

[DISCUSSION DRAFT]

119TH CONGRESS  
1ST SESSION

H. R. \_\_\_\_\_

To require the Inspector General of each Federal prudential regulator to carry out a review every 3 years of the regulator's handling of insured depository institution merger applications, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

M\_\_\_\_. \_\_\_\_\_ introduced the following bill; which was referred to the  
Committee on \_\_\_\_\_

\_\_\_\_\_

**A BILL**

To require the Inspector General of each Federal prudential regulator to carry out a review every 3 years of the regulator's handling of insured depository institution merger applications, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Merger Process Review  
5        Act”.

1 **SEC. 2. INSPECTOR GENERAL REVIEW OF THE HANDLING**  
2 **OF INSURED DEPOSITORY INSTITUTION**  
3 **MERGER APPLICATIONS.**

4 (a) REVIEW.—Not later than 1 year after the date  
5 of enactment of this Act, and every 3 years thereafter,  
6 the Inspector General of each Federal depository institu-  
7 tion regulatory agency shall review the Federal depository  
8 institution regulatory agency’s record of timeliness and ef-  
9 ficiency in reviewing and acting upon insured depository  
10 institution merger applications. The review shall—

11 (1) include an evaluation of relevant quantifi-  
12 able metrics, including mean and median application  
13 processing times;

14 (2) identify sources of delay that may hinder  
15 the timely consummation of proposals that meet the  
16 relevant statutory factors; and

17 (3) include specific recommendations to improve  
18 the timeliness and efficiency of application proc-  
19 essing, consistent with the Federal depository insti-  
20 tution regulatory agency’s statutory responsibilities.

21 (b) REPORT.—Each Inspector General described  
22 under subsection (a) shall, at the conclusion of each review  
23 required under subsection (a), issue a report to Congress  
24 containing all findings and determinations made in car-  
25 rying out the review.

1       (c) AGENCY RESPONSE.—In response to each report  
2 issued to Congress under subsection (a), the appropriate  
3 Federal depository institution regulatory agency shall sub-  
4 mit to Congress a written response, including a plan to  
5 implement the recommendations in the report, to the ex-  
6 tent such implementation is appropriate.

7       (d) DEFINITIONS.—In this section:

8           (1) APPLICATION.—The term “application”  
9 means an application, notice, or other similar re-  
10 quest for permission submitted to a Federal depository  
11 institution regulatory agency.

12           (2) FEDERAL DEPOSITORY INSTITUTION REGU-  
13 LATORY AGENCY.—The term “Federal depository in-  
14 stitution regulatory agency” means the Board of  
15 Governors of the Federal Reserve System, the  
16 Comptroller of the Currency, the Federal Deposit  
17 Insurance Corporation, and the National Credit  
18 Union Administration Board.

19           (3) INSURED DEPOSITORY INSTITUTION.—The  
20 term “insured depository institution”—

21           (A) has the meaning given that term in  
22 section 3 of the Federal Deposit Insurance Act  
23 (12 U.S.C. 1813); and

1 (B) means an insured credit union, as de-  
2 fined in section 101 of the Federal Credit  
3 Union Act (12 U.S.C. 1752).

4 (4) INSURED DEPOSITORY INSTITUTION MERG-  
5 ER APPLICATION.—The term “insured depository in-  
6 stitution merger application” means an application  
7 with respect to the acquisition of an insured deposi-  
8 tory institution, its equity interests, its assets, or its  
9 deposits under—

10 (A) section 10(e) of the Home Owners’  
11 Loan Act (12 U.S.C. 1467a(e));

12 (B) section 205(b) of the Federal Credit  
13 Union Act (12 U.S.C. 1785(b));

14 (C) section 7(j) of the Federal Deposit In-  
15 surance Act (12 U.S.C. 1817(j));

16 (D) section 18(c)(2) of the Federal De-  
17 posit Insurance Act (12 U.S.C. 1828(c)(2));

18 (E) section 3 of the Bank Holding Com-  
19 pany Act of 1956 (12 U.S.C. 1842); and

20 (F) section 4 of the Bank Holding Com-  
21 pany Act of 1956 (12 U.S.C. 1843).