

FEDERAL DEPOSIT INSURANCE CORPORATION

[OMB No. 3064–0015]

Agency Information Collection Activities: Proposed Collection Renewal; Comment Request

AGENCY: Federal Deposit Insurance Corporation (FDIC).

ACTION: Notice and request for comment.

SUMMARY: The FDIC, as part of its obligations under the Paperwork Reduction Act of 1995 (PRA), invites the general public and other Federal agencies to take this opportunity to comment on the renewal of the existing information collection described below (OMB Control No. 3064–0015).

DATES: Comments must be submitted on or before June 18, 2024.

ADDRESSES: Interested parties are invited to submit written comments to the FDIC by any of the following methods:

- *Agency Website:* <https://www.fdic.gov/resources/regulations/federal-register-publications/>.
- *Email:* comments@fdic.gov. Include the name and number of the collection in the subject line of the message.
- *Mail:* Michelle Mire, Senior Attorney, 202–898–7377, mmire@fdic.gov, MB–3072, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.
- *Hand Delivery:* Comments may be hand-delivered to the guard station at the rear of the 17th Street NW building (located on F Street NW), on business days between 7 a.m. and 5 p.m.

All comments should refer to the relevant OMB control number. A copy of the comments may also be submitted

to the OMB desk officer for the FDIC: Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Michelle Mire, Senior Attorney, 202–898–7377, mmire@fdic.gov, MB–3072, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

SUPPLEMENTARY INFORMATION:

Proposal to renew the following currently approved collection of information:

1. *Title:* Interagency Bank Merger Application.

OMB Number: 3064–0015.

Form Number: 6220/01.

Affected Public: FDIC-insured depository institutions.

Burden Estimate:

SUMMARY OF ANNUAL BURDEN

Information collection description	Type of burden	Obligation to respond	Estimated number of respondents	Estimated frequency of responses	Estimated time per response (hours)	Estimated annual burden (hours)
Interagency Bank Merger Act Application—Affiliated Transactions.	Reporting	Mandatory	103	On Occasion ...	19	1,957
Interagency Bank Merger Act Application—Nonaffiliated Transactions.	Reporting	Mandatory	117	On Occasion ...	33	3,861

Total Estimated Annual Burden: 5,818.

General Description of Collection: Section 18(c) of the Federal Deposit Insurance Act (FDI Act) requires an insured depository institution (IDI) that wishes to merge or consolidate with any other IDI or, either directly or indirectly, acquire the assets of, or assume liability to pay any deposits made in, any other IDI, to apply for the prior written approval of the responsible agency (the FDIC; the Board of Governors of the Federal Reserve (FRB); or the Office of the Comptroller of the Currency (OCC)).¹ Section 18(c) further requires FDIC approval in connection with any merger transaction involving an IDI and a non-insured entity.

The Interagency Bank Merger Act Application Form (Application Form) is used by the FDIC, the FRB, and the OCC for applications under section 18(c) of the FDI Act. The Application Form may be used for any merger transaction subject to section 18(c). There is a different level of burden for each of the two types of merger transactions, nonaffiliated and affiliated. An affiliate transaction refers to a merger,

consolidation, other combination, or transfer of any deposit liabilities, between an IDI and another entity controlled by the same parent company, regardless of whether the other entity is FDIC-insured. It includes a business combination between an IDI and an affiliated interim institution. Applicants proposing affiliate transactions are not required to complete questions 12 through 14 of the Application Form. If the merging entities are not controlled by the same parent company, the merger transaction is considered nonaffiliated, and the applicant must complete the entire application form.

The FDIC Supplement to the Interagency Bank Merger Act Application Form (Supplement) requires each applicant to provide information that delineates the relevant geographic market(s) and describes the competition in the relevant geographic market(s). The information collected focuses on the relevant geographic market(s) where the applicant and the entity to be acquired provide banking products or services. The Supplement includes specific instructions to facilitate a comprehensive competitive analysis relative to transactions between nonaffiliated entities.

Proposed Changes to the FDIC Supplement

The proposed edits to the Supplement would make certain changes to the required information that would be applicable to all merger transactions that require FDIC approval. The revised Supplement clarifies that the delineation of the relevant geographic market(s) includes offices where customers may access a substantial share of banking products or services, which extend beyond deposits to include loans and private wealth management services, among other examples.

The delineation of the relevant geographic market(s) includes the county, municipality, or census tract where both the applicant and target entity operate offices and provide products and services, as well as the alternate areas where customers may practically turn for products and services. The revised Supplement includes additional details regarding lists of products and services, including the number and dollar volume of deposits and loans.

To enhance the analysis of the potential competitive effects in the relevant geographic market(s), the revised Supplement also seeks

¹ 12 U.S.C. 1828(c). The FDIC is the responsible agency if the acquiring, assuming, or resulting bank is to be a State nonmember insured bank or a State savings association.

information regarding non-FDIC insured entities (such as credit unions), as well as other entities that do not take deposits (such as finance companies or government agencies). Specific requests for additional information beyond the items articulated in the Supplement may be made to an applicant depending on the structure and nature of the proposed transaction. The proposed form can be viewed at <https://www.fdic.gov/resources/regulations/federal-register-publications/2024/2024-bank-merger-act-supplement-clean.pdf>; and the revisions to the form can be viewed at <https://www.fdic.gov/resources/regulations/federal-register-publications/2024/2024-bank-merger-act-supplement-redline.pdf>.

The changes to the Supplement results in a 234-hour increase in burden

hours for applicants required to file the Supplement with the FDIC.

Request for Comment

Comments are invited on: (a) whether the collection of information is necessary for the proper performance of the FDIC's functions, including whether the information has practical utility; (b) the accuracy of the estimate of the burden of the information collection, including the validity of the methodology and assumptions used; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; (e) whether the FDIC should require additional information for

transactions over a certain threshold (such as when the resulting IDI's total assets exceed \$100 billion), and if so, what information should be requested; and (f) whether the FDIC should streamline the Supplement to limit the information provided when the application is filed, and only seek additional information, as needed, depending on the nature of the transaction, and if so, how should the Supplement be streamlined. All comments will become a matter of public record.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on April 11, 2024.

James P. Sheesley,

Assistant Executive Secretary.

[FR Doc. 2024-08021 Filed 4-18-24; 8:45 am]

BILLING CODE 6714-01-P