

First Citizens Bank

September 29, 2008

Board of Governors of the Federal Reserve System

Reference: 12 C F R Part 219
Regulation S; Docket No. R-1325

Dear Sir/Madame:

In response to The Board of Governors of the Federal Reserve System proposal regarding the reimbursement for providing financial records; recordkeeping requirements for financial records. First Citizens Bank comments are as follows:

There is nothing on the proposed guidelines to ensure that delivery of the documents is made without intervention and possible alteration. Any electronic file or C D can be manipulated. I have tested some of our requests and I have been able to change names, deposit amount, etc. Therefore, once we have released the records there would be no comfort on my part to testify to the authenticity. The proposal does not address "authentication of records produced".

Federal Agencies will not limit their scope because they know we can produce a massive amount of records electronically. They will create a burden on the bank (s) and will take full advantage of the situation. They will order everything vs. what is really necessary.

First Citizen is charging for postage; however there is nothing on the proposal concerning postage/delivery fee.

We will need clarification concerning their interpretation of "per electronic production" flat charge. In our case, we could have multiple data on one CD. For example, all items (deposit, cash checks, etc) will be placed on a secured zip file. Loan document, Wire transfers, Signature Cards will also be on their own established secured file. Our interpretation "per electronic production" would be that we could charge \$5.00 per "produced file". If we supplied all items and loan documents on two different files, we should be able to collect \$10.00 (\$5.00). (?)

We also need clarification if the new proposal covers Grand Jury Subpoenas.

Finally, salary rate per hour on the proposal is too low. The salary was based on the fact that the FED used 2004 data.

Our Suggestions are:

Microfiche fee can be removed from the price list. In addition, we would like to be reimbursed for account records of Corporations, Partnership of six or more, Association, Trust, Government Agency and other legal entities.

Truly yours,

First Citizens Bank