

Board of Governors of the Federal Reserve



Interagency Notice of Change in Director or Senior Executive Officer—FR 2081b -DRAFT 6/7/17 - Shows all changes

An organization or a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

General Information and Instructions

Who Must File

This Notice is used, as required by Section 32 of the Federal Deposit Insurance Act (Act) (12 U.S.C. § 1831i), by a depository institution or its holding company to notify the appropriate ~~regulatory~~Federal banking agency of a proposed change in the board of directors or senior executive officer of such institution or holding company.

In general, this requirement is applicable to a depository institution or depository institution holding company that:

- is not in compliance with all minimum capital requirements applicable to such institution, as determined by the appropriate ~~regulatory~~Federal banking agency on the basis of such institution or holding company's most recent report of condition, report of examination or inspection;
- is in troubled condition; or
- the appropriate ~~regulatory~~Federal banking agency determines, in connection with its review of a capital restoration plan required under Section 38 of the Act (12 U.S.C. § 1831o) or otherwise, that such prior notice is appropriate.

Preparation

The depository institution or its holding company (filer) should complete this Notice by providing a response to each of the questions and signing the Certification for each proposed individual. Information should be provided as of the Notice's submission date. In addition, each ~~proposed~~ individual must complete the ~~biographical and certification portions of the Interagency Biographical and Financial Report~~. The filer and each ~~proposed~~ individual are responsible for understanding the requirements and the accuracy of their statements. The completed form(s) should be sent to the appropriate ~~regulatory~~Federal banking agency.

~~For additional information regarding the processing procedures and guidelines, and any supplemental information that may be required, refer to the appropriate Federal banking agency's procedural guidelines (For example, the OCC's Rules and Regulations (12 C.F.R. Part 5), the Comptroller's Licensing Manual, the FDIC's Rules and Regulations (12 C.F.R. Part 303), the Federal Reserve's Regulations Y and LL (12 C.F.R. Part 225 and 12 C.F.R. Part 238, respectively), and relevant policy statements), contact the agency directly for specific instruction, or visit its website at www.occ.treas.gov, www.fdic.gov, or www.federalreserve.gov.~~

~~For additional information regarding the processing procedures and guidelines and any supplemental information that may be required, please refer to the appropriate regulatory agency's procedural guidelines (i.e., Comptroller's Corporate Manual, the FRB's Processing Applications Through the Federal Reserve System and the Applications Procedures Manual, the FDIC's Rules and Regulations (12 C.F.R. § 303.14) and relevant policy statements, or contact the agency directly for specific instruction.~~

Confidentiality

In general, requests for confidential treatment of specific portions of the ~~notice application~~ must be submitted in writing concurrently with the submission of the ~~application notice~~ and must discuss the justification for the requested treatment. ~~A Applicant notifican~~t's reasons for requesting confidentiality should specifically demonstrate the harm (e.g., to its competitive position, invasion of privacy) that would result from public release of information (5 U.S.C. § 552). Information for which confidential treatment is requested should be (1) specifically identified in the public portion of the ~~application notice~~ (by reference to the confidential section); (2) separately bound; and (3) labeled "Confidential." ~~The Applicant notifican~~t should follow the same procedure regarding a request for confidential treatment with regard to the subsequent filing of supplemental information to the ~~application notice~~.

~~An Applicant notifican~~t— should contact the appropriate ~~regulatory~~Federal banking agency for specific instructions regarding requests for confidential treatment. The appropriate ~~regulatory~~Federal banking agency will determine whether the information submitted as confidential will be so regarded and will advise the ~~Applicant notifican~~t of any decision to make available to the public information labeled as "Confidential."

Public reporting burden for the collection of information in this Notice is estimated to average 2 hours per response, including the time to gather and maintain data in the required form, to review instructions, and to complete the information collection. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: ~~Paperwork Reduction Act, Legal Division, Office of the Executive Secretary~~, Federal Deposit Insurance Corporation, 550 17th Street, NW, Washington, DC 20429; Secretary, Board of Governors of the Federal Reserve System, 20th and C Streets, NW, Washington, DC 20551; or ~~Licensing Policy and Systems Division, Comptroller of the Currency, 250 E Street, SW, Chief National Bank Examiner, Office of the Comptroller of the Currency, 400 7th St. SW,~~ Washington, DC 20219; and to the Office of Management and Budget, Paperwork Reduction Project, Washington, DC 20503.

3. If this is an after-the-fact notice, identify the exception to the prior notice requirement upon which the notificant relies. If no exception is available, discuss the reasons that prior notice was not given and what steps have been taken to avoid future violations.

Privacy Act Notice

A copy of this document is provided to the appropriate ~~regulatory~~Federal banking agency as required under Section 32 of Federal Deposit Insurance Act (12 U.S.C. § 1831i). To the extent that it contains personal ~~or~~and financial information concerning proposed directors or senior executive officers of a depository institution or holding company, the information may be subject to the Privacy Act of 1974 (5 U.S.C. § 552a) concerning safeguarding personal information.

This information is required to enable the appropriate ~~regulatory~~Federal banking agency to evaluate each proposed addition of any individual to the board of directors or the employment of any individual as a senior executive officer and determine whether or not to disapprove it. A failure to provide this information could result in disapproval of such a proposal or a determination that the legal requirement of prior notice has not been satisfied. This document is a public document and may be available to the public upon request under the provisions of the Freedom of Information Act (5 U.S.C. § 552). Contact the appropriate ~~regulatory~~Federal banking agency for the specific procedures under which the document would be disclosed to the public and its treatment of confidential information.

Certification

I certify that the information provided in this Notice has been carefully examined by me and is correct, complete, and made in good faith. The ~~biographical~~ information included in the attached *Interagency Biographical and Financial Report* has been reviewed, and it is consistent with the information obtained by the depository institution or holding company. Any misrepresentation or omission of a material fact constitutes fraud in the inducement and may subject me to legal sanctions provided by 18 U.S.C. §§ 1001 and 1007.

Signed this _____ day of _____, _____.
Day Month Year

Signature of Authorized Representative

Name of Authorized Representative

Title of Authorized Representative

Area Code / Phone Number

~~Area Code / FAX Number~~Email address