

UNITED STATES OF AMERICA
BEFORE THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
WASHINGTON, D.C.

In the Matter of)) P.T. EKSPOR IMPOR BANK INDONESIA) (PERSERO)) Jarkarta, Indonesia)) P.T. EKSPOR IMPOR BANK INDONESIA) (PERSERO)) NEW YORK AGENCY) New York, New York) _____)	Docket No. 98-026-CMP-FB 98-026-CMP-FA Order of Assessment of a Civil Money Penalty Issued Upon Consent Pursuant to the Federal Deposit Insurance Act, as Amended, and the International Banking Act of 1978, as Amended
---	---

WHEREAS, pursuant to Section 8(i) of the Federal Deposit Insurance Act, as amended (12 U.S.C. § 1818(i)) (the "FDI Act"), and Section 16(a) of the International Banking Act of 1978, as amended (12 U.S.C. § 3110(a)) (the "IB Act"), the Board of Governors of the Federal Reserve System (the "Board of Governors") issues this Order of Assessment of a Civil Money Penalty (the "CMP Order") against P.T. Ekspor Impor Bank Indonesia (Persero) ("Bank Exim"), a foreign bank that maintains an agency in New York, New York (the "New York Agency") and the New York Agency;

WHEREAS, the Board of Governors has advised Bank Exim that in its 1997 Examination of Bank Exim, which commenced on April 21, 1997 and concluded on June 20, 1997, it determined that Bank Exim, through its operations at the New York Agency, failed to comply with the terms of the Written Agreement that the New York Agency and Bank Exim

entered into on December 29, 1994 with the Federal Reserve Bank of New York and the Superintendent of Banks of the State of New York;

WHEREAS, Bank Exim and the New York Agency have jointly agreed to pay a civil money penalty of \$50,000 to the Board of Governors and to pay the sum of \$50,000 to the People of the State of New York as a result of the same activities that are the bases of the CMP Order; and

WHEREAS, on Oct. 27, 1998, the board of directors of Exim Bank adopted a resolution (1) authorizing and directing the appropriate executive officers of Bank Exim and the New York Agency to enter into this CMP Order on behalf of Bank Exim; (2) waiving a hearing for the purpose of taking evidence on any matter set forth in this CMP Order; (3) waiving any and all rights to contest the issuance of this CMP Order by the Board of Governors; (4) waiving any and all rights to judicial review of this CMP Order; and (5) waiving any and all rights to challenge or contest the validity of the provisions of this CMP Order.

NOW, THEREFORE, before the taking of any testimony or adjudication or finding on any issue of fact or law herein, and without this CMP Order constituting an admission or denial of any allegation made or implied by the Board of Governors and pursuant to the aforesaid resolution of the board of directors of Bank Exim:

IT IS HEREBY ORDERED, pursuant to Section 8(i)(2)(B) of the FDI Act, Section 16(a) of the IB Act, and Section 263.63 of the Board of Governors' Rules of Practice for Hearings (12 C.F.R. § 263.63), that:

1. Bank Exim is assessed and shall forfeit and pay as hereinafter provided a civil money penalty in the sum of \$50,000;

2. The penalty assessed by this CMP Order shall be remitted in full at the time of Bank Exim's and the New York Agency's execution of this CMP Order by wire transfer of immediately available funds to the Federal Reserve Bank of New York, ABA No. 021001208, to the attention of Thomas C. Baxter, Jr., General Counsel and Executive Vice President of which the Federal Reserve Bank of New York, on behalf of the Board of Governors, shall distribute to the U.S. Department of the Treasury, pursuant to Section 8(i) of the FDI Act;
3. The provisions of this CMP Order shall be binding on Bank Exim, the New York Agency, and their successors and assigns;
4. (a) The provisions of this CMP Order shall not bar, estop, or otherwise prevent any Federal or State agencies or departments, other than the Board of Governors and the Superintendent of Banks of the State of New York, from taking any other action affecting Bank Exim, or the New York Agency, or any of their current or former institution-affiliated parties, as defined in Sections 3(u) and 8(b)(4) of the FDI Act (12 U.S.C. §§ 1813(u) and 1818(b)(4)), or any insider as defined in Part 11 of the General Regulations of the New York State Banking Board or their successors or assigns;
- (b) The provisions of this CMP Order shall not bar, estop, or otherwise prevent the Board of Governors from taking any other action affecting Bank Exim or the New York Agency for matters not the subject of the CMP Notice; and

5. As the result of entering into this CMP Order, Bank Exim and the New York Agency shall not be subject to the provisions of Section 7 of the IB Act (12 U.S.C. §§ 3105(e) and (i)).

By order of the Board of Governors effective this 30th day of November, 1998.

P.T. BANK EKSPOR IMPOR BANK INDONESIA (PERSERO)
Jakarta, Indonesia. *h*

By: *Kodradi*
Kodradi
President Director

P.T. BANK EKSPOR IMPOR BANK INDONESIA (PERSERO), NEW YORK AGENCY
New York, New York

By: *[Signature]*

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

By: *Jennifer A. Johnson*
Jennifer A. Johnson
Secretary of the Board