



Federal Register

**Monday,
May 5, 2008**

Part XXI

Federal Reserve System

Semiannual Regulatory Agenda

FEDERAL RESERVE SYSTEM (FRS)

FEDERAL RESERVE SYSTEM

12 CFR Ch. II

Semiannual Regulatory Flexibility Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Board is issuing this agenda under the Regulatory Flexibility Act and the Board’s Statement of Policy Regarding Expanded Rulemaking Procedures. The Board anticipates having under consideration regulatory matters as indicated below during the period May 1, 2008, through October 31, 2008. The next agenda will be published in fall 2008.

DATES: Comments about the form or content of the agenda may be submitted any time during the next 6 months.

ADDRESSES: Comments should be addressed to Jennifer J. Johnson, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, DC 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is publishing its spring 2008 agenda as part of the Spring 2008 Unified Agenda of Federal Regulatory and Deregulatory Actions, which is coordinated by the Office of Management and Budget under Executive Order 12866. The agenda also identifies rules the Board has selected for review under section 610(c) of the Regulatory Flexibility Act, and public comment is invited on those entries. The complete Unified Agenda will be available to the public at the following Web site: www.reginfo.gov.

Participation by the Board in the Unified Agenda is on a voluntary basis.

The Board’s agenda is divided into three sections. The first, Proposed Rule Stage, reports on matters the Board may consider for public comment during the next 6 months. The second section, Final Rule Stage, reports on matters that have been proposed and are under Board consideration. And a third section, Completed Actions, reports on regulatory matters the Board has completed or is not expected to consider further. Matters begun and completed between issues of the agenda have not been included.

A dot (•) preceding an entry indicates a new matter that was not a part of the Board’s previous agenda and which the Board has not completed.

Margaret McCloskey Shanks,
Associate Secretary of the Board.

Federal Reserve System—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
379	Regulation Z—Truth in Lending (Docket Number: R-1286)	7100–AD08
380	Regulation Z—Truth in Lending (Docket Number: R-1305)	7100–AD17

Federal Reserve System—Completed Actions

Sequence Number	Title	Regulation Identifier Number
381	Regulation H—Membership of State Banking Institutions in the Federal Reserve System; and Regulation Y—Bank Holding Companies and Change in Bank Control, Capital Appendices (Docket Number: R-1261) (Completion of a Section 610 Review)	7100–AC88
382	Regulation R—Definition of Terms and Exemptions Relating to the “Broker” Exemptions for Banks	7100–AD05

Federal Reserve System (FRS)

Final Rule Stage

379. REGULATION Z—TRUTH IN LENDING (DOCKET NUMBER: R–1286)

Legal Authority: 15 USC 1601 et seq

Abstract: The Board is conducting a review of Regulation Z, which implements the Truth in Lending Act (TILA). In June 2007, the Board published a notice of proposed rulemaking (NPRM) to amend the regulation, and the regulation’s official staff commentary, for rules affecting open-end (revolving) credit that is not home secured. The Board published

advance notices of proposed rulemakings seeking comment on a variety of issues affecting the open-end credit in December 2004 and October 2005.

The NPRM seeks comment, among other issues, on amendments that highlight fees and penalty rates in disclosures accompanying credit and charge card applications and solicitations, require a summary of terms when accounts are opened, and breakout costs for fees and interest on

periodic statements. The proposal implements amendments to TILA contained in federal bankruptcy reform legislation. Advance notice would be required when penalty rates are imposed, and the time of advance notice for changed terms would be extended. Two alternatives are proposed dealing with the “effective” annual percentage rate disclosed on periodic statements.

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Final Rule Stage

Timetable:

Action	Date	FR Cite
Board Requested Comment	06/14/07	72 FR 32948
Board Expects Further Action By	11/00/08	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Jane Ahrens, Senior Counsel, Federal Reserve System, Division of Consumer and Community Affairs
Phone: 202 452-3667

RIN: 7100-AD08

380. • REGULATION Z—TRUTH IN LENDING (DOCKET NUMBER: R-1305)

Legal Authority: 12 USC 3806; 15 USC 1604; 15 USC 1637(c)(5); 15 USC 1637(l)

Abstract: The Board proposes to amend Regulation Z, which implements the Truth in Lending Act and Home Ownership and Equity Protection Act. The goals of the amendments are to protect consumers in the mortgage market from unfair, abusive, or

deceptive lending and servicing practices while preserving responsible lending and sustainable home ownership; ensure that advertisements for mortgage loans provide accurate and balanced information and do not contain misleading or deceptive representations and provide consumers transaction-specific disclosures early enough to use while shopping for a mortgage. The proposed revisions would apply four protections to a newly-defined category of higher-priced mortgage loans secured by a consumer's principal dwelling, including a prohibition on a pattern or practice of lending based on the collateral without regard to consumer's ability to repay their obligations from income, or from other sources besides the collateral. The proposed revisions would apply three new protections to mortgage loans secured by a consumer's principal dwelling regardless of loan price, including a prohibition on a creditor paying a mortgage broker more than the consumer had agreed the broker would receive. The Board also proposes to require that advertisements provide

accurate and balanced information, in a clean and conspicuous manner, about rates, monthly payments, and other loan features; and to ban several deceptive or misleading advertising practices, including representations that a rate or payment is "fixed" when it can change. Finally, the proposal would require creditors to provide consumers with transaction-specific mortgage loan disclosures before they pay any fee except a reasonable fee for reviewing credit history.

Timetable:

Action	Date	FR Cite
Board Requested Comment	01/09/08	73 FR 1672
Board Expects Further Action By	07/00/08	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Kathleen Ryan, Counsel, Federal Reserve System, Division of Consumer and Community Affairs
Phone: 202 452-3667

RIN: 7100-AD17

Federal Reserve System (FRS)

Completed Actions

381. REGULATION H—MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM; AND REGULATION Y—BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL, CAPITAL APPENDICES (DOCKET NUMBER: R-1261) (COMPLETION OF A SECTION 610 REVIEW)

Legal Authority: 12 USC 24 to 24a; 12 USC 36; 12 USC 92a;

Abstract: On September 25, 2006, the Office of the Comptroller of the Currency (OCC), the Board of Governors of the Federal Reserve System (Board), the Federal Deposit Insurance Corporation (FDIC), and the Office of Thrift Supervision (OTS) (collectively, the Agencies) issued a notice of proposed rulemaking that would implement the Basel II Capital Accord advanced capital measurement approaches in the United States. A final rule was issued on December 7, 2008 (72 FR 69288), with an effective date of April 1, 2008. The Basel II-based rules are mandatory for some banking organizations and optional for others.

The Basel II-based rules sets forth a new risk-based capital framework for organizations that have systems and risk management practices that can support the more complex and risk-sensitive regime.

Timetable:

Action	Date	FR Cite
Board Requested Comment	09/25/06	71 FR 55830
Final Action	12/07/07	72 FR 69288

Regulatory Flexibility Analysis Required: No

Agency Contact: Barbara Bouchard, Deputy Associate Director, Federal Reserve System, Division of Banking Supervision and Regulation
Phone: 202 452-3072

RIN: 7100-AC88

382. REGULATION R—DEFINITION OF TERMS AND EXEMPTIONS RELATING TO THE "BROKER" EXEMPTIONS FOR BANKS

Legal Authority: 15 USC 78c(a)(4)(F)

Abstract: Prior to the Gramm-Leach-Bliley Act of 1999 (GLBA Act), banks had a blanket exemption from the definition of "broker" in the Securities Exchange Act of 1934 (Exchange Act). The GLB Act removed the blanket exception and replaced it with 11 activity-based exceptions covering broad categories of bank securities "broker" activities. As required by the Financial Services Regulatory Relief Act of 2006, the Board and the Securities Exchange Commission jointly issued final rules (Regulation R) implementing the "broker" exceptions for banks in the Exchange Act. (October 3, 2007 72 FR 56514). Regulation R implements, substantially as proposed, the "broker" exceptions relating to bank trust and fiduciary, safekeeping and custody, and deposit "sweep" services, as well as the exception relating to "networking" arrangements between banks and broker-dealers. As part of the final rulemaking, a bank is exempt from compliance with the definition of "broker" until the first day of the bank's first fiscal year commencing after September 30, 2008.

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Completed Actions

Timetable:

Action	Date	FR Cite
Board Requested Comment	12/26/06	71 FR 77522
Board Adopted Final Rule	10/03/07	72 FR 56514

Agency Contact: Andrea Tokheim,
Counsel, Federal Reserve System, Legal
Division
Phone: 202 452-2300

RIN: 7100-AD05
[FR Doc. E8-7370 Filed 05-02-08; 8:45 am]

Regulatory Flexibility Analysis

Required: Yes

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