



Federal Deposit Insurance Corporation

550 17th Street NW, Washington, D.C. 20429-9990

Division of Supervision and Consumer Protection

MERGER APPLICATIONS

FIL-82-2002
July 30, 2002

TO: CHIEF EXECUTIVE OFFICER

SUBJECT: Amended Statement of Policy on Bank Merger Act Transactions - "Anti-Money Laundering Record"

The Federal Deposit Insurance Corporation has amended its Statement of Policy on Bank Merger Transactions to incorporate a statutory change made by the USA PATRIOT Act (Public L. No. 107-56, enacted on October 26, 2001). The final policy statement, which is attached, took effect on July 23, 2002.

The USA PATRIOT Act augments the U.S. government's existing authority to prevent, detect and prosecute terrorism and international money laundering. Title III of the law places significant responsibilities on the banking agencies to monitor institutions under their supervision regarding compliance with anti-money laundering laws and regulations. Section 327 of the law amended section 18 (c) of the Federal Deposit Insurance Act (commonly known as the Bank Merger Act), adding a new factor for consideration in deciding merger transactions covered by the Bank Merger Act. The factor reads: "In every case, the responsible agency shall take into consideration the effectiveness of any insured depository institution involved in the proposed merger transaction in combating money laundering activities, including in overseas branches." The amended statement of policy essentially restates the USA PATRIOT Act requirement. No new informational requirements relating to Bank Merger Act applications are imposed.

For more information, please contact Kevin W. Hodson in the Division of Supervision and Consumer Protection at 202-898-6919; or Carl J. Gold, 202-898-8702, or Robert C. Fick, 202-898-8962, in the Legal Division.

Michael J. Zamorski
Director

Attachment: July 23, 2002, Federal Register, page 48178
HTML | PDF (33 KB File - PDF Help or Hard Copy)

Distribution: FDIC-Supervised Banks (Commercial and Savings)

NOTE: 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 (800-276-6003 or 202-416-6940).

Agency has chosen to address the risks that remain for alkyl-lead through voluntary efforts under its PBT pollutants program. It is likely that further reductions in exposures to these chemicals will come only through product substitution and voluntary measures.

List of Subjects

Environmental protection, Alkyl-lead, PBT.

Dated: June 10, 2002.

Stephen L. Johnson,

Assistant Administrator for Prevention, Pesticides and Toxic Substances.

[FR Doc. 02-18588 Filed 7-22-02 8:45 am]

BILLING CODE 6560-50-S

FEDERAL DEPOSIT INSURANCE CORPORATION

FDIC Statement of Policy on Bank Merger Transactions

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Final agency policy statement (amended).

SUMMARY: The FDIC is amending its Statement of Policy on Bank Merger Transactions to incorporate a recent statutory change to the Bank Merger Act, as amended by the USA PATRIOT Act, which makes an insured depository institution's effectiveness in combating money laundering a factor in evaluating a proposed merger transaction.

EFFECTIVE DATE: July 23, 2002.

FOR FURTHER INFORMATION CONTACT:

Kevin W. Hodson, Review Examiner (202/898-6919), Division of Supervision and Consumer Protection; Robert C. Fick, Counsel (202/898-8962), or Carl Gold, Counsel (202/898-8702), Legal Division, FDIC, 550 17th Street, NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Section 327 of the USA PATRIOT Act (Pub. L. 107-56, enacted October 26, 2001) amends section 18(c) of the Federal Deposit Insurance Act 12 U.S.C. 1828(c) (commonly known as the Bank Merger Act), adding a new factor for consideration in deciding merger transactions covered by the Bank Merger Act. The factor reads, "In every case, the responsible agency shall take into consideration the effectiveness of any insured depository institution involved in the proposed merger transaction in combating money laundering activities, including in overseas branches." The amended statement of policy essentially restates the USA PATRIOT Act requirement. No new informational

requirements relating to Bank Merger Act applications are imposed at this time. Consideration of the new factor is required on applications submitted after December 31, 2001. The FDIC is not soliciting comment on the revised Statement of Policy. The amendment to the Policy Statement, which was published at 63 FR 44761 on August 20, 1998, is effective immediately upon publication in the **Federal Register**.

The Statement of Policy is hereby amended by adding a new paragraph at the end of section III., to read as follows:

FDIC Statement of Policy on Bank Merger Transactions

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III. Evaluation of Merger Applications

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Anti-Money Laundering Record

In every case, the FDIC will take into consideration the effectiveness of each insured depository institution involved in the proposed merger transaction in combating money-laundering activities, including in overseas branches. In this regard, the FDIC will consider the adequacy of each institution's programs, policies, and procedures relating to anti-money laundering activities; the relevant supervisory history of each participating institution, including their compliance with anti-money laundering laws and regulations; and the effectiveness of any corrective program outstanding. The FDIC's assessment may also incorporate information made available to the FDIC by the Department of the Treasury, other Federal or State authorities, and/or foreign governments. Adverse findings may warrant correction of identified problems before consent is granted, or the imposition of conditions. Significantly adverse findings in this area may form the basis for denial of the application.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, this 12th day of July, 2002.

By order of the Board of Directors.

Valerie J. Best,

Assistant Executive Secretary/Supervisory Counsel.

[FR Doc. 02-18493 Filed 7-22-02; 8:45 am]

BILLING CODE 6714-01-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1418-DR]

Indiana; Amendment No. 3 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Indiana, (FEMA-1418-DR), dated June 13, 2002, and related determinations.

EFFECTIVE DATE: July 15, 2002.

FOR FURTHER INFORMATION CONTACT: Rich Robuck, Readiness, Response and Recovery and Directorate, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-2705 or Rich.Robuck@fema.gov.

SUPPLEMENTARY INFORMATION: The notice of a major disaster declaration for the State of Indiana is hereby amended to include the following areas among those areas determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of June 13, 2002:

Dearborn and Orange Counties for Individual Assistance (already designated for Public Assistance).

(The following Catalog of Federal Domestic Assistance Numbers (CFDA) are to be used for reporting and drawing funds: 83.537, Community Disaster Loans; 83.538, Cora Brown Fund Program; 83.539, Crisis Counseling; 83.540, Disaster Legal Services Program; 83.541, Disaster Unemployment Assistance (DUA); 83.542, Fire Suppression Assistance; 83.543, Individual and Family Grant (IFG) Program; 83.544, Public Assistance Grants; 83.545, Disaster Housing Program; 83.548, Hazard Mitigation Grant Program)

Joe M. Allbaugh,

Director.

[FR Doc. 02-18531 Filed 7-22-02; 8:45 am]

BILLING CODE 6718-02-P

FEDERAL EMERGENCY MANAGEMENT AGENCY

[FEMA-1419-DR]

Minnesota; Amendment No. 6 to Notice of a Major Disaster Declaration

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Notice.

SUMMARY: This notice amends the notice of a major disaster declaration for the State of Minnesota, (FEMA-1419-DR), dated June 14, 2002, and related determinations.