

*Revision of FR Notice Published on 01/25/2008: Correction to Lead Agency from FAA to FTA.*

EIS No. 20080040, Draft EIS, IBR, CA, Folsam Lake State Recreation Area & Folsam Powerhouse State Historic Park, General Plan/Resource Management Plan, Implementation, Placer County, CA, *Comment Period Ends: 03/24/2008, Contact: Laura Cabollero 916-989-7172. Revision to FR Notice Published 02/08/2008: Correction to the County and State.*

Dated: February 12, 2008.

**Robert W. Hargrove,**

*Director, NEPA Compliance Division, Office of Federal Activities.*

[FR Doc. E8-2951 Filed 2-14-08; 8:45 am]

**BILLING CODE 6560-50-P**

## EXPORT-IMPORT BANK OF THE UNITED STATES

### Notice of Open Special Meeting of the advisory Committee of the Export-Import Bank of the United States (Ex-Im Bank).

**SUMMARY:** The advisory committee was established by Public Law 98-181, November 30, 1983, to advise the Export-Import Bank on its programs and to provide comments for inclusion in the reports of the Export-Import Bank of the United States to Congress

*Time and Place:* Wednesday, March 5, 2008 from 9 a.m. to 12 p.m. The meeting will be held at Ex-Im Bank in the Main Conference Room 1143, 811 Vermont Avenue, NW., Washington, DC 20571.

*Agenda:* Agenda items include an understanding of the ECA environment and the factors to consider when designing credit underwriting processes and programs.

*Public Participation:* The meeting will be open to public participation, and the last 10 minutes will be set aside for oral questions or comments. Members of the public may also file written statement(s) before or after the meeting. If you plan to attend, a photo ID must be presented at the guard's desk as part of the clearance process into the building, and you may contact Susan Houser to be placed on an attendee list. If any person wishes auxiliary aids (such as a sign language interpreter) or other special accommodations, please contact, prior to February 25, 2008, Susan Houser, Room 1273, 811 Vermont Avenue, NW., Washington, DC 20571, Voice: (202) 565-3232 or TDD (202) 565-3377.

*Further Information:* For further information, contact Susan Houser,

Room 1273, 811 Vermont Ave., NW., Washington, DC 20571, (202) 565-3232.

**Howard A. Schweitzer,**

*General Counsel.*

[FR Doc. 08-681 Filed 2-14-08; 8:45 am]

**BILLING CODE 6690-01-M**

## FEDERAL DEPOSIT INSURANCE CORPORATION

### Statement of Policy on Bank Merger Transactions

**AGENCY:** Federal Deposit Insurance Corporation ("FDIC").

**ACTION:** Amendment of statement of policy.

**SUMMARY:** The FDIC is amending its Statement of Policy on Bank Merger Transactions ("Statement of Policy") in order to conform it to the Bank Merger Act, as amended by the Financial Services Regulatory Relief Act of 2006 ("FSRRA"). The FSRRA (i) eliminated the need for the FDIC to obtain a competitive factors report from the other three Federal banking agencies in processing a merger application and (ii) eliminated both the post-approval waiting period and the need to obtain any competitive factors reports, when the merger solely involves an insured depository institution and one or more affiliates. In addition, the FDIC is amending its Statement of Policy in order to remove any discussion of "Oakar Transactions" since the Federal Deposit Insurance Reform Act of 2005 consolidated the former Savings Association Insurance Fund ("SAIF") and the former Bank Insurance Fund ("BIF") into the Deposit Insurance Fund. Finally, the FDIC is amending its Statement of Policy in order to conform the description of the factors to be considered in evaluating a merger more closely to the language of the Bank Merger Act, and for other technical reasons.

**DATES:** February 15, 2008.

#### **FOR FURTHER INFORMATION CONTACT:**

Brett A. McCallister, Review Examiner (816) 234-8099 x4223, in the Division of Supervision and Consumer Protection; Julia E. Paris, Senior Attorney (202) 898-3821 or Robert C. Fick, Counsel, (202) 898-8962, in the Legal Division.

#### **SUPPLEMENTARY INFORMATION:**

#### **I. Background**

On October 13, 2006, the President signed into law the FSRRA, Public Law No. 109-351. The stated purpose of the law is to reduce regulatory burden and improve productivity for insured depository institutions. Many of the

provisions of this law amended statutes that the FDIC administers. One of those statutes is the Bank Merger Act.<sup>1</sup> In addition, the Federal Deposit Insurance Reform Act of 2005 ("FDIRA")<sup>2</sup> consolidated the SAIF and the BIF into the Deposit Insurance Fund. As a result, the FDIC is amending its Statement of Policy<sup>3</sup> to conform it to the Bank Merger Act, as amended by FSRRA, and to the changes made by FDIRA. The FDIC is not seeking comment on the amendments that it is making to the Statement of Policy, and the amendments are effective upon publication in the **Federal Register**.

## II. FSRRA Amendments to the Bank Merger Act

### *A. Section 606 of FSRRA*

Four Federal banking agencies must utilize the Bank Merger Act to approve merger transactions subject to their respective jurisdiction; those agencies are the FDIC, the Federal Reserve Board ("FRB"), the Office of the Comptroller of the Currency ("OCC"), and the Office of Thrift Supervision ("OTS"). Prior to FSRRA, the Federal banking agency responsible for processing a particular merger application had to request and obtain a competitive factors report from each of the other three Federal banking agencies. Section 606 of FSRRA amended section 18(c)(4) of the Federal Deposit Insurance Act ("FDI Act"), 12 U.S.C. 1828(c)(4), to eliminate that requirement. Section 606 did not, however, eliminate the requirement that the responsible agency obtain a competitive factors report from the Attorney General of the United States; that requirement remains unchanged. In addition, section 606 also added the requirement that in processing a merger application, the FRB, the OCC, or the OTS, as the case may be, must submit a copy of each request for a competitive factors report to the FDIC.

Section 606 also made two changes to the Bank Merger Act that apply to mergers that solely involve an insured depository institution and one or more affiliates ("Affiliate Mergers"). First, for Affiliate Mergers, section 606 amended section 18(c)(4) of the FDI Act, 12 U.S.C. 1828(c)(4), to eliminate the need for the responsible Federal banking agency to request competitive factors reports from either the other Federal banking agencies or the Attorney General of the

<sup>1</sup> Section 18(c) of the Federal Deposit Insurance Act, 12 U.S.C. 1828(c).

<sup>2</sup> Pub. L. 109-171, 120 Stat. 9 (Feb. 8, 2006).

<sup>3</sup> The FDIC's Statement of Policy on Bank Merger Transactions was published in the **Federal Register** at 63 FR 44761 on August 20, 1998; subsequent amendments were published at 67 FR 48178 on July 23, 2002 and at 67 FR 79278 on December 27, 2002.