the thresholds established for "well-capitalized" state member banks under 12 CFR 208.33(b)(1) as if the bank holding company (on a consolidated basis) were deemed to be a state member bank;
- (ii) the bank holding company received a composite 1 or 2 rating at its most recent BOPEC inspection; and
- (iii) the bank holding company is not the subject of any unresolved supervisory issues.

3. *Effective October 8, 1993, section 225.4 is amended by adding a new subsection (g). Effective September 2, 1994, section 225.4(d) is deleted, and paragraphs (e), (f), and (g) are redesignated as (d), (e), and (f). The redesignated paragraph (f) reads as follows:*

(f) *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.

4. *Effective September 2, 1994, section 225.7 is added as follows:*

SECTION 225.7—Tying Restrictions

(a) *Applicability to nonbanks.* A bank holding company and any nonbanking subsidiary conducting an activity authorized under section 225.23 of this regulation may not in any manner extend credit, lease or sell property of any kind, provide any service, or fix or vary the consideration for any of these transactions subject to any condition or requirement that, if imposed by a bank, would constitute an unlawful tie-in arrangement under section 106 of the Bank Holding Company Act Amendments of 1970 (12 USC 1971, 1972(1)).

(b) *Exceptions.* Subject to the limitations of paragraph (c), the Board has adopted the following exceptions to the anti-tying restrictions of section 106 of the Bank Holding Company Act Amendments of 1970 and paragraph (a) of this section.

* A complete Regulation Y, as revised effective September 2, 1994, consists of—

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

Items 1-4 and 6-10 are new. Item 5 was included in the November 1993 slip sheet.

(1) *Traditional bank products.* A bank holding company or any bank or non-bank subsidiary thereof may vary the consideration charged for a traditional bank product on the condition or requirement that a customer also obtain a traditional bank product from an affiliate.

(2) *Securities brokerage services.* A bank holding company or any bank or nonbank subsidiary thereof may vary the consideration charged for securities brokerage services on the condition or requirement that a customer also obtain a traditional bank product from that bank holding company or bank or non-bank subsidiary, or from any affiliate of such company or subsidiary.

(c) *Limitations on exceptions.*

(1) The exceptions of this section shall apply only if all products involved in the tying arrangement are separately available for purchase.

(2) Any exception granted pursuant to this section shall terminate upon a finding by the Board that the arrangement is resulting in anticompetitive practices.

(d) *Definitions.* For purposes of this section—

(1) *Traditional bank product* means a loan, discount, deposit, or trust service.

(2) *Affiliate* has the meaning given such term in section 2(k) of the Bank Holding Company Act (12 USC 1841(k)).

(3) *Securities brokerage services* means those activities authorized by the Board pursuant to section 225.25(b)(15) of Regulation Y (12 CFR 225.25(b)(15)).

5. *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.

6. *Effective June 7, 1994, section 225.62 is amended by redesignating subsections (d) through (f) as (e) through (g) and adding a new subsection (d), and redesignating subsections (g) through (k) as (i) through (m) and adding a new subsection (h), as follows:*

(d) *Business loan* means a loan or extension of credit to any corporation, general or limited partnership, business trust, joint venture, pool, syndicate, sole proprietorship, or other business entity.

* * * * *

(h) *Real estate or real property* means an identified parcel or tract of land, with improvements, and includes easements, rights-of-way, undivided or future interests, or similar rights in a tract of land, but does not include mineral rights, timber rights, growing crops, water rights, or similar interests severable from the land when the transaction does not involve the associated parcel or tract of land.

7. *Effective June 7, 1994, section 225.63 is amended by revising the title, revising subsection (a), adding new subsections (b) and (c), and redesignating the old subsections (b) and (c) as (d) and (e), as follows:*

SECTION 225.63—Appraisals Required; Transactions Requiring a State-Certified or -Licensed Appraiser

(a) *Appraisals required.* An appraisal performed by a state-certified or -licensed appraiser is required for any real estate-related financial transaction except those in which—

- (1) the transaction value is \$250,000 or less;
- (2) a lien on real estate has been taken

as collateral in an abundance of caution;

(3) the transaction is not secured by real estate;

(4) a lien on real estate has been taken for purposes other than the real estate's value;

(5) the transaction is a business loan that—

(i) has a transaction value of \$1 million or less; and

(ii) is not dependent on the sale of, or rental income derived from, real estate as the primary source of repayment;

(6) a lease of real estate is entered into, unless the lease is the economic equivalent of a purchase or sale of the leased real estate;

(7) the transaction involves an existing extension of credit at the lending institution, provided that—

(i) there has been no obvious and material change in market conditions or physical aspects of the property that threatens the adequacy of the institution's real estate collateral protection after the transaction, even with the advancement of new monies; or

(ii) there is no advancement of new monies, other than funds necessary to cover reasonable closing costs;

(8) the transaction involves the purchase, sale, investment in, exchange of, or extension of credit secured by, a loan or interest in a loan, pooled loans, or interests in real property, including mortgage-backed securities, and each loan or interest in a loan, pooled loan, or real property interest met Board regulatory requirements for appraisals at the time of origination;

(9) the transaction is wholly or partially insured or guaranteed by a United States government agency or United States government-sponsored agency;

(10) the transaction either—

(i) qualifies for sale to a United States government agency or United States government-sponsored agency; or

(ii) involves a residential real estate transaction in which the appraisal conforms to the Federal National Mortgage Association or Federal Home Loan Mortgage Corporation appraisal standards applicable to that category of real estate;

(11) the regulated institution is acting in a fiduciary capacity and is not required to obtain an appraisal under other law; or

(12) the Board determines that the services of an appraiser are not necessary in order to protect federal financial and public-policy interests in real estate-related financial transactions or to protect the safety and soundness of the institution.

(b) *Evaluations required.* For a transaction that does not require the services of a state-certified or -licensed appraiser under paragraphs (a)(1), (a)(5), or (a)(7) of this section, the institution shall obtain an appropriate evaluation of real property collateral that is consistent with safe and sound banking practices.

(c) *Appraisals to address safety-and-soundness concerns.* The Board reserves the right to require an appraisal under this subpart whenever the agency believes it is necessary to address safety-and-soundness concerns.

* * * * *

8. *Effective June 7, 1994, section 225.64 is amended as follows:*

SECTION 225.64—Minimum Appraisal Standards

For federally related transactions, all appraisals shall, at a minimum—

(a) conform to generally accepted appraisal standards as evidenced by the Uniform Standards of Professional Appraisal Practice promulgated by the Appraisal Standards Board of the Appraisal Foundation, 1029 Vermont Ave., N.W., Washing-

ton, D.C. 20005, unless principles of safe and sound banking require compliance with stricter standards;

(b) be written and contain sufficient information and analysis to support the institution's decision to engage in the transaction;

(c) analyze and report appropriate deductions and discounts for proposed construction or renovation, partially leased buildings, nonmarket lease terms, and tract developments with unsold units;

(d) be based upon the definition of market value as set forth in this subpart; and

(e) be performed by state-licensed or -certified appraisers in accordance with requirements set forth in this subpart.

(1) If an appraisal is prepared by a fee appraiser, the appraiser shall be engaged directly by the regulated institution or its agent, and have no direct or indirect interest, financial or otherwise, in the property or transaction.

(2) A regulated institution also may accept an appraisal that was prepared by an appraiser engaged directly by another financial-services institution if—

(i) the appraiser has no direct or indirect interest, financial or otherwise, in the property or the transaction; and

(ii) the regulated institution determines that the appraisal conforms to the requirements of this subpart and is otherwise acceptable.

9. *Effective June 7, 1994, section 225.65(b) is amended as follows:*

(b) *Fee appraisers.*

10. *Effective June 7, 1994, appendix A to subpart G, "Uniform Standards of Professional Appraisal Practice," is deleted.*

Amendments and Corrections to Regulation Z Truth in Lending October 1994*

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
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. Effective July 29, 1994, paragraph (3) is added and the existing footnote numbers are redesignated to accommodate the new footnote. The paragraphs read as follows:

(e) Consumer's waiver of right to rescind.
(1) The consumer may modify or

* A complete Regulation Z, as amended and corrected effective July 29, 1994, consists of—

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

Items 7 and 8 are new. The other items were included in the October 1993 slip sheet.

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 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.

(3) The consumer's need 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 1994 to be a major disaster area, pursuant to 42 USC 5170, because of severe storms and flooding in the South.^{36b} 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.

^{36b} A list of the affected areas will be maintained and published by the Board. Such areas now include parts of Alabama, Florida, and Georgia.

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). Effective July 29, 1994, paragraph (3) is added. The paragraphs read 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.

(3) The consumer's need 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 1994 to be a major disaster area, pursuant to 42 USC 5170, because of severe storms and flooding in

^{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.

the South.^{48b} 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.

^{48b} A list of the affected areas will be maintained and published by the Board. Such areas now include parts of Alabama, Florida, and Georgia.

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 saving 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".*