

Schedule 72-1

DEPARTMENT OF BANKING AND FINANCE

BANKS AND FINANCIAL INSTITUTIONS

January 6, 2010

Nebraska Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508
(402) 471-2559

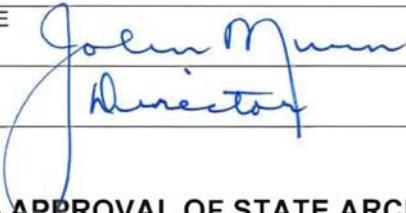
**REQUEST FOR APPROVAL
OF RECORDS RETENTION
AND DISPOSITION SCHEDULE**

**TO: STATE RECORDS ADMINISTRATOR
STATE OF NEBRASKA**

SCHEDULE 72-1
AGENCY, BOARD OR COMMISSION DEPARTMENT OF BANKING & FINANCE
DIVISION, BUREAU OR OTHER UNIT BANK & FINANCIAL INSTITUTIONS
Supersedes Schedule 72-2, Series 72-2-1 and 72-2-3 Edition of January 15, 1991

PART I – AGENCY STATEMENT:

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.

SIGNATURE 	DATE 12-18-2009
TITLE Director	

PART II – APPROVAL OF STATE ARCHIVES:

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.

SIGNATURE 	DATE 12/29/2009
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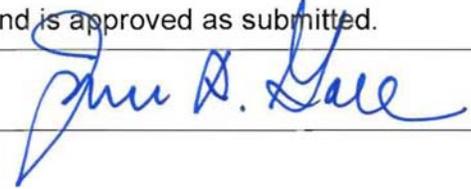
PART III – APPROVAL OF AUDITOR OF PUBLIC ACCOUNTS:

The attached schedule has been reviewed, all audit material has been properly identified, and this schedule is approved as submitted.

SIGNATURE 	DATE 1/4/2010
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PART IV – APPROVAL OF STATE RECORDS ADMINISTRATOR:

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.

SIGNATURE 	DATE 1/6/10
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INSTRUCTIONS FOR USING THIS SCHEDULE

Records retention and disposition schedules are designed to serve as your records management guideline for storing and disposing of agency records, **regardless of the media on which they reside**, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

DISPOSING OF RECORDS

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. For records requiring a review of, or transfer to the **NE State Historical Society (State Archives)**, your agency is required to contact the State Archives to negotiate the transfer. Additionally, **once the records are accessioned into their collection, they become the property of the State Archives**. The State Archives may remove selected records in accordance with standard archival practices to ensure efficient access, organization and enduring historical value (Nebr. Rev. Stat. §82-107). Please contact their office by calling (402) 471-4783.
4. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business.

Please remember to retain the blank form for future use.

NON-SCHEDULED RECORDS

Contact a Records Management Specialist in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

SCHEDULE UPDATE

It is the responsibility of each agency to periodically update their schedule. A Records Management Specialist in Records Management can assist you with the schedule update, which may involve adding new records series and making revisions to existing items. Keeping your schedule current will ensure you have the ongoing authority to discard records when their useful life has ended.

QUESTIONS

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Specialist in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or microfilming records, scanning records, etc.

**Records Management Division
440 South 8th Street, Suite 210
Lincoln, NE 68508-2294
402-471-2559**

INDEX

SCHEDULE 72-1 DEPARTMENT OF BANKING AND FINANCE BANKS AND FINANCIAL INSTITUTIONS

	Item	Page
<u>BACK-UP COPIES OF ELECTRONIC RECORDS</u>	72-1-3	8
<u>BANKS AND TRUST COMPANIES</u>	72-1-1	5
BANK HOLDING COMPANY FILES	72-1-1-1	5
BANK/TRUST COMPANY CORPORATE FILES	72-1-1-2	5
BANK/TRUST COMPANY CORRESPONDENCE/ EXAMINATION FILES	72-1-1-3	5
CHECK SALES (SALE OF CHECKS) AND FUNDS TRANSMISSION (FORMERLY CHECK SELLER FILES)	72-1-1-4	5
CHECK SELLER LICENSE REGISTER.....	72-1-1-5	6
CLOSING DOCUMENTATION/LIQUIDATION FILES	72-1-1-6	6
EXAMINER WORK PAPERS	72-1-1-7	6
EXECUTIVE OFFICER LICENSE FILES	72-1-1-8	6
INDUSTRIAL LOAN AND INVESTMENT COMPANIES (OBSOLETE 2003)	72-1-1-9	6
PLEGGED SECURITIES FILES	72-1-1-10	6
SPECIAL INVESTIGATION FILES	72-1-1-11	6
<u>FINANCIAL INSTITUTION GENERAL RECORDS</u>	72-1-2	7
ATM APPLICATIONS (OBSOLETE)	72-1-2-1	7
CALL REPORTS	72-1-2-2	7
CUSTOMER COMPLAINTS	72-1-2-3	7
IT EXAMINATIONS (FORMERLY EDP EXAMINATIONS)	72-1-2-4	7
EXAMINATION DATABASE	72-1-2-5	7
FINANCIAL INSTITUTION DATABASE	72-1-2-6	7
HEARING TRANSCRIPTS AND EXHIBITS	72-1-2-7	8
INVESTIGATION FILES (FORMERLY INVESTIGATION HEARING FILES).....	72-1-2-8	8
RULES HEARING FILES	72-1-2-9	8
SUSPICIOUS ACTIVITY REPORTS (SARS).....	72-1-2-10	8
VIOLATIONS REVIEW FILES	72-1-2-11	8
<u>MISCELLANEOUS RECORDS</u>		
OBSOLETE RECORDS		9
RECORDS DISPOSITION REPORT (BLANK)		10
TRANSFERRED RECORDS.....		8

SCHEDULE 72-1 – DEPARTMENT OF BANKING AND FINANCE – BANKS AND FINANCIAL INSTITUTIONS

72-1-1 BANKS AND TRUST COMPANIES

72-1-1-1 BANK HOLDING COMPANY FILES

Files contain application for registration as a bank holding company, copy of registration, correspondence, change in control forms, correspondence, and Federal Reserve Board Reports of Examination.

CORRESPONDENCE AND EXAMS: Bundle into multi-year files and transfer to the State Records Center as needed; dispose of after 10 years.

ALL OTHER RECORDS: Transfer to the State Records Center 1 year after rendered inactive; dispose of 10 years after institution closes or all litigation has ended, whichever is later.

72-1-1-2 BANK/TRUST COMPANY CORPORATE FILES

Files include charters, bonds and riders, Articles of Incorporation and any amendments, bylaws and any amendments, Certificates of Increase of Paid-In Capital Stock, Applications for Approval of Directors and any resignations from the Board, and any administrative orders.

CHARTER AND ORIGINAL ARTICLES OF INCORPORATION: Retain permanently.

ALL OTHER RECORDS: Transfer to the State Records Center 1 year after institution is closed. Bond material and Approval of Director, when accompanied with a notice of resignation, may be transferred separately to the State Records Center as needed; dispose of 10 years after closing, provided all litigation has been completed.

72-1-1-3 BANK/TRUST COMPANY CORRESPONDENCE/ EXAMINATION FILES

Files include correspondence and Bank related e-mail for the calendar year indicated, Reports of Examination and visitations conducted as of the close of business during the calendar year indicated, and directors' examinations performed as of the close of business during the calendar year. Maintain, within the Department, the two most recent state and federal examinations.

CORRESPONDENCE FILE: Transfer to the State Records Center after 1 year; dispose of after 10 years.

EXAMINATIONS: Transfer to the State Records Center as needed to be placed in the correspondence file that matches the examination date; dispose of 10 years after examination date.

WORK PAPERS: Scan to network and dispose of after 60 days.

ELECTRONIC RECORD: Dispose of after 10 years.

72-1-1-4 CHECK SALES (SALE OF CHECKS) AND FUNDS TRANSMISSION (FORMERLY CHECK SELLER FILES)

Files contain initial application, copy of registration/license, financial statements, correspondence, copies of bonds, renewal applications and licenses and lists of agent locations. Filed alphabetically.

CORRESPONDENCE AND PAST RENEWAL APPLICATIONS: Transfer to the State Records Center as needed; dispose of after 10 years.

ALL OTHER RECORDS: Transfer to the State Records Center 1 year after cancellation; dispose of after 10 years.

72-1-1-5 CHECK SELLER LICENSE REGISTER

Register contains licenses issued filed in license number order.

ORIGINAL RECORD: Scan to network; retain permanently.

ELECTRONIC RECORD: Retain permanently.

72-1-1-6 CLOSING DOCUMENTATION/LIQUIDATION FILES

Files contain closing orders, legal documents, court filings, FDIC and state correspondence, press releases, door notices, Declarations of Emergency, telegrams to correspondents, bid information, sale information.

Transfer to the State Records Center 1 year after institution closes or after litigation is concluded; dispose of after 10 years, subject to approval of court if necessary and review by State Archives for possible accession.

72-1-1-7 EXAMINER WORK PAPERS

Files contain original documentation and raw data gathered by field examiners during the process of examination. Such documentation includes paper and electronic individual loan analyses, daily statements, balance sheets, and general ledger figures.

ORIGINAL RECORD: Transfer to the State Records Center after next examination is completed; dispose of 10 years after examination date.

ELECTRONIC RECORD: Dispose of 10 years after examination date.

72-1-1-8 EXECUTIVE OFFICER LICENSE FILES

Files are maintained on the executive officers of the various institutions and include applications, financial statements, reference letters, criminal history reports, officer related inquiries, credit inquiries and photocopies of licenses issued.

ORIGINAL RECORD: Scan to network and dispose of after 60 days OR maintain in the Department and transfer licenses matched with notice of surrender to the State Records Center as needed; dispose of 25 years after employee leaves, not when institution closes.

ELECTRONIC RECORD: Dispose of 25 years after officer leaves institution.

**72-1-1-9 INDUSTRIAL LOAN AND INVESTMENT COMPANIES
(OBSOLETE 2003)**

Files include bonds and riders, Articles of Incorporation and any amendments, bylaws and any amendments, Certificates of Increase of Paid-In Capital Stock, Application for Approval of Director and any resignations from the Board, and any administrative orders.

Transfer to the State Records Center 1 year after institution is closed. Bond material may be transferred separately if volume becomes large; dispose of 10 years after closing, provided all litigation has been completed and following approval by General Counsel.

72-1-1-10 PLEDGED SECURITIES FILES

Files contain department receipts and correspondence for trust departments of commercial banks, national banks and federal savings banks, free-standing trust companies and other entities which may pledge in lieu of bonds.

Transfer to the State Records Center 1 year after institution closes; dispose of after 10 years.

72-1-1-11 SPECIAL INVESTIGATION FILES

See item 72-1-2-8.

72-1-2 FINANCIAL INSTITUTION GENERAL RECORDS

72-1-2-1 ATM APPLICATIONS (OBSOLETE 2009)

Immediately dispose of obsolete records.

72-1-2-2 CALL REPORTS

Reports of Condition or Earnings and Dividends from NE financial institutions (banks, trust companies, credit unions and savings and loan associations, etc). They are submitted quarterly, semi-annually or annually. All reports are filed electronically with the appropriate federal agency (i.e. FDIC, NCUA) and maintained permanently. The Department of Banking receives these reports or information from these reports in two ways. Some NE financial institutions send a copy of their reports to the Banking Department. The Banking Department also accesses the federal agency systems and downloads copies or data related to the reports for the purpose of in-house analysis or research. The electronic record consists of reports scanned or downloaded to Banking Department network.

PAPER REPORTS RECEIVED: Scan to network and dispose of after 60 days.

ELECTRONIC RECORD: Retain permanently.

72-1-2-3 CUSTOMER COMPLAINTS

Complaint forms, customer inquiries and correspondence concerning individuals or entities regulated by agency.

Transfer to the State Records Center 1 year after file closed; dispose of after 20 years.

72-1-2-4 IT EXAMINATIONS (FORMERLY EDP EXAMINATIONS)

Files contain examinations of the computer capabilities and procedures of financial institutions.

ORIGINAL RECORD: Dispose of after 10 years.

WORK PAPERS: Scan to network and dispose of after 60 days OR destroy with correspondence and examination files after 10 years.

ELECTRONIC RECORD: Dispose of after 10 years.

72-1-2-5 EXAMINATION DATABASE

Data referencing the existence of examinations, examination billings, and examiner data entry including timesheets, and various listing and reports that are generated.

EXAMINATION AND BILLING RECORDS: Dispose of after institution closes.

OTHER ELECTRONIC RECORDS: Dispose of after 20 years.

COMPUTER PRINTOUTS: Dispose of when superseded or obsolete.

72-1-2-6 FINANCIAL INSTITUTION DATABASE

Electronic database that includes names and addresses, data reflecting the existence of blanket bonds, executive officer licenses, directors, pledged securities and audits.

Various listings and reports are generated.

NAME, ADDRESS, FINAL BOARD AND INSTITUTION DISPOSITION RECORDS: Retain permanently.

OTHER ELECTRONIC RECORDS: Dispose of 10 years after institution closes.

COMPUTER PRINTOUTS: Dispose of when superseded or obsolete.

72-1-2-7 HEARING TRANSCRIPTS AND EXHIBITS

Files created for financial institution applications requiring hearings and/or review and approval or denial by agency. Files may include application and supporting documentation, receipts for fees, hearing arrangements and publication notices, correspondence, hearing transcripts and exhibits, and Order of Approval or Denial.

Transfer to the State Records Center after 5 years; dispose of after 20 years, subject to review by the State Archives for possible accession.

72-1-2-8 INVESTIGATION FILES (FORMERLY INVESTIGATION HEARING FILES)

Files created during investigations into the methods or practices of a financial institution or individual or authorized under Neb. Rev. Stat. section 8-1,134. Files may contain work papers, correspondence, evidentiary material, affidavits, details of hearing arrangements, hearing transcripts and exhibits, subpoenas and copies of any Department Order issued.

Transfer to the State Records Center 3 years after investigation has been completed, final order issued or court action completed, whichever is longer; dispose of after 20 years after investigation has been completed.

72-1-2-9 RULES HEARING FILES

Files created for hearings to promulgate new or amend existing agency rules. Files may include draft rules, supporting documentation, hearing arrangements, publication notices, correspondence, hearing transcripts and exhibits, and rules as finalized.

Retain permanently.

72-1-2-10 SUSPICIOUS ACTIVITY REPORTS (SARS)

Highly confidential reports containing allegations of violations of state and federal law which are submitted to Financial Crimes Enforcement Network (FINCEN) by institutions and others. Access to the reports is very limited. Files are to remain on Department premises.

Dispose (shred) of when no longer required for investigation.

72-1-2-11 VIOLATIONS REVIEW FILES

Files contain photocopies of violations pages from state or federal reports of examination, correspondence and other investigatory materials relating to correcting cited violations.

Transfer to the State Records Center after 1 year; dispose of after 10 years.

72-1-3 BACK-UP COPIES OF ELECTRONIC RECORDS

The Department of Banking & Finance contracts with the Office of the Chief Information Officer (OCIO) to provide back-up services for electronic records. The data is only to be used for the purposes of business continuity which includes disaster recover (not for archiving). Tapes will be maintained by the OCIO, then overwritten or destroyed following retention requirements found in Schedule 124 – General Records for State Agencies, items 124-8-2 & 124-8-3.

TRANSFERRED RECORDS TO SCHEDULE 72-6

- 72-1-1-1 AGENT FILES
- 72-1-1-2 AGENT REGISTRATIONS
- 72-1-1 AGENTS
- 72-1-2 BROKER-DEALERS
- 72-1-2-1 BROKER-DEALER FILES

72-1-2-2	BROKER-DEALER REGISTRATIONS
72-1-3	BUSINESS OPPORTUNITIES
72-1-3-1	BUSINESS OPPORTUNITY FILES
72-1-3-2	BUSINESS OPPORTUNITY NEWSPAPER ADVERTISEMENTS REGISTER
72-1-6-4	DENIES ISSUER FILES
72-1-6-3	EXEMPTION FILES
72-1-4	INVESTIGATIONS
72-1-4-1	INVESTIGATION FILES
72-1-5	INVESTMENT ADVISERS
72-1-5-1	INVESTMENT ADVISERS FILES
72-1-5-2	INVESTMENT ADVISERS REGISTRATIONS
72-1-6-1	ISSUER FILES
72-1-7-2	ISSUER-DEALER REGISTRATIONS
72-1-7	ISSUER-DEALERS
72-1-7-1	ISSUER-DEALER FILES
72-1-6-5	ISSUER REGISTRATIONS
72-1-6	ISSUERS
72-1-9	NASAA (NORTH AMERICAN SECURITIES ADMINISTRATORS ASSOCIATION) AND FINRA FILES AND SURVEYS
72-1-4-3	ORDERS FILES
72-1-8	SECURITIES BUREAU DATABASE
72-1-10	TALLY SHEETS/MONTHLY REPORTS
72-1-6-2	WITHDRAWN ISSUER FILES

OBSOLETE RECORDS

72-1-2-3	BROKER-DEALER INDEX CARDS IMMEDIATELY DISPOSE OF OBSOLETE RECORDS
72-1-4-2	INVESTIGATION INDEX FILES IMMEDIATELY DISPOSE OF OBSOLETE RECORDS
72-1-7-3	ISSUER-DEALER INDEX CARDS IMMEDIATELY DISPOSE OF OBSOLETE RECORDS
72-1-6-6	ISSUER INDEX CARDS IMMEDIATELY DISPOSE OF OBSOLETE RECORDS
72-1-1-3	NASD BROKER-DEALER AGENT REPORTS IMMEDIATELY DISPOSE OF OBSOLETE RECORDS
72-1-1-4	NASD BROKER-DEALER AGENT LISTINGS IMMEDIATELY DISPOSE OF OBSOLETE RECORDS

NOTE

1. *These records may be disposed of after the required retention period provided the audit of the Comprehensive Annual Financial Report (CAFR) is complete and any required federal audit is complete, and all related audit comments have been resolved. Check with the organization that performed the audit, either the Auditor of Public Accounts or the federal cognizant agency, if there is a question whether resolution is complete.*

RECORDS DISPOSITION REPORT

TO: SECRETARY OF STATE RECORDS MANAGEMENT DIVISION 440 S. 8TH STREET SUITE 210 LINCOLN, NE 68508-2294	AGENCY
	DIVISION
	SUB-DIVISION

REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

DATE	SIGNATURE
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SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.

RMA 03006D

VOLUME ESTIMATING GUIDE

(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS ADEQUATE.)

Container	Cubic Feet	Weight (lbs)	Sheets of Paper (8.5" x 11")	Electronic Data Equivalent
			1	20 Kb
			52	1 Mb (1024 Kb)
			53,687	1 Gb (1024 Mb)
N/A	N/A	2,204 lbs (1 metric ton)	220,000	4.1 Gb
Records center carton	1 Cu. Foot	16.66 lbs	1,667	32 Mb
Vertical File Cabinet, 4 drawer letter-size	6 Cu. Feet	100 lbs	10,000	190 Mb
Vertical File Cabinet, 4 drawer legal-size	8 Cu. Feet	133.3 lbs	13,333	254 Mb
About a pickup load	50 Cu. Feet	7,500 lbs	748,638	14 Gb