



Federal Deposit Insurance Corporation
550 17th Street NW, Washington, D.C. 20429-9990

Financial Institution Letter
FIL-130-2005
December 30, 2005

REGULATORY RELIEF

Guidance to Help Financial Institutions in Areas Affected by Wildfires

Summary: The Federal Deposit Insurance Corporation (FDIC) has announced a series of steps intended to facilitate the rebuilding process in areas damaged by recent wildfires in Oklahoma and Texas.

Distribution:

FDIC-Supervised Banks (Commercial and Savings)
in Oklahoma and Texas

Suggested Routing:

Chief Executive Officer
Compliance Officer
Chief Lending Officer

Related Topics:

Lending
Investments
Publishing Requirements
Consumer Laws

Attachment:

Supervisory Practices Regarding Depository
Institutions and Borrowers Affected by the Wildfires

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Note:

FDIC financial institution letters (FILs) may be accessed from the FDIC's Web site at <http://www.fdic.gov/news/news/financial/2005/index.html>.

To receive FILs electronically, please visit <http://www.fdic.gov/about/subscriptions/fil.html>.

Paper copies of FDIC financial institution letters may be obtained through the FDIC's Public Information Center, 801 17th Street, NW, Room 100, Washington, DC 20434 (1-877-275-3342 or 202-416-6940).

Highlights:

- The recent wildfires have resulted in considerable damage to the public infrastructure, structures, equipment and land in the affected areas of Oklahoma and Texas.
- The FDIC is encouraging banks to work constructively with borrowers who, because of these natural disasters, are experiencing difficulties beyond their control.
- Extending repayment terms, restructuring existing loans or easing terms for new loans, if done in a manner consistent with sound banking practices, can contribute to the health of the community and serve the long-term interests of the lending institution.
- The FDIC will also consider regulatory relief from certain filing and publishing requirements.

SUPERVISORY PRACTICES REGARDING DEPOSITORY INSTITUTIONS AND BORROWERS AFFECTED BY THE WILDFIRES

The Federal Deposit Insurance Corporation (FDIC) recognizes the serious impact of the recent wildfires and other natural disasters on the operations of financial institutions and will provide regulatory assistance to institutions subject to its supervision. These initiatives are being taken to provide regulatory relief and facilitate recovery. The FDIC encourages depository institutions in the affected disaster areas to meet the financial service needs of their communities.

Lending. Bankers should work constructively with borrowers in communities affected by the wildfires and other natural disasters. The FDIC realizes that the effects of such natural disasters on local businesses and individuals are often transitory, and that prudent efforts to adjust or alter terms on existing loans in areas affected by the wildfires and other natural disasters should not be subject to examiner criticism. In supervising institutions impacted by the disasters, the FDIC will take into consideration the unusual circumstances the institutions face. The agency recognizes that efforts to work with borrowers in communities under stress can be consistent with safe and sound banking practices as well as in the public interest.

Investments. Bankers should monitor municipal securities and loans affected by the wildfires or other natural disasters. The FDIC realizes that local government projects may be negatively impacted by such natural disasters. Appropriate monitoring and prudent efforts to stabilize such investments are encouraged.

Reporting Requirements. FDIC-supervised institutions affected by the wildfires and other natural disasters should notify their FDIC regional office if they expect a delay in filing their Reports of Income and Condition (Call Reports) or other reports. The FDIC will take into consideration any causes beyond the control of a reporting institution in determining how long of a filing delay will be acceptable.

Publishing Requirements. The FDIC understands that the damage caused by the recent wildfires and other natural disasters may affect compliance with publishing and other requirements for branch closings, relocations and temporary facilities under various laws and regulations. Banks that have disaster-related difficulties in complying with any publishing or other requirements should contact the FDIC's Dallas Regional Office.

Consumer Laws. Regarding consumer loans, Regulation Z provides consumers an option to waive or modify the three-day rescission period when a "bona fide personal financial emergency" exists. To exercise this option, the consumer must provide the lender with a statement describing the emergency in accordance with the regulation.