

## SECURITIES AND DERIVATIVES

### Core Analysis Decision Factors

*Examiners should evaluate the Core Analysis in this section to determine whether an Expanded Analysis is necessary. Click on the hyperlinks found within each of the Core Analysis Decision Factors to reference the applicable Core Analysis Procedures.*

**Do Core Analysis and Decision Factors indicate that risks are adequately identified, measured, monitored, and controlled?**

- C.1. Are policies, procedures, and risk limits adequate? Refer to Core Analysis [Procedures #8-11](#).
- C.2. Are internal controls adequate? Refer to Core Analysis [Procedures #12-19](#).
- C.3. Are the audit or independent review functions adequate? Refer to Core Analysis [Procedures #20-22](#).
- C.4. Are information and communication systems adequate and accurate? Refer to Core Analysis [Procedures #45-46](#); [Procedures #49-50](#); & [Procedure #61](#).
- C.5. Does management appropriately identify and measure portfolio risks? Refer to Core Analysis [Procedures #23-26](#); [Procedures #27-31](#) (ACL only); [Procedures #32-35](#) (non-ACL only); [Procedures #36-53](#); & [Procedure #57](#).
- C.6. Do the board and management effectively oversee securities and derivatives activities? Refer to Core Analysis [Procedures #19-20](#); [Procedure #24](#); & [Procedures #55-66](#).

## SECURITIES AND DERIVATIVES EXAMINATION PROCEDURES

### Core Analysis Procedures

*Examiners are to consider the following procedures but are not expected to perform every procedure at every bank. Examiners should complete only the procedures relevant for the bank's activities, business model, risk profile, and complexity. If needed, based on other identified risks, examiners can complete additional procedures. References to laws, regulations, supervisory guidance, and other resources are not all-inclusive.*

#### Preliminary Review

1. Review prior examination reports, pre-examination memorandum, and file correspondence for an overview of any previously identified investment deficiencies.
2. Review internal and external audit reports and other independent reviews.<sup>1</sup>
3. Review remedial actions taken by management to address audit and examination recommendations.
4. Analyze the level and trend of securities and derivatives activities in the Uniform Bank Performance Report or Interest Rate Risk Standard Analysis (IRRSA - FDIC), and assess any risks in the portfolio(s).
5. Review the securities portfolio, certificates of deposit held for investment purposes, and end-use derivative contracts.
  - Review transactions entered into or amended since the last examination.
  - Identify securities that may require further analysis, such as instruments that have unusual, leveraged, or highly variable cash flows, including mortgage-backed securities (MBS), collateralized debt obligations, and asset-backed securities. The process may involve reviewing institution-prepared reports, investment prospectuses, trade confirmations, and accounting methods.
6. Discuss with management the institution's investment philosophy, portfolio composition, and underlying business purpose(s) for investment activities.

<sup>1</sup> If the institution is subject to the Sarbanes-Oxley Act (SOX), review the SOX information pertaining to the investment portfolio, such as SOX narratives, flow charts, and internal control matrices.

<p><b>7. Review investment committee minutes and other relevant committee minutes (such as asset-liability committee minutes) that discuss investment activities. Determine whether substantive investment activities are sufficiently discussed including any changes in strategy, philosophy, or responsibilities.</b></p>
<b>Policies, Procedures, and Risk Limits</b>
<p><b>8. Evaluate whether policies are appropriate for securities and derivatives activities. Effective policies are generally tailored to the institution's unique risk profile and address items such as:</b></p> <ul style="list-style-type: none"> <li>• The board's investment goals and objectives;</li> <li>• Delegations of investment authority;</li> <li>• Duties and responsibilities of individuals involved in the investment process;</li> <li>• Transaction authorizations and trade limits for individuals responsible for initiating trades;</li> <li>• Authorized activities and instruments;</li> <li>• Unacceptable investment activities;</li> <li>• Credit quality and ongoing monitoring guidelines;</li> <li>• Investment guidelines or limits (e.g., portfolio composition, maturities);</li> <li>• Required pre- and post-purchase analysis, including due diligence for more complex securities;</li> <li>• Off-balance-sheet investments;</li> <li>• Portfolio valuations and frequency requirements;</li> <li>• Pledging requirements;</li> <li>• Safekeeping procedures;</li> <li>• Internal controls;</li> <li>• Audit and independent reviews;</li> <li>• Reporting requirements;</li> <li>• Broker-dealer selection and ongoing monitoring;</li> <li>• Accounting and taxation considerations, including whether debt securities are properly measured under ASC Topic 320, Investments – Debt Securities, or ASC Topic 326, Financial Instruments – Credit Losses, as appropriate;</li> <li>• Conflicts of interest;</li> <li>• Exception reporting; and</li> <li>• Frequency of policy reviews by the board.</li> </ul>
<p><b>9. Determine whether management established risk limits appropriate for the institution. Appropriate risk limits consider, as appropriate:</b></p> <ul style="list-style-type: none"> <li>• Credit risk,</li> <li>• Concentration risk,</li> <li>• Market risk,</li> <li>• Liquidity risk,</li> <li>• Price risk,</li> </ul>

<ul style="list-style-type: none"> <li>• Investment types, and</li> <li>• Maturity and call features.</li> </ul>
<p><b>10. When applicable, assess management's strategies to modify market risk (e.g., hedging). Effective policies generally address items such as:</b></p> <ul style="list-style-type: none"> <li>• Approved strategies and instruments,</li> <li>• Activity limits,</li> <li>• Analysis and documentation standards,</li> <li>• Exposures needing modification,</li> <li>• Accounting treatment,</li> <li>• Monitoring requirements, and</li> <li>• Counterparty credit risk requirements.</li> </ul>
<p><b>11. Evaluate the frequency and timeliness of policy reviews and updates by the board.</b></p>
<p><b>Internal Controls</b></p>
<p><b>12. Assess the internal control program. Appropriate control programs generally:</b></p> <ul style="list-style-type: none"> <li>• Ensure transactions are conducted by authorized personnel;</li> <li>• Assess the appropriateness of delineation of responsibilities for joint custody and dual control; and</li> <li>• Maintain appropriate separation of duties (executing, posting, and reconciling).</li> </ul>
<p><b>13. Determine whether internal control procedures are commensurate with the volume and complexity of investment activities. Adequate procedures generally address items such as:</b></p> <ul style="list-style-type: none"> <li>• Portfolio valuation(s),</li> <li>• Personnel,</li> <li>• Settlement procedures,</li> <li>• Physical controls and documentation,</li> <li>• Conflicts of interest,</li> <li>• Appropriate accounting for debt and equity securities,<sup>2</sup></li> <li>• Reporting,</li> <li>• Independent review, and</li> <li>• Validation of risk measurement techniques.</li> </ul>

<sup>2</sup> In accordance with ASU 2016-01, equity securities may no longer be designated as available-for-sale.

<p><b>14. Determine whether management performs activities that may result in elevated risks or inadequate controls. Consider reviewing activities or file sampling for:</b></p> <ul style="list-style-type: none"> <li>• Gains trading, when-issued trading, pair-offs, extended settlements, repositioning repurchase agreements, short sales, or adjusted trading;</li> <li>• Incomplete transaction documentation;</li> <li>• Contravention of internal policy limits for transaction amounts or types with individual dealers;</li> <li>• Inaccurate reporting or accounting;</li> <li>• Failure to monitor personal investment activities of staff with securities activities responsibilities;</li> <li>• Transactions completed by unauthorized personnel;</li> <li>• Inappropriate delegation of investment authorities;</li> <li>• Inappropriate assignment of due diligence responsibilities to third parties; and</li> <li>• Exclusive reliance on credit rating agencies to assess credit risk.</li> </ul>
<p><b>15. Assess management's procedures for payment, reconciliation, exceptions, and control of securities and derivatives positions.</b></p>
<p><b>16. Determine whether investment activities are accurately reported in the Call Report and appropriately supported by work papers prepared by management.</b></p>
<p><b>17. Determine whether transfers of debt securities occur between the available-for-sale, held-to-maturity (HTM), or trading accounts.</b></p>
<p><b>18. Determine whether debt security sales from the HTM account have occurred, and if so, whether they are consistent with the safe harbor provisions in U.S. Generally Accepted Accounting Principles (GAAP).</b></p>
<p><b>19. Determine, by sampling transactions, whether management uses one dealer or representative for substantially all securities and derivatives activities. If so, determine whether management has safeguards to ensure the institution receives the best execution, including price and likelihood and speed of execution.</b></p>

<b>Audit or Independent Review</b>
<p><b>20. Determine whether audits or independent reviews provide sufficient coverage relative to the institution's size, scope of investment activities, and risk profile. The independent review should:</b></p> <ul style="list-style-type: none"> <li>• Assess separation of duties, internal controls, and supervision of investment activities;</li> <li>• Compare actual risk levels to board-approved limits;</li> <li>• Determine whether policies and procedures are adequate and appropriately comprehensive;</li> <li>• Determine compliance with internal policies and procedures, as well as regulatory requirements;</li> <li>• Assess the adequacy and accuracy of risk measurement systems, including critical assumptions;</li> <li>• Assess the adequacy, accuracy, and timeliness of reports to senior management and the board;</li> <li>• Assess the accuracy and timeliness of price information, including underlying assumptions;</li> <li>• Validate the accuracy of accounting and inventory reports: <ul style="list-style-type: none"> <li>○ Assess management's procedures for identifying and measuring impairment for debt securities under ASC Topic 320 or properly measuring debt securities for the proper credit loss allowance under ASC Topic 326, as appropriate;</li> <li>○ Assess management's procedures for establishing the fair value for equity securities and measuring changes in fair value through earnings, as appropriate (refer to procedure 36);</li> <li>○ Verify correct accounting for debt securities and derivatives positions, including accrued interest; principal amortization, premium amortization, discount accretion, and valuation;</li> </ul> </li> <li>• Verify securities trial balance reconciliations to the general ledger and safekeeping reports (considering the frequency of reconciliations, disposition of reconciling amounts, and separation of duties when evaluating the adequacy of reconciliations);</li> <li>• Ensure appropriate pre-purchase analysis and on-going due diligence is performed;</li> <li>• Verify that appropriate on-going due diligence is conducted on brokers or brokerage firms used;</li> <li>• Assess the documentation related to off-balance-sheet derivative transactions;</li> <li>• Recommend corrective action, when warranted;</li> <li>• Verify that corrective action commitments have been implemented; and</li> <li>• Review third party assessments of the securities portfolio for reasonableness.</li> </ul>
<p><b>21. Confirm that audit or independent review results and management's responses are reported to the board or designated committee, as appropriate, on a timely basis.</b></p>
<p><b>22. Determine whether management's responses to recent audits or independent reviews are timely and reasonable.</b></p>
<b>Risk Identification, Measurement, and Reporting Systems</b>
<b>DOCUMENTATION REVIEW</b>

<p><b>23. Review a sample of files that contain analysis of securities and derivatives positions entered into or amended since the last examination.<sup>3</sup> Determine whether management:</b></p> <ul style="list-style-type: none"> <li>• Adequately identified the risks associated with each security prior to acquisition and periodically thereafter, consistent with the institution's policies;</li> <li>• Established an appropriate risk and performance measurement system, including pre-purchase analysis documentation requirements and periodic monitoring;</li> <li>• Verified that securities are investment grade without relying exclusively on external credit ratings;</li> <li>• Adequately assessed whether the instrument's cash flows, risks, and potential returns continue to fit within its investment strategy; and</li> <li>• Obtained sufficient documentation to make an informed investment decision.</li> </ul>
<p><b>24. Determine whether management's method of evaluating and selecting authorized securities dealers, investment bankers, and brokers is appropriate. When selecting a dealer, investment banker, or broker, prudent management generally reviews or obtains:</b></p> <ul style="list-style-type: none"> <li>• The firm's current financial information, such as annual reports and credit reports, and evaluate its ability to honor commitments;</li> <li>• Reference checks on the firm; and</li> <li>• Information from state or federal securities regulators and industry self-regulatory organizations, such as FINRA, concerning any formal enforcement actions against the dealer, its affiliates, or associated personnel.</li> </ul>
<p><b>CREDIT RISK</b></p> <p><i>Procedures 27-31 apply to institutions that adopted ASU 2016-13. Procedures 32-35 apply to institutions that did not adopt ASU 2016-13. Procedures 25-26 and 36-41 apply to all institutions.</i></p> <p><b>25. Determine whether management's pre-purchase and ongoing credit analysis is commensurate with the risk of the instrument.<sup>4</sup></b></p>

<sup>3</sup> The same level of pre-purchase analysis may not be appropriate for all investment instruments. It may be appropriate to conduct less analysis for noncomplex and standardized instruments, the risks of which are well known to the institution, than for complex, nonstandard, or volatile instruments. Detailed pre-purchase analysis and documentation may be appropriate for investments in relatively complex instruments, nonstandard instruments, and potentially volatile instruments.

<sup>4</sup> The depth of the due diligence reflects the security's credit quality, complexity, and size. For example, for structured instruments, pre-purchase and ongoing credit risk analysis typically enables management to understand the characteristics of the underlying collateral, the securitization structure (such as its cash waterfall and performance triggers), and how the instrument may perform under stressed scenarios. If credit analysis is outsourced to third parties, management should verify the third party's independence, understand its credit analysis methodology, and confirm the adequacy of that methodology.

<p><b>26. Determine whether management’s credit analysis and risk limits for repurchase agreements and counterparties are appropriate.<sup>5</sup></b></p>
<p><b>27. For HTM debt securities, review and assess procedures, practices, and policies regarding the allowance for credit losses (ACL).</b></p> <ul style="list-style-type: none"> <li>• Determine whether the ACL evaluation process is completed at least quarterly and verify that appropriate documentation is maintained to support management’s assumptions, valuations, and judgements.<sup>6</sup></li> <li>• Evaluate the institution’s ACL policies and procedures. Assess the loss estimation method(s) used to arrive at overall estimates of ACLs, including the documentation supporting the reasonableness of management’s assumptions, valuations, and judgements.</li> <li>• Evaluate whether management has appropriately considered historical loss information, current conditions, and reasonable and supportable forecasts, including significant qualitative factors that affect the collectability of the HTM debt securities portfolio.</li> <li>• Determine whether management evaluates expected losses on a collective basis when HTM debt securities share similar risk characteristics. If an HTM debt security does not share similar risk characteristics with other assets, expected credit losses for that security should be evaluated individually.</li> <li>• Evaluate the institution’s policies and procedures for determining when HTM debt securities have zero expected credit losses. Examples of HTM debt securities that may result in expectations of zero credit loss include U.S. Treasury securities, as well as mortgage-backed securities issued and guaranteed by the Government National Mortgage Association, the Federal Home Loan Mortgage Corporation, and the Federal National Mortgage Association.</li> </ul>
<p><b>28. Determine the method(s) used by management to measure the expected collectability of HTM debt securities, and consider whether management maintains appropriate supporting documentation for the assumptions and estimates used.</b></p>
<p><b>29. For available-for-sale (AFS) debt securities, review and assess the institution’s procedures, practices, and policies regarding the identification of impairment in the investment portfolio and the ACL. Impairment is assessed at the individual security level.</b></p> <ul style="list-style-type: none"> <li>• Verify whether management determines at least each reporting period whether an individual AFS debt security’s decline in fair value below amortized cost has resulted from a credit loss or other factors.</li> <li>• Determine how management estimated the portion of the decline in fair value that was attributable to the credit loss (i.e., did management compare the present value of cash flows expected from the security with its amortized cost).</li> </ul>

<sup>5</sup> For more information, refer to the FFIEC Policy Statement on Repurchase Agreements of Depository Institutions with Securities Dealers and Others.

<sup>6</sup> Refer to the 2020 Interagency Policy Statement on Allowances for Credit Losses.



- Determine whether the present value calculation included management's best estimate based on past events, current conditions, and a reasonable and supportable forecast. Verify the following:
  - The interest rate used to discount the cash flow is the effective interest rate on the AFS debt security when it was acquired (at inception) or the current accretable yield; and
  - Forecasts of future cash flows, such as:
    - The financial and operating condition of the issuer,
    - Reasonableness of estimates of expected default and recovery rates,
    - The value and characteristics of any underlying collateral securing the AFS debt security, and
    - Remaining payment terms of the debt security.
- Determine whether the institution's credit loss estimate is limited to the amount that the fair value is less than the amortized cost on the security (i.e., the fair value floor).

**30. Determine whether management intends to sell an AFS debt security, or whether it is more likely than not management will be required to sell a security before the recovery of its amortized cost.<sup>7</sup>**

- If management does not intend to sell the AFS debt security, or if it is more likely than not management will not be required to sell the AFS debt security before recovery of its amortized cost basis, determine whether the estimate of credit loss is recorded through an ACL with a charge to the provision for credit losses for the credit loss component in the decline in fair value. Determine whether any non-credit component in the decline in fair value is properly recorded as a fair value adjustment in other comprehensive income net of tax.
- If management intends to sell the AFS debt security or if it is more likely than not that management will be required to sell the AFS debt security before recovery of its amortized cost basis, determine whether management charged off any amount that was recorded as an ACL. Determine whether any additional decline in fair value that was not charged off through the ACL was charged down to fair value through earnings.

**31. Determine whether the overall level of the ACL for HTM and AFS debt securities is appropriate and reasonable. Assess management's implementation of policies, procedures, processes, and controls to maintain an appropriate ACL on HTM and AFS debt securities.**

**32. Review and assess the institution's procedures, practices, and policies regarding the identification of OTTI (other than temporary impairment) in the investment portfolio.**

- Determine whether management ascertains, at least quarterly, whether a decline in an individual debt security's fair value below its amortized cost is temporary or other-than-temporary.
- If the current fair value of the security is lower than its amortized cost basis, verify consistency with accounting rules under ASC 320-10-35.
- Determine whether management's OTTI analysis addresses the following:

<sup>7</sup> Refer to ASC paragraphs 326-30-55-1- through 55-2 for more information pertaining to this assessment.

<ul style="list-style-type: none"> <li>○ The length of time and the extent to which the fair value has been less than the amortized cost;</li> <li>○ Adverse conditions specifically related to the security, industry, or geographic area;</li> <li>○ The historical and implied volatility of the fair value of the security;</li> <li>○ The payment structure of the debt security and the likelihood of the issuer being able to make payments that may increase in the future;</li> <li>○ Failure of the issuer of the security to make scheduled interest or principal payments;</li> <li>○ A significant deterioration in the earnings performance, risk profile, asset quality, or business prospects of the investee;</li> <li>○ Significant adverse change(s) in the regulatory, economic, or technological environment of the investee;</li> <li>○ Factors that raise material concern about the investee's financial capacity, such as negative cash flow from operations, and working capital deficiencies, non-compliance with debt covenants.</li> </ul>
<p><b>33. Determine whether OTTI exists by considering whether the institution expects to recover the entire amortized cost basis of the security.</b></p> <ul style="list-style-type: none"> <li>● If an institution is unable to assert that it will recover its amortized cost basis, an OTTI is considered to have occurred.</li> <li>● In assessing whether the entire amortized cost basis of the security will be recovered, an institution may compare the present value of cash flows expected to be collected from the security with the amortized cost.</li> <li>● If the present value of cash flows expected to be collected is less than the amortized cost basis of the security, a credit loss exists and an OTTI is considered to have occurred.</li> </ul>
<p><b>34. Determine whether management intends to sell any OTTI security or if it is more likely than not that management will be required to sell any OTTI security before recovery of its amortized costs basis. Ensure any impact to earnings is appropriately reflected.</b></p> <ul style="list-style-type: none"> <li>● If a credit loss exists, and management intends to sell the OTTI debt security, or it is more likely than not that management will be required to sell the OTTI debt security before recovery of its amortized cost basis, the difference between the security's amortized cost basis and its fair value at the balance sheet date must be recognized in earnings.</li> <li>● If a credit loss exists, and management does not intend to sell the OTTI security and it is <i>not</i> more likely than not that management will be required to sell the OTTI debt security before recovery of its amortized cost basis less any current-period credit loss that exists, the amount of the total OTTI related to the credit loss must be recognized in earnings, but the amount of the total impairment related to other factors must be recognized in other comprehensive income, net of applicable taxes.</li> </ul>

<p><b>35. Determine whether management uses discounted cash flow analysis to identify credit impairment.<sup>8</sup> Verify the following:</b></p> <ul style="list-style-type: none"> <li>• The interest rate used to discount the cash flows is the effective interest rate on the security when it was acquired (at inception) or current accretable yield; and</li> <li>• Assumptions affecting forecasts of future cash flows, such as: <ul style="list-style-type: none"> <li>○ The financial and operating condition of the issuer,</li> <li>○ Reasonableness of estimates of expected default and recovery rates,</li> <li>○ The value and characteristics of any underlying collateral securing the debt security, and</li> <li>○ Remaining payment terms of the security.</li> </ul> </li> </ul>
<p><b>36. Determine whether all equity securities are measured at fair value through net income.<sup>9</sup> Determine whether:</b></p> <ul style="list-style-type: none"> <li>• All equity securities are properly measured at fair value at least quarterly, unless the practical expedient for non-marketable equity securities was elected.</li> <li>• Management elected the practical expedient approach for any non-marketable equity securities, such as bankers' bank stock. If so, determine whether management appropriately adjusts these non-marketable equity securities for impairment, if any, and for subsequent movements in an observable price change. Any price adjustment is required to be made on the date of the observable price change.</li> </ul>
<p><b>37. Determine whether management's counterparty credit analysis is adequate for off-balance-sheet derivatives. The analysis generally includes:</b></p> <ul style="list-style-type: none"> <li>• Identification of counterparties with material credit risk,</li> <li>• Review of counterparty compliance with collateral agreements, and</li> <li>• Review of netting agreements for capital calculations for institutions that report risk-based capital ratios.</li> </ul>
<p><b>38. Determine whether the process for setting credit limits for issuers and counterparties is appropriate.</b></p>
<p><b>39. Determine whether the process for monitoring ongoing credit risk exposure is appropriate.</b></p>

<sup>8</sup> A credit loss exists when the present value of the cash flows expected to be collected on a debt security is less than its amortized cost.

<sup>9</sup> Federal Home Loan Bank and Federal Reserve Bank stock are carried at cost and not subject to this accounting treatment.

<b>40. Determine whether concentrations of credit exist in the institution's portfolio(s).</b>
<b>41. Determine whether credit risk exposure is significant relative to earnings, capital, and risk limits.</b>
<i>Note: Market, liquidity, and legal risk in the securities and derivatives portfolios also may be addressed by other examination team members with those findings documented in other ED Modules. If that is the case, coordinate the completion of the Market, Liquidity, and Legal Risk sections below with the appropriate examination team members.</i>
<b>MARKET RISK</b>
<b>42. Assess current appreciation or depreciation relative to earnings, capital, and risk limits.</b>
<b>43. Determine whether market risks are significant relative to earnings, capital, and risk limits. Consult with the examiner in charge of market risk.</b>
<b>44. Determine whether the market risk measurement system properly identifies and measures material risks. Appropriate systems generally:</b> <ul style="list-style-type: none"> <li>• Identify and measure the price sensitivity of high duration, structured, or otherwise complex securities, including those with embedded options;</li> <li>• Incorporate stress testing with interest rate shocks large enough to measure realistic potential market movements and risk;</li> <li>• Adjust changes in instruments' prices when interest rate movements exceed 100 basis points, to account for the effect of convexity; and</li> <li>• Subject instruments that may be exposed to risk from changes in the shape of the yield curve (e.g., dual index bonds) to nonparallel interest rate shocks.</li> </ul>
<b>45. Determine whether management has assessed the effectiveness of any risk reduction strategies implemented by management (e.g. hedging).</b>
<b>LIQUIDITY RISK</b>
<b>46. Determine whether the cash flows from periodic payments and maturing securities are consistent with liquidity objectives and projections.</b>

<b>47. Determine whether liquidity risk from investment activities is significant relative to earnings, capital, and risk limits.</b>
<b>48. Determine whether the pricing process provides timely, accurate, and objective data by:</b> <ul style="list-style-type: none"> <li>• Confirming that management periodically obtains pricing information from an independent source,</li> <li>• Assessing whether management consistently applies an approach to pricing illiquid or complex instruments, and</li> <li>• Verifying whether management obtains valuation estimates for illiquid or complex securities from more than one source.</li> </ul>
<b>49. Determine whether management periodically reviews the assumptions used to calculate fair values for instruments that do not have readily observable market prices.</b>
<b>50. For off-balance-sheet derivatives, determine whether management assesses market factors, such as the number of market makers, transaction volumes, and contract liquidity before engaging in such derivative transactions.</b>
<b>51. Determine whether the volume of pledged securities, depreciated securities, or securities with limited marketability affect the institution's overall financial condition.</b>
<b>52. Determine the adequacy of the process for valuing derivatives positions.</b>
<b>LEGAL RISK</b>
<b>53. For off-balance-sheet derivatives, determine whether management properly documents the transactions through contracts and appropriate legal staff assesses the enforceability of those contracts.</b>
<b>Securities and Derivatives Classifications</b>

<b>54. Determine whether the investment portfolio contains any non-investment grade assets. Classify these assets as appropriate. Refer to the Uniform Agreement on the Classification and Appraisal of Securities Held by Financial Institutions (Financial Institution Letter 51-2013, and SR Letter 13-18).</b>
<b>55. Determine whether management has invested in any instrument that is highly sensitive to changing interest rates or is subject to high prepayment risk and may not return the institution's initial principal investment (e.g., interest only stripped MBS and principal-linked structured notes). Classify these instruments as appropriate.</b>
<b>56. Determine whether there are any material accounting errors in the financial statements that warrant adverse classification.</b>
<b>57. Estimate the potential loss for all derivative contracts for which counterparty performance is not sufficiently assured.</b>
<b>Board and Senior Management Oversight</b>
<b>GENERAL</b>
<b>58. Assess management's compliance with policies and risk limits established by the board.</b>
<b>59. Determine whether board reports appropriately identify and measure risk exposure and performance resulting from the securities and derivatives portfolio(s). Generally, effective board reports:</b> <ul style="list-style-type: none"> <li>• Summarize all investment activity,</li> <li>• Describe investment portfolio risks and returns,</li> <li>• Indicate management's compliance with the investment policy and all risk limits,</li> <li>• List exceptions to internal policy,</li> <li>• Identify and describe instances of noncompliance with regulatory requirements, and</li> <li>• Discuss the effectiveness of derivatives used by management as part of a strategy to modify market risk.</li> </ul>
<b>60. Determine whether board meeting minutes and relevant committee meeting minutes indicate appropriate oversight of securities and derivatives activities.</b>

<p><b>61. Through discussions with management, determine whether management has sufficient experience and expertise to understand, measure, monitor, and control risks in the investment portfolio and how those risks fit within the overall business strategy. When applicable, assess management's</b></p> <ul style="list-style-type: none"> <li>• Understanding of tranche structures and performance triggers related to any structured securities in the institution's portfolio,</li> <li>• Monitoring of the performance of the underlying collateral, and</li> <li>• Understanding of the impact that collateral deterioration may have on the security's performance.</li> </ul>
<p><b>62. Determine whether current and planned investment strategies are consistent with the institution's strategic plan.</b></p>
<p><b>63. Determine whether the board or senior management has established an agreement delegating some aspects of the investment process to a third party.<sup>10</sup> Prior to establishing such an agreement, management should conduct appropriate due diligence and evaluate the third party's performance, creditworthiness, and compliance record, which may include reference checks. If such an agreement exists, determine whether it addresses the following items:</b></p> <ul style="list-style-type: none"> <li>• Compensation,</li> <li>• Approved broker-dealers,</li> <li>• Investment goals,</li> <li>• Approved activities and investments,</li> <li>• Risk limits,</li> <li>• Risk and performance measurements,</li> <li>• Reporting requirements,</li> <li>• Settlement practices, and</li> <li>• Independent reviews.</li> </ul>
<p><b>COMPLIANCE WITH LAWS AND ACCOUNTING STANDARDS</b></p>
<p><b>64. Determine whether management adheres to U.S. GAAP. Some issues that may merit particular attention include interest accruals, principal amortization, premium amortization, and discount accretion.</b></p> <ul style="list-style-type: none"> <li>• Consider sampling trade tickets to validate purchase and sale price accuracy.</li> <li>• Consider sampling interest accrual calculations or audits to validate accuracy of those calculations.</li> <li>• Consider sampling premium amortization and discount accretion transactions.</li> <li>• Review any procedures for making periodic adjustments for amortizing investments to assess appropriateness.</li> </ul>

<sup>10</sup> Management should not delegate complete investment authority to a third party and is expected to provide adequate oversight over aspects it does delegate.

<p><b>65. Determine whether management complies with applicable laws and regulations, which may include the following:</b></p> <ul style="list-style-type: none"> <li>• Various parts of title 12 of the Code of Federal Regulations (e.g., 12 CFR 1, 160, 351);</li> <li>• Government Securities Act of 1986 (in the Miscellaneous Statutes and Regulations), and related regulations issued by the U.S. Department of Treasury, which address requirements related to financial responsibility, protection of customer securities and balances, and recordkeeping and reporting of brokers and dealers in government securities; and</li> <li>• State laws and regulations.</li> </ul>
<p><b>66. Determine whether management has implemented accounting principles regarding securities appropriately. Consider the following:</b></p> <ul style="list-style-type: none"> <li>• Uniform Agreement on the Classification and Appraisal of Securities Held by Financial Institutions (Financial Institution Letter 51-2013 and SR Letter 13-18); and</li> <li>• FFIEC Supervisory Policy Statement on Investment Securities and End-User Derivatives Activities (Financial Institutions Letter 45-98 and SR Letter 98-12).</li> </ul>
<p><b>End of Core Analysis. If needed, Continue to the Expanded and Impact Analyses.</b></p>