

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart A, Part 303 of the FDIC Rules and Regulations: Rules of General Applicability

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Parent company, capital and liquidity maintenance, passivity, and similar agreements	Execute, modify, and terminate	No	<b>Yes</b>	<b>Yes</b>	No	No	No	<b>Yes</b> , if there are implications related to CRA or consumer protection	<b>Yes</b>	
Operating agreements	Execute, modify, and terminate	No	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No	No	<b>Yes</b> , if there are implications related to CRA or consumer protection	<b>Yes</b>	
Modification of publication or comment period	Determination	No	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No	No	<b>Yes</b>	<b>Yes</b>	A-6
Investigations and examinations (303.6)	Determine to examine or investigate and evaluate facts as necessary or appropriate under the circumstances	No	<b>Yes</b>	<b>Yes (AD&amp;SC)</b>	<b>Yes</b>	<b>Yes</b>	No	No	No	A-4
Request for reconsideration (303.11(f))	Deny	No	<b>Yes</b>	<b>Yes</b>	No	No	No	<b>Yes</b> , if there are implications related to CRA or consumer protection	<b>Yes</b>	A-1
	Grant	No	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	No	No	<b>Yes</b> , if there are implications related to CRA or consumer protection	<b>Yes</b>	A-1

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Final determination if request for reconsideration is granted (303.11(f))	Determination	Yes	Yes	No	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	A-2
Requests for review of Section 32 notices of Disapproval (308.154(a))	Issue Decision	No	Yes	Yes	No	No	No	No	Yes	
Notice of intent and orders (303.11(g)(2))	Notice of intent and final order to nullify, withdraw, revoke, amend, or suspend a filing decision	Yes	Yes	Yes	Yes	Yes	No	Yes, if there are implications related to CRA or consumer protection	Yes	A-3
	Temporary order	Yes	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	A-3
Abandonment of a filing	Determination	No	Yes	Yes	Yes	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	A-5
Correspondence transmitting filings to other government agencies for comment		No	Yes	Yes (AD&SC)	Yes	Yes	Yes	No	No	

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### FOOTNOTES – SUBPART A

- A-1** Appeals of denied change in bank control, change in senior executive officer or director, or Section 19 applications are covered by Subparts D, L, and M, respectively, of Part 308.
- A-2** The delegated authority for determinations on supervisory filings (other than change in bank control, change in senior executive officer or director, or Section 19 applications) for which requests for reconsideration have been granted will be made are as follows:
1. Board of Directors, if the Board originally denied the filing.
  2. Supervision Appeals Review Committee (SARC), with the concurrence of the General Counsel or designee, if applicable, if the filing was originally denied by Director, Deputy Director, or Associate Director.
  3. Director, with the concurrence of the General Counsel or designee, if the filing was originally denied by a Regional Director or designee.
- The decision at any of these levels is the final agency determination.
- A-3** Authority is reserved to the Board to issue notices of intent and temporary and final orders under 303.11(g) as to any decision on a filing originally acted on by the Board.
- If not originally acted on by the Board, notice of intent and final orders under 303.11(g) are delegated, as indicated.
- Issuance of a temporary order under 303.11(g) is delegated to the Director, Deputy Director, and Associate Director.
- Only the official who acted on the original filing, or an official of higher authority, may exercise 303.11(g) delegation.
- A-4** Unless otherwise provided, authority to take action provided by statute or regulation, such as issuance of a notice of formal investigation, remains subject to the Legal concurrence requirement. Authority delegated to the Division of Risk Management Supervision (RMS) would also remain subject to reservations of authority by the Board and delegations to any Board committees or the Legal Division (Legal).
- A-5** If the Regional Office has authority to act, authority to determine a filing has been abandoned (per Section 303.11(e) of the FDIC Rules and Regulations) is delegated to the Regional Director or Deputy Regional Director. If authority to act is reserved to the Board or any Washington Office official, authority to determine a filing has been abandoned is delegated to the appropriate Associate Director.
- A-6** If the Regional Office has authority to act: (1) authority to approve a modification of publication requirements or comment periods rests with the lower of: (a) the RMS official with authority to act on the filing, or (b) the Regional Director or Deputy Regional Director, and (2) authority to deny a modification of publication requirement or comment periods is delegated to the Regional Director or Deputy Regional Director. If authority to act on the filing is reserved to the Board or any Washington Office official, authority to modify, or to deny modification of, publication requirements or comment periods is delegated to: (a) the appropriate Associate Director, or (b) the appropriate section chief.

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### Subpart B, Part 303 of the FDIC Rules and Regulations: Deposit Insurance Applications

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Deposit Insurance (DI)	Deny	Yes	No	No	No	No	No	Yes	Yes	
DI - Non-Bank if member of PBO or aggregate foreign ownership (25 percent or more) or control	Approve	Yes	No	No	No	No	No	Yes	Yes	B-1, B-4, B-5, B-6
DI - Non-Bank if an industrial bank or industrial loan company (ILC)	Approve	Yes	No	No	No	No	No	Yes	Yes	B-1
DI - Non-Community Bank if member of PBO or aggregate foreign ownership (25 percent or more) or control	Approve	Yes	No	No	No	No	No	Yes	Yes	B-1, B-4, B-5, B-6
DI - Traditional Community Bank	Approve	No	Yes	Yes	Yes	No	No	Yes	Yes	B-1, B-2, B-3
Traditional Community Bank – Continuation of FDI upon w/d from FRS	Approve	No	Yes	Yes (AD&SC)	Yes	Yes	No	Yes	No	B-1, B-2, B-3, B-7
DI - Non-Bank if a CEBA trust bank, CEBA credit card bank, or municipal deposit bank	Approve	No	Yes	Yes	No	No	No	Yes	Yes	B-1, B-2, B-3, B-4, B-5, B-6
Determination regarding the applicability or interpretation of Part 354 of the FDIC Rules and Regulations, and any request submitted pursuant to any subpart of Part 354	Determination	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	
DI - Non-Community Bank	Approve	No	Yes	Yes	No	No	No	Yes	Yes	B-1, B-2, B-3, B-4, B-5, B-6
DI - Proposed Interim Depository Institution	Approve	No	Yes	Yes	Yes	Yes	No	No	Yes	B-1, B-2, B-3

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### FOOTNOTES – SUBPART B:

**B-1** Refer to the FDIC Deposit Insurance Applications Procedures Manual Supplement for additional information.

- In general, traditional community banks focus on providing banking services, including loans and core deposits, typically relied on by individuals and businesses in their local communities.
- A non-bank is an insured depository institution (IDI) that is a “bank” for purposes of the Federal Deposit Insurance Act, but is not a “bank” for purposes of the Bank Holding Company Act. Non-banks include industrial banks or industrial loan companies, trust banks, credit card banks, and municipal deposit banks.
- A non-community bank is an IDI that may, in contrast to a traditional community bank, (1) focus on products, services, activities, market segments, funding, or delivery channels other than local lending and deposit taking; (2) pursue a broad geographic footprint (such as operating nationwide from a limited number of offices); (3) pursue a monoline, limited, or specialty business model; or (4) operate within an organizational structure that involves significant affiliate or other third-party relationships (other than common relationships such as those providing audit, human resources, or core information technology processing services). A non-community bank may or may not operate under a non-bank charter. Non-community banks include specialty (or niche) institutions, publicly owned institutions, foreign owned institutions, institutions in a parallel banking organization, institutions formed to acquire a failed bank, and other types of operating non-insured entities seeking federal deposit insurance.

**B-2** Imposition of the standard conditions of Section 303.2(dd) of the FDIC Rules and Regulations, and agreement in writing to the following conditions, at a minimum:

- 1) The applicant will provide a specific amount of initial paid-in capital.
- 2) The tier 1 capital-to-assets leverage ratio (as defined in the appropriate capital regulation and guidance of the institution’s primary federal regulator) will be maintained at not less than 8 percent throughout the first three years of operation and an adequate allowance for loan and lease losses will be provided.
- 3) Any changes in proposed management or proposed ownership to the extent of 10 percent or more of stock, including new acquisitions of or subscriptions to 10 percent or more of stock, shall be approved by the FDIC prior to the institution opening for business.
- 4) The applicant will adopt an accrual accounting system for maintaining the books of the institution.
- 5) Where applicable, deposit insurance will not become effective until the applicant has been granted a charter as a depository institution, has authority to conduct such business, and its establishment and operation have been fully approved by the appropriate state and/or federal supervisory authority.
- 6) Where deposit insurance is granted to an interim institution formed or organized solely to facilitate a related transaction, deposit insurance will only become effective in conjunction with consummation of the related transaction.
- 7) Where applicable, a registered or proposed bank holding company has obtained approval of the Board of Governors of the Federal Reserve System to acquire voting stock control of the proposed depository institution prior to its opening for business.
- 8) Where applicable, the applicant has submitted any proposed contracts, leases, or agreements relating to construction or rental of permanent quarters to the appropriate Regional Director for review and comment.
- 9) Where applicable, full disclosure has been made to all proposed directors and stockholders of the facts concerning the interest of any insider in any transactions being effected or then contemplated, including the identity of the parties to the transaction and the terms and costs involved.
- 10) The person(s) selected to serve as the principal operating officer(s) shall be acceptable to the appropriate Regional Director.
- 11) The applicant will have adequate fidelity coverage.
- 12) The institution will obtain an audit of its financial statements by an independent public accountant annually for at least the first three years after deposit insurance is effective and submit certain audit-related documents to the appropriate FDIC office within specified time frames.
- 13) The institution shall operate within the parameters of the business plan submitted to the FDIC. During the first three years of operation, the institution shall provide prior notice to the appropriate Regional Director or its primary federal regulator, if not the FDIC, for any proposed major deviation or material change from the submitted business plan.
- 14) The institution will develop and implement a Community Reinvestment Act plan appropriate for its business strategy, if not previously submitted.
- 15) During the first three years of operation, the institution shall notify the appropriate Regional Director of any plans to establish a loan production office at least 60 days prior to opening the facility.
- 16) In cases primarily involving special purpose de novo institutions, where the applicant’s business plan indicates there will only be an intercompany or similar deposit, the institution shall acquire, prior to the effective date of deposit insurance, and continue to maintain the requisite deposits to be “engaged in the business of receiving deposits other than trust funds,” as defined in Section 303.14 of the FDIC Rules and

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Regulations.

- B-3** Applications involving an operating non-insured entity where the assigned composite rating or the field investigation indicates a “3” or worse composite rating are not sub-delegated below the Associate Director.
- B-4** Refer to the Joint Agency Statement on Parallel-Owned Banking Organizations, FIL-35-2002, dated April 23, 2002, for the definition of a parallel banking organization (PBO).
- B-5** Refer to the Federal Reserve Bank’s International Banking Organizations (Regulation K), Section 211.21(o) for the definition of a foreign banking organization (FBO).
- B-6** If the proposed institution is a member of an FBO, authority is delegated as follows: 1) to the Director, Deputy Director, and Associate Director if the proposed institution is a non-bank or non-community bank, or 2) the Regional Director and Deputy Regional Director if the proposed institution is a traditional community bank.
- B-7** Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved; (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.

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### Subpart C, Part 303 of the FDIC Rules and Regulations: Domestic Branches and Relocations (includes Temporary Branches and Messenger Services)

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
In-state branch establishment and relocation; in-state main office relocation; and non-de novo interstate branch establishment or relocation	Approve	No	Yes	Yes (AD&SC)	Yes	Yes	Yes	Yes	No	C-1, C-3
De novo interstate, establish new branch (first branch in new State)	Approve	No	Yes	Yes (AD&SC)	Yes	Yes	Yes	Yes	No	C-1, C-3
Interstate, relocate main office to another state and retain existing state branches	Approve	No	Yes	Yes (AD&SC)	Yes	Yes	Yes	Yes	No	C-1, C-3
Any branch establishment or relocation application	Deny	No	Yes	Yes	Yes	No	No	Yes	No	C-1, C-3
Emergency or disaster events	Approve after Temporary Relocation	No	Yes	Yes (AD&SC)	Yes	Yes	No	No	No	C-1, C-2, C-3

#### FOOTNOTES – SUBPART C:

**C-1** Reserved to the Director and Deputy Director if any of the following circumstances exist:

- One or more statutory factors (per Section 6 of the Federal Deposit Insurance Act) found unfavorable;
- Failure to meet applicable capital requirements or agree to increase capital;
- Unfair or unreasonable financial arrangements involving insiders;
- Unresolved CRA protest; and/or
- Failure to meet Riegle-Neal Act (12 U.S.C. § 1835a) credit needs test in a host state.

**C-2** At the Regional level, the Federal Emergency Management Agency has issued a disaster or emergency declaration that includes the location of the office in question.

**C-3** Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved; (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.

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### Subpart D, Part 303 of the FDIC Rules and Regulations: Mergers

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Merger (all types)	Deny	Yes	No	No	No	No	No	Yes	Yes	
Any type of merger filing if the resultant institution would be an industrial bank or industrial loan company, or a member of a PBO	Approve	Yes	No	No	No	No	No	Yes	Yes	D-2, D-3
Determination regarding the applicability or interpretation of Part 354 of the FDIC Rules and Regulations, and any request submitted pursuant to any subpart of Part 354	Determination	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	
Merger (all types) if an emergency exists requiring expeditious action, or if immediate action is necessary to prevent probable failure	Approve	No	Yes	No	No	No	No	Yes	Yes	
Regular Merger	Approve	No	Yes	Yes	Yes, if resulting institution's deposit market share will be 35% or less in any overlapping relevant geographic market	Yes, if resulting institution's deposit market share will be 35% or less in any overlapping relevant geographic market	No	Yes	Yes	D-1, D-3, D-4
Regular Merger (All other)	Approve	No	Yes	Yes	No	No	No	Yes	Yes	D-1, D-3, D-5

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Corporate Reorganizations or Interim Mergers (unless related to a mutual-to-stock conversion)	Approve	No	Yes	Yes	Yes	Yes	No	Yes	Yes, unless for corporate re-organizations, each institution qualifies as a “small bank” or “intermediate small bank” under the CRA evaluation thresholds at the time of FDIC action	D-1 (if an interim merger), D-6, D-7 (if corporate re-organization)

### FOOTNOTES – SUBPART D:

- D-1** Receipt of a report from the Department of Justice indicating that the proposed transaction would not have a significantly adverse effect on competition.
- D-2** Refer to the Joint Agency Statement on Parallel-Owned Banking Organizations, FIL-35-2002, dated April 23, 2002, for the definition of a parallel banking organization (PBO).
- D-3** If the resultant institution will be a member of a foreign banking organization (FBO), as defined in Federal Reserve Bank’s International Banking Organizations (Regulation K), Section 211.21(o), authority is delegated:
- (1) to the Director, Deputy Director, and Associate Director if a non-community bank is created as a result of the transaction or if already a non-community bank, a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates is pursued, or
  - (2) to the Regional Director and Deputy Regional Director if the resultant institution is a traditional community bank or the institution was previously characterized as a non-community bank and is not pursuing a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates.
- D-4** Does not include a proposed transaction that involves an ILC, or a transaction that would result in:
- (1) The institution being characterized as a non-community bank if previously characterized as a traditional community bank, as those terms are defined below; also see the FDIC Deposit Insurance Applications Procedures Manual Supplement (Supplement);
  - (2) If already characterized as a non-community bank, a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates;

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- (3) Aggregate foreign ownership (25 percent or more) or control; or
- (4) Control by a company (or companies) not currently subject to federal consolidated supervision.

### Definitions:

- In general, traditional community banks focus on providing banking services, including loans and core deposits, typically relied on by individuals and businesses in their local communities.
- A non-bank is an insured depository institution (IDI) that is a “bank” for purposes of the Federal Deposit Insurance Act, but is not a “bank” for purposes of the Bank Holding Company Act. Non-banks include industrial banks or industrial loan companies, trust banks, credit card banks, and municipal deposit banks.
- A non-community bank is an IDI that may, in contrast to a traditional community bank, (1) focus on products, services, activities, market segments, funding, or delivery channels other than local lending and deposit taking; (2) pursue a broad geographic footprint (such as operating nationwide from a limited number of offices); (3) pursue a monoline, limited, or specialty business model; or (4) operate within an organizational structure that involves significant affiliate or other third-party relationships (other than common relationships such as those providing audit, human resources, or core information technology processing services). A non-community bank may or may not operate under a non-bank charter. Non-community banks include specialty (or niche) institutions, publicly owned institutions, foreign owned institutions, institutions in a parallel banking organization, institutions formed to acquire a failed bank, and other types of operating non-insured entities seeking federal deposit insurance.

**D-5** Includes a proposed transaction that does not involve an ILC, and the transaction would result in:

- (1) The institution being characterized as a non-community bank if previously characterized as a traditional community bank, as those terms are defined below (also see the Supplement);
- (2) If already characterized as a non-community bank, a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates;
- (3) Aggregate foreign ownership (25 percent or more) or control; or
- (4) Control by a company (or companies) not currently subject to federal consolidated supervision.

**D-6** If related to a mutual-to-stock conversion, see Subpart I below.

**D-7** Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved; (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.

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### Subpart E, Part 303 of the FDIC Rules and Regulations: Change in Bank Control (see Footnote E-1)

Note: Failure to disapprove a change in control notice within the statutory time period results in an automatic approval. Opportunities to extend the time period are limited.										
Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Notice if the resultant institution would be an industrial bank or industrial loan company (ILC)	Non-object	Yes	No	No	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2
Determination regarding the applicability or interpretation of Part 354 of the FDIC Rules and Regulations, and any request submitted pursuant to any subpart of Part 354	Determination	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	
Notice – aggregate foreign ownership (25 percent or more) or control	Non-object if institution will be part of a PBO	Yes	No	No	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2, E-3
Notice (any type)	Disapprove	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2
Notice – aggregate foreign ownership (25 percent or more) or control	Non-object if institution will not be part of a PBO or a FBO	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2, E-3, E-4

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Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Notice – non-community bank or non-bank (other than an ILC)	Non-object	No	Yes	Yes	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2, E-4, E-5
Other determinations under Section 303.82, 303.83, or 303.84 of the FDIC Rules and Regulations regarding notice requirements, waivers, or rebuttal of control	Determination	No	Yes	Yes	Yes	Yes	No	No	Yes	
All other notices – if no other facts or circumstances limit the authority to act	Non-object	No	Yes	Yes	Yes	Yes	No	Yes, if there are implications related to CRA or consumer protection	Yes	E-2, E-4

### FOOTNOTES – SUBPART E:

- E-1** The acquisition of a defaulted loan secured by voting securities of a covered institution is considered to be an acquisition of the underlying securities. Before acquiring a defaulted loan in an amount that would, if the loan were foreclosed, provide the acquirer with the power to control the covered institution, the potential acquirer is required to provide the FDIC with prior written notice.
- E-2** Authority to act on or make the following determinations is delegated to the extent that the official is authorized to act on the notice of change in bank control, so long as no other fact or circumstance limits the authority to act:
- Determine whether notice should be filed for an acquisition of less than 25 percent voting control.
  - Act on a waiver of filing to increase control from less than 25 percent to 25 percent or more.
  - Act on a rebuttal of presumptions of control or acting in concert under Section 303.82(b)(4) unless the determination involves a passivity arrangement, which requires Washington Office action.
  - Act on acquisitions of control requiring subsequent notifications under Section 303.83(b)
- E-3** Refer to the Joint Agency Statement on *Parallel-Owned Banking Organizations*, FIL-35-2002, dated April 23, 2002, for the definition of a parallel-owned banking organization (PBO).

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**E-4** If the resultant institution will be a member of a foreign banking organization (FBO), as defined in Federal Reserve Bank’s International Banking Organizations (Regulation K), Section 211.21(o), authority is delegated as follows:

- (1) to the Director, Deputy Director, and Associate Director if a non-community bank is created as a result of the transaction or if already a non-community bank, a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates is pursued, or
- (2) to the Regional Director and Deputy Regional Director if the resultant institution is a traditional community bank or the institution was previously characterized as a non-community bank and is not pursuing a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates.

**E-5** Applies to a proposed transaction that does not involve an ILC, and the transaction would result in:

- (1) The institution being characterized as a non-community bank if previously characterized as a traditional community bank, as those terms are defined below (also see the FDIC Deposit Insurance Applications Procedures Manual Supplement);
- (2) If already characterized as a non-community bank, a significant change to the institution’s business or financial strategies, operations, or dependence on affiliates; or
- (3) Control by a company (or companies) not currently subject to federal consolidated supervision.

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- In general, traditional community banks focus on providing banking services, including loans and core deposits, typically relied on by individuals and businesses in their local communities.
- A non-bank is an insured depository institution (IDI) that is a “bank” for purposes of the Federal Deposit Insurance Act, but is not a “bank” for purposes of the Bank Holding Company Act. Non-banks include industrial banks or industrial loan companies, trust banks, credit card banks, and municipal deposit banks.
- A non-community bank is an IDI that may, in contrast to a traditional community bank, (1) focus on products, services, activities, market segments, funding, or delivery channels other than local lending and deposit taking; (2) pursue a broad geographic footprint (such as operating nationwide from a limited number of offices); (3) pursue a monoline, limited, or specialty business model; or (4) operate within an organizational structure that involves significant affiliate or other third-party relationships (other than common relationships such as those providing audit, human resources, or core information technology processing services). A non-community bank may or may not operate under a non-bank charter. Non-community banks include specialty (or niche) institutions, publicly owned institutions, foreign owned institutions, institutions in a parallel banking organization, institutions formed to acquire a failed bank, and other types of operating non-insured entities seeking federal deposit insurance.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart F, Part 303 of the FDIC Rules and Regulations: Change of Director or Senior Executive Officer

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Change of Director or Senior Executive Officer	Designate SNM banks as “troubled,” as defined in Section 303.101(c) of the FDIC Rules and Regulations	No	Yes	Yes (AD&SC)	Yes	Yes	No	No	No	
	Grant waiver of prior notice requirement	No	Yes	Yes	Yes	Yes	No	No	Yes	
	Extend processing period for no more than 60 days	No	Yes	Yes (AD&SC)	Yes	Yes	No	No	Yes	
	Issue notice of non-objection	No	Yes	Yes	Yes	Yes	No	No	Yes	
	Issue notice of disapproval	No	Yes	Yes	Yes	Yes	No	No	Yes	

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart G, Part 303 of the FDIC Rules and Regulations: Activities of Insured State Banks (see Footnote G-1)

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
All applications or notices	Deny or object	No	<b>Yes</b>	<b>Yes</b>	No	No	No	No	<b>Yes</b>	Notices that may warrant objection should be removed from the notice process and evaluated as applications in the Washington Office
Application to engage in equity securities activities if: (1) the institution’s covered transactions with affiliates, including subsidiaries subject to section 18(j)(1) of the FDI Act, exceeds 20 percent of Tier 1 capital, or (2) the institution is not well-capitalized after deducting from its Tier 1 capital the investment in the equity securities of the subsidiary as well as the institution's pro rata share of any retained earnings of the subsidiary	Approve	<b>Yes</b>	No	No	No	No	No	No	<b>Yes</b>	Notices that present either circumstance, as described in the “Filing” column, should be removed from the notice process and evaluated as applications in the Washington Office
Determine whether an instrument has the character of debt securities and would not represent a significant risk to the DIF, and therefore may be included with adjustable rate and money market preferred stock investment limit of up to 15 percent of Tier 1 capital	Make determination	No	<b>Yes</b>	No	No	No	No	No	<b>Yes</b>	

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Application for exception to requirements or standards applicable to financial subsidiaries under Section 362.18(e)	Approve	No	Yes	No	No	No	No	No	Yes	
Application to become affiliated with a securities underwriting company	Approve	No	Yes	No	No	No	No	No	Yes	
Application to engage in real estate investment activities	Approve	No	Yes	Yes	Yes	No	No	No	Yes	G-2
Application to invest in adjustable rate and money market preferred stock, or other instruments deemed to be debt securities without significant risk to the DIF, that are equal to or less than 100 percent of Tier 1 capital	Approve	No	Yes	Yes	Yes	No	No	No	Yes	G-3
Application to engage in equity securities activities if: (1) the institution's covered transactions with affiliates, including subsidiaries subject to section 18(j)(1) of the FDI Act, do not exceed 20 percent of Tier 1 capital, and (2) the institution is well-capitalized after deducting from its Tier 1 capital the investment in the equity securities of the subsidiary as well as the institution's pro rata share of any retained earnings of the subsidiary	Approve	No	Yes	Yes	Yes	No	No	No	Yes	G-4
All other applications or notices	Approve or non-object	No	Yes	Yes	Yes	No	No	No	Yes	

## **Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021**

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### **FOOTNOTES – SUBPART G:**

- G-1** The OCC, through regulation or other authority, has determined that certain activities are permissible for national banks and/or federal savings associations without providing the OCC with the opportunity to deny or object. State banks and savings associations may engage in those activities if they comply with the conditions and requirements imposed by the OCC. Any discrepancies between Part 362 and OCC determinations regarding permissible activities for which a state-chartered institution is potentially disadvantaged should be raised to the Washington Office (RMS and Legal) for resolution. For certain activities, the OCC may have different permissibility determinations for national banks and federal savings associations for the same activity type.
- G-2** In addition to the other delegated authority requisites, to the extent that the filing involves an investment in a subsidiary, the investment does not exceed 10 percent of the institution's Tier 1 capital in the case of a single subsidiary, and the aggregate investment in all subsidiaries does not exceed 20 percent of the institution's Tier 1 capital.
- G-3** For adjustable rate and money market preferred stock, in addition to the other delegated authority requisites, the following must also be answered YES.
1. The institution has adopted a funds management policy that addresses how adjustable rate and money market preferred stock relate to the institution's investment objectives.
  2. The institution has an investment policy that addresses limits on concentrations and that contains aggregate limits on this type of investment.
- G-4** In addition to the other delegated authority requisites, the following must also be resolved: the institution has a comprehensive risk management and equity investment policies in place, and the institution or, if applicable, its subsidiary, does not exercise a controlling influence over the company, partnership, or LLC in which it has a non-financial equity investment.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart H, Part 303 of the FDIC Rules and Regulations: Activities of Insured Savings Associations (see Footnote H-1)

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Determine whether an instrument has the character of debt securities and would not represent a significant risk to the DIF, and therefore may be included with adjustable rate and money market preferred stock investment limit of up to 15 percent of Tier 1 capital	Make a determination	No	Yes	No	No	No	No	No	Yes	
All applications or notices	Deny or Object	No	Yes	Yes	No	No	No	No	Yes	Notices that may warrant objection should be removed from the notice process and evaluated as applications in the Washington Office
Applications to invest in adjustable rate and money market preferred stock, or other instruments deemed to be debt securities without significant risk to the DIF that are equal to or less than 100 percent of Tier 1 capital	Approve	No	Yes	Yes	Yes	No	No	No	Yes	H-2

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Application to hold an equity investment in an amount greater than permissible for a federal savings association	Approve	No	Yes	Yes	Yes	No	No	No	Yes	
Application to engage in an activity not permissible for a federal savings association	Approve	No	Yes	Yes	Yes	No	No	No	Yes	
Notice to hold nonresidential realty loans in an amount not permissible for a federal savings association	Non-object	No	Yes	Yes	Yes	No	No	No	Yes	
Notice to conduct activities in excess of the amount permissible for a federal savings association	Non-object	No	Yes	Yes	Yes	No	No	No	Yes	
Notice to acquire a subsidiary or conduct new activities through a subsidiary by an insured savings association	Non-object	No	Yes	Yes	Yes	Yes	No	No	Yes	

### FOOTNOTES – SUBPART H:

- H-1** The OCC, through regulation or other authority, has determined that certain activities are permissible for national banks and/or federal savings associations without providing the OCC with the opportunity to deny or object. State banks and savings associations may engage in those activities if they comply with the conditions and requirements imposed by the OCC. For certain activities, the OCC may have different permissibility determinations for national banks and federal savings associations for the same activity type.
- H-2** For adjustable rate and money market preferred stock, in addition to the other delegated authority requisites, the following must also be answered YES.
1. The institution has adopted a funds management policy that addresses how adjustable rate and money market preferred stock relate to the institution’s investment objectives.
  2. The institution has an investment policy that addresses limits on concentrations and that contains aggregate limits on this type of investment.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart I, Part 303 of the FDIC Rules and Regulations: Mutual-To-Stock Conversions

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Mutual-to-stock (MTS) conversion	Issue Objection	Yes	No	No	No	No	No	No	Yes	
Waiver of depositor vote	Approve or deny	No	Yes	Yes	Yes	No	No	No	Yes	I-1
MTS conversion	Extend processing period for no more than 60 days	No	Yes	Yes (AD&SC)	Yes	Yes	No	No	Yes	
	Issue letter of non-objection: corporate reorganization	No	Yes	Yes	Yes	No	No	No	Yes	I-2, I-3
	Issue letter of non-objection: all other	No	Yes	Yes	No	No	No	No	Yes	I-3

#### FOOTNOTES – SUBPART I:

- I-1** If the transaction involves a corporate reorganization that is delegated to the Regional Office for approval, authority is delegated to the Regional Director and Deputy Regional Director to act on requests to waive the depositor vote requirements found in 333.4(c)(2) when the requests are based on the need for the institution to comply with applicable State law in effect as of 1/1/99, that provides for voting by incorporators as the only depositor voting mechanism for state-chartered, mutual savings banks, or prohibits depositors of state-chartered, cooperative savings banks in mutual form from voting by proxy.
- I-2** Authority is delegated to the Regional Director and Deputy Regional Director to approve MTS conversions involving a corporate reorganization of a single institution in satisfactory condition with no public offering.
- I-3** Authority is reserved to the Board if the conversion is determined to pose a risk to the institution’s safety or soundness, violate any law or regulation, present a breach of fiduciary duty, or raise any unique legal or policy issues.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart J, Part 303 of the FDIC Rules and Regulations: Foreign Bank Activities By State Nonmember Banks

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Any filing to move within the same country, establish, or close a foreign branch of an insured state nonmember bank	Approve	Yes	No	No	No	No	No	No	Yes	J-1
Any filing to move within the same country a foreign branch of an insured state nonmember bank	Approve	No	Yes	Yes	No	No	No	No	No	J-1, J-5
Any filing to establish or close a foreign branch of an insured state nonmember bank	Approve	No	Yes	Yes	No	No	No	No	Yes	J-1
Any filing to move within the same country or establish a foreign branch of an insured state nonmember bank	Deny	Yes	No	No	No	No	No	No	Yes	
Any filing to close a foreign branch of an insured state nonmember bank	Deny	No	Yes	Yes	No	No	No	No	Yes	
Any filing by a state nonmember bank regarding investments in foreign organizations or financial activities outside the United States	Non-object to general consent notice when requirements are met	No	Yes	Yes (AD&SC)	Yes	Yes	No	No	Yes	J-2
	Object to general consent notice	No	Yes	Yes	Yes	No	No	No	Yes	
	Approve, if qualifies for expedited processing	No	Yes	Yes	Yes	No	No	No	Yes	
	Approve, standard processing	No	Yes	Yes	Yes	No	No	No	Yes	J-3
	Deny	Yes	No	No	No	No	No	No	Yes	

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart J, Part 303 of the FDIC Rules and Regulations: Domestic Activities of Foreign Banks

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Move Insured Branch of a Foreign Bank	Approve	No	Yes	Yes	Yes	No	No	Yes	Yes	J-4
	Deny	No	Yes	Yes	No	No	No	Yes	Yes	
Application for exemption to operate a noninsured state branch of a foreign bank	Approve or deny	No	Yes	Yes	No	No	No	No	Yes	
Application to conduct activity not permissible for federal branches	Approve or deny	No	Yes	Yes	No	No	No	No	Yes	
Divestiture and cessation plans for nonpermissible activities	Approve	No	Yes	Yes	Yes	No	No	No	Yes	
	Deny	Yes	No	No	No	No	No	No	Yes	
Pledge of asset agreements with foreign institutions concerning their U.S. foreign branches	Enter into, modify, revoke, or terminate agreement	No	Yes	Yes	No	No	No	No	Yes	
	Require dismissal of depository (i.e., custodial institution)	No	Yes	Yes	No	No	No	No	Yes	

#### FOOTNOTES – SUBPART J:

**J-1** Approval is reserved to the Board if (1) the applicant will conduct activities other than those authorized by 12 CFR § 347.115 (permissible activities for a foreign branch of an insured state nonmember bank); or (2) if the foreign branch will be located in a foreign country in which applicable law or practice would limit the FDIC’s access to information for supervisory purposes, the RMS Director or the Director’s delegate(s) is not satisfied that adequate arrangements have been made (through conditions imposed in connection with the approval and agreed to in writing by the applicant) to ensure that the FDIC will have necessary access to information for supervisory purposes.

**J-2** Filings regarding activities not authorized by Part 347 should be reviewed and processed under Parts 347 and 362 of the FDIC Rules and Regulations.

**J-3** Reserved to the Director and Deputy Director if any of the following circumstances exist:

- Non-compliance with investment amount limits under 12 C.F.R. §§ 347.104 – 347.113;
- Foreign organization conducting activities not authorized under 12 C.F.R. §§ 347.104 – 347.113; or
- For a foreign investment that would result in the applicant holding 20 percent or more of the voting equity interests of the foreign organization or controlling organization, where FDIC access to supervisory information is limited and RMS is not satisfied that adequate arrangements have been made or conditions agreed upon in order to ensure FDIC access to such information

## **Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021**

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**J-4** Reserved to the Director and Deputy Director if any of the following circumstances exist:

- One or more statutory factors (per Section 6 of the Federal Deposit Insurance Act) found unfavorable;
- Inadequate capitalization or failure to comply with capital requirements;
- Unfair or unreasonable financial arrangements with insiders in connection with the proposed relocation; or
- CRA compliance issues -- e.g., unresolved CRA protest, approval inconsistent with CRA purposes; or failure to agree in writing to CRA conditions.

**J-5** Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved; (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart K, Part 303 of the FDIC Rules and Regulations: Prompt Corrective Action

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Capital distributions (Section 303.203 of the FDIC Rules and Regulations)	Approve or Deny	No	Yes	Yes	Yes	No	No	No	Yes	K-1
Acquisitions, branching, and new lines of business (Section 303.204)	Approve or Deny	No	Yes	Yes	Yes	No	No	No, unless associated with a branch	Yes	K-1
Bonuses and increased compensation for senior executive officers (Section 303.205)	Approve or Deny	No	Yes	Yes	Yes	No	No	No	Yes	K-1
Payment of principal or interest on subordinated debt (Section 303.206)	Approve or Deny	No	Yes	Yes	Yes	No	No	No	Yes	K-1
Restricted activities for Critically Undercapitalized institutions (Section 303.207)	Approve or Deny	No	Yes	Yes	Yes	No	No	No	Yes	K-1

#### FOOTNOTES – SUBPART K:

**K-1** Exercise of delegated authority at the Regional Director and Deputy Regional Director level is authorized only after full consultation with the Washington Office on all relevant issues.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Subpart M, Part 303 of the FDIC Rules and Regulations: Other Filings

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Reduce or retire capital or subordinated debt	Approve or deny filing under Section 18(i)(1) of the FDI Act	No	Yes	Yes	Yes	Yes	No	No	No	M-3
Trust powers	Approve	No	Yes	Yes	Yes	Yes	No	No	No	M-1, M-3
	Deny	No	Yes	Yes	Yes	No	No	No	Yes	
Brokered deposit waivers	Approve or deny fixed term waiver	No	Yes	Yes	Yes	Yes Approval only	No	No	Yes	M-2
	Approve temporary waiver pending review of fixed term waiver	No	Yes	Yes	Yes	Yes Approval only	No	No	Yes	M-2
Any filing related to golden parachute arrangements under Part 359 of the FDIC Rules and Regulations	Approve or deny	No	Yes	Yes	Yes	Yes Approval only	No	No	Yes	
Waiver of liability for commonly controlled banks under Section 5(e) of the FDI Act	Approve or deny	Yes	No	No	No	No	No	No	Yes	
Conversion with diminution of capital	Approve	No	Yes	Yes	Yes	No	No	No	Yes	
	Deny	No	Yes	Yes	No	No	No	No	Yes	
Continue/resume status as an insured institution following termination under Section 8 of the FDI Act	Approve or deny	No	Yes	No	No	No	No	No	Yes	
Management official interlocks under Part 348 of the FDIC Rules and Regulations or Section 205(8) of the Depository Institutions Interlocks Act	Approve or deny	No	Yes	Yes	Yes	Yes Approval only	No	No	Yes	

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Delegation Requirements/ Footnotes
Modification of conditions	Approve or deny	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	Yes, if there are implications related to CRA or consumer protection	<b>Yes</b>	M-4
Extension of time to consummate	Approve or deny	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	Yes, if there are implications related to CRA or consumer protection	<b>Yes</b>	M-5

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

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### FOOTNOTES – SUBPART M:

**M-1** Approval criteria to exercise trust powers are:

1. The proposed management of the trust business is capable of satisfactorily administering the anticipated business.
2. The applicant's board of directors has formally adopted the FDIC Statement of Principles of Trust Department Management.

**M-2** 1. Brokered deposit waivers must be for a fixed term of no more than six months, but may be extended upon refiling.

2. To be acted on below the Deputy Director level, brokered deposit waivers may not allow for an increase in brokered deposit funding.
3. The FDIC may revoke a broker deposit waiver at any time with written notice.
4. Delegated authority to revoke a broker deposit waiver shall be at the same or higher delegation level as that required to act on the original filing.

**M-3** Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved; (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.

**M-4** Any request to modify conditions related to a filing previously acted on by the Board is reserved to the Board, unless explicitly delegated. If the Regional Office has authority to act on the underlying filing: (1) authority to approve a modification of conditions rests with the lower of: (a) the RMS official with authority to act on the filing, or (b) the Regional Director or Deputy Regional Director, and (2) authority to deny a modification of conditions is delegated to the Regional Director or Deputy Regional Director. If authority to act on the underlying filing is reserved to any Washington Office official, authority to modify, or to deny modification of, conditions is delegated to: (a) the appropriate Associate Director, or (b) the appropriate section chief.

**M-5** An extension of time may not be granted after expiration of the consummation period. A single extension of time to consummate may not exceed one year; however, more than one extension of time may be granted. Any request for an extension of time related to a filing previously acted on by the Board is reserved to the Board, unless explicitly delegated. If the Regional Office has authority to act on the underlying filing: (1) authority to approve an extension of time rests with the lower of: (a) the RMS official with authority to act on the filing, or (b) the Regional Director or Deputy Regional Director, and (2) authority to deny an extension of time is delegated to the Regional Director or Deputy Regional Director. If authority to act on the underlying filing is reserved to any Washington Office official, authority to approve or deny an extension of time is delegated to: (a) the appropriate Associate Director, or (b) the appropriate section chief.

## Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021

As used herein, RMS is the Division of Risk Management Supervision, DCP is the Division of Depositor and Consumer Protection, and Legal is the Legal Division

### Miscellaneous Filings

Filing	Type of Action	Reserved to Board	Director & Deputy Director	Associate Director (Section Chief, if indicated)	Regional Director & Deputy Regional Director	Assistant Regional Director	Case Manager	Case-Specific DCP Concurrence Required	Case-Specific Legal Concurrence Required	Requirements/ Footnotes
Determine whether a filing is substantially complete	Determination	No	Yes	Yes	Yes	Yes	Yes	Yes, if the filing requires concurrence	Yes, if the filing requires concurrence	MISC-1
Business plan changes (ILC)	Approve or deny	Yes	No	No	No	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	
Business plan changes (other than an ILC)	Approve or deny	No	Yes	Yes	Yes	No	No	Yes, if there are implications related to CRA or consumer protection	Yes	
Primary purpose exceptions	Approve or deny	No	Yes Director Only	No	No	No	No	No	Yes	
Section 23A waiver requests	Non-object or object	No	Yes	No	No	No	No	No	Yes	
Home Owners' Loan Act (HOLA): 10(l) elections and revocations	Non-object	No	Yes	Yes	Yes	Yes	Yes	No	No	MISC-1
	Object	No	Yes	Yes	Yes	No	No	No	No	MISC-1
Exceptions to qualified thrift lender Test under HOLA (10(m)(2))	Approve or deny	No	Yes	Yes	Yes	No	No	No	Yes	
Charter conversions under HOLA (5(i)(5)(A))	Approve or deny	No	Yes	Yes	Yes	Yes	No	No	Yes	

## **Delegations of Authority – Filings (Subject to Authorities Reserved to the Board) – Updated as of February 17, 2021**

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### **FOOTNOTES – MISCELLANEOUS FILINGS:**

**MISC-1** If the RO has authority to act, authority to determine whether a filing is substantially complete is delegated to the lower of: (a) the RMS official with authority to act, or (b) the Assistant Regional Director. If authority to act is reserved to the Board or any WO official, authority to determine whether a filing is substantially complete is delegated to: (a) the appropriate Associate Director, or (b) the appropriate section chief. If the filing is not substantially complete, these authorities extend to requesting additional information.

Action may be taken without obtaining case-specific concurrence from Legal, provided the criteria for general concurrence are met. General concurrence requires that: (1) the subject institution is satisfactorily rated (composite 1- or 2-rated, or equivalent, and not in troubled condition or otherwise of concern); (2) the statutory factors and regulatory requirements have been fully considered and favorably resolved (except for a substantially complete determination made prior to the point those factors and requirements have been assessed); (3) the action is consistent with FDIC policies, procedures, and practices; and (4) staff review has not raised significant concerns or impediments, including with respect to risk management and, as appropriate, consumer protection and community reinvestment.