



FILING PROCEDURES

FIL-146-2002
December 30, 2002

TO: CHIEF EXECUTIVE OFFICER

SUBJECT: Final Rule Governing Filing Procedures and Delegations of Authority, and Revised Policy Statements on Merger Transactions and Applications for Deposit Insurance (*Part 303 of the FDIC's Rules and Regulations*)

Summary: *Part 303 of the FDIC's rules and regulations and related policy statements, which govern filing procedures and delegations of authority, have been revised.*

The Federal Deposit Insurance Corporation (FDIC) Board of Directors has revised the agency's regulation and related policy statements that govern the filing and processing of applications submitted by insured depository institutions. The attached revised Part 303 of the FDIC's rules and regulations and revised policy statements took effect on December 27, 2002.

The revisions are technical and reflect an internal corporate restructuring that combined the former Division of Supervision and the former Division of Compliance and Consumer Affairs to create the Division of Supervision and Consumer Protection. In addition, the delegations of authority that were contained in Part 303 were removed and placed on the FDIC's publicly available Web site at www.fdic.gov.

The former Part 303 included several requirements that had to be met for delegates to exercise their delegated authority. These requirements included favorable findings for the statutory factors contained in Section 6 of the Federal Deposit Insurance Act and, in applicable filings: compliance with the National Historic Preservation Act of 1966; the National Environmental Policy Act of 1969; and the Community Reinvestment Act. While these criteria are still required for a delegate to act, they have been removed from the revised Part 303 and are publicly available at www.fdic.gov.

While FDIC officials at the regional or field office levels have been delegated the authority to favorably act on most filings made pursuant to Part 303, delegated authority is generally retained at the Washington Office or Board of Directors level on filings where: the delegation of authority approval requirements have not been met; the filer does not agree in writing to the nonstandard conditions imposed by the delegate; or if an unfavorable action is recommended.

The delegation of authority approval requirements discussed in this guidance are intended to be broad in scope. A filer is encouraged to become familiar with the specific approval requirements for a particular Part 303 filing found in the delegation of authority guidance available to the public at www.fdic.gov.

This Financial Institution Letter (FIL) supersedes FIL-94-98, dated August 28, 1998. For your reference, FDIC FILs may be accessed from the FDIC's Web site at www.fdic.gov/news/news/financial/2002/index.html.

For more information, please contact the applicable FDIC regional or area office on the attached list.

Michael J. Zamorski
Director

Attachments:

- [Regional Office Listing](#)
- Federal Register notice, December 27, 2002, pages 79246-79270
[HTML](#) | [PDF](#) (196.5KB File - [PDF Help](#) or [Hard Copy](#))
- [Federal Register notice, December 27, 2002, pages 79276-79278](#)
- [Federal Register notice, December 27, 2002, page 79278](#)

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