

From: <Saved by Windows Internet Explorer 7>
Subject: Electronic Code of Federal Regulations:
Date: Wed, 9 Apr 2008 10:45:33 -0400
MIME-Version: 1.0
Content-Type: multipart/related;
 type="text/html";
 boundary="-----_NextPart_000_0000_01C89A2E.D6301E70"
X-MimeOLE: Produced By Microsoft MimeOLE V6.00.2900.3198

This is a multi-part message in MIME format.

-----_NextPart_000_0000_01C89A2E.D6301E70
Content-Type: text/html;
 charset="iso-8859-1"
Content-Transfer-Encoding: quoted-printable
Content-Location: http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?
c=ecfr&sid=62ce2783347e33f9c07a2391a3b04b08&rgn=div8&view=text&node=12:5.0.1.1.4
9.0.83.6&idno=12

```
<!DOCTYPE HTML PUBLIC "-//W3C//DTD HTML 4.0 Transitional//EN">
<HTML><HEAD><TITLE>Electronic Code of Federal Regulations:</TITLE>
<META http-equiv=3DContent-Type content=3D"text/html; =
charset=3Diso-8859-1"><!-- InstanceBegin =
template=3D"/Templates/NEW_ecfr.dwt" codeOutsideHTMLIsLocked=3D"false" =
--><!-- #BeginEditable "doctitle" --><!-- #EndEditable -->
<META content=3D"text/html; charset=3Diso-8859-1" =
HTTP=3D'equiv=3D"Content-Type"'><LINK=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css" =
type=3Dtext/css=20
rel=3Dstylesheet><LINK media=3Dprint=20
href=3D"http://ecfr.gpoaccess.gov/e/ecfr/styles/print.css" =
type=3Dtext/css=20
rel=3Dstylesheet><!-- InstanceBeginEditable name=3D"head" --><!-- =
InstanceEndEditable -->
<STYLE>.white {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; PADDING-BOTTOM: 0px; MARGIN: =
0px; COLOR: #ffffff; PADDING-TOP: 0px
}
</STYLE>

<SCRIPT>
<!-- Cloak code
function leapto(form)
{
var site=3Dform.dest.selectedIndex;

if (site>=3D1)

{ location=3Dform.dest.options[site].value; }

}
// Decloak -->
</SCRIPT>
<NOSCRIPT>
<META content=3D"MSHTML 6.00.6000.16608" name=3DGENERATOR></HEAD>
<BODY leftMargin=3D0 topMargin=3D0><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr&sid=3D=
62ce2783347e33f9c07a2391a3b04b08&rgn=3Ddiv8&view=3Dtext&node=3D=
12:5.0.1.1.49.0.83.6&idno=3D12#content"><IMG=20
alt=3D"Skip to content." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0></A><A=20
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr&sid=3D=
62ce2783347e33f9c07a2391a3b04b08&rgn=3Ddiv8&view=3Dtext&node=3D=
```

12:5.0.1.1.49.0.83.6&idno=3D12#links"><IMG=20
alt=3D"Skip to side navigation." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0> Quick Navigation:=20

<A href=3D"http://www.gpoaccess.gov/topics/index.html" =
SELECTED>Resources by=20
Topic=20
Business =
&=20
Economy=20
<A =
href=3D"http://www.gpoaccess.gov/topics/education.html">Education=20
<A =
href=3D"http://www.gpoaccess.gov/topics/environment.html">Environment=
=20

Food & =
Drugs=20
Grants =
&=20
Awards=20
Health =
&=20
Safety=20
Military =
&=20
Security=20
Science =
&=20
Technology=20
Social=20
Programs=20
<A=20
=
href=3D"http://www.gpoaccess.gov/topics/transportation.html">Transportati=
on=20
</NOSCRIPT><!-- Beginning of top navigation. Do not modify. =
-->
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D"100%" border=3D0>
<TBODY>
<TR id=3Dtopnav><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr&sid=3D=
62ce2783347e33f9c07a2391a3b04b08&rgn=3Ddiv8&view=3Dtext&node=3D=
12:5.0.1.1.49.0.83.6&idno=3D12#content"><IMG=20
alt=3D"Skip to content." =
src=3D"http://www.gpoaccess.gov/images/spacer.gif"=20
border=3D0><A=20
=
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=3Decfr&sid=3D=
62ce2783347e33f9c07a2391a3b04b08&rgn=3Ddiv8&view=3Dtext&node=3D=
12:5.0.1.1.49.0.83.6&idno=3D12#links"><IMG=20
alt=3D"Skip to side navigation."=20
src=3D"http://www.gpoaccess.gov/images/spacer.gif" =
border=3D0></TR>
<TR>
<TD id=3Dtopnav background=3Dhttp://www.gpoaccess.gov/images/bg.gif=20
bgColor=3D#333399>
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D700 border=3D0>
<TBODY>
<TR>
<TD vAlign=3Dbottom bgColor=3D#ffffff rowSpan=3D2><A=20
href=3D"http://www.gpoaccess.gov/"><IMG height=3D69=20

```
alt=3D"GPO Access Home Page."=20
src=3D"http://www.gpoaccess.gov/images/nav_01.gif" =
width=3D132=20
border=3D0></A></TD>
<TD>
<TABLE height=3D38 cellSpacing=3D0 cellPadding=3D2 =
width=3D568 border=3D0>
<TBODY>
<TR>
<FORM name=3DquickNav>
<TD vAlign=3Dbottom align=3Dleft bgColor=3D#ffffff =
colSpan=3D2=20
height=3D3><DIV align=3Dright><LABEL class=3Dwhite=20
for=3Dlabel_for_menu>Quick Navigation:</LABEL> <SELECT =
id=3Dlabel_for_menu=20
style=3D"FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 145px; =
FONT-FAMILY: Arial, Helvetica, sans-serif"=20
size=3D1 name=3DquickNavBar> <OPTION=20
value=3Dhttp://www.gpoaccess.gov/topics/index.html=20
selected>Resources by Topic</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/business.html>Business=20
&amp; Economy</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/education.html>Education</OPTION>=
=20
<OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/environment.html>Environment</OPT=
ION>=20
<OPTION =
value=3Dhttp://www.gpoaccess.gov/topics/food.html>Food=20
&amp; Drugs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/grants.html>Grants=20
&amp; Awards</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/health.html>Health=20
&amp; Safety</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/military.html>Military=20
&amp; Security</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/science.html>Science=20
&amp; Technology</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/programs.html>Social=20
Programs</OPTION> <OPTION=20
=
value=3Dhttp://www.gpoaccess.gov/topics/transportation.html>Transportatio=
n</OPTION></SELECT>=20
<A title=3D"Jump to selected topic."=20
=
href=3D"javascript:location=3Ddocument.quickNav.quickNavBar.options[docum=
ent.quickNav.quickNavBar.selectedIndex].value"><IMG=20
alt=3D"Jump to selected topic." hspace=3D0=20
src=3D"http://www.gpoaccess.gov/images/go.gif" =
align=3DabsBottom=20
border=3D0 VALUE=3D""></A></DIV></TD></FORM><A =
name=3Dsearch></A>
<FORM name=3Dquery=20
action=3Dhttp://www.firstgov.gov/fgsearch/index.jsp>
<TD vAlign=3Dbottom align=3Dmiddle width=3D70 =
```

```
bgColor=#ffffff>
<DIV class=search align=right><LABEL =
for=xmw0>Site=
Search:</LABEL> <BR><A=
=
href="http://www.gpoaccess.gov/advancedsearch.html"><SPAN=
class=search>advanced</SPAN></A></DIV></TD>
<TD vAlign=bottom align=left width=151 =
bgColor=#ffffff>
<DIV align=right><INPUT id=xmw0=
style="FONT-SIZE: 9pt; MARGIN: 0px; WIDTH: 110px; =
FONT-FAMILY: Arial, Helvetica, sans-serif">
maxLength=50 align=absMiddle name=xmw0> <INPUT=
onkeypress=document.query.submit();=
onclick=document.query.submit(); type=Image=
alt="Submit Search"=
src="http://www.gpoaccess.gov/images/go.gif" =
align=absMiddle=
border=0> <INPUT type=hidden value=0010 =
name=adv> <INPUT=
type=hidden value=10 name=nr> <INPUT =
type=hidden value=www=
name=db> <INPUT type=hidden value=0 name=fr> =
<INPUT=
type=hidden value=all name=mt0> <INPUT =
type=hidden=
value=should name=ms0> <INPUT type=hidden =
value=detailed=
name=de> <INPUT type=hidden value=domain =
name=pl> <INPUT=
type=hidden value="gpoaccess.gov, gpo.gov" =
name=domain>=
</DIV></TD></FORM></TR></TBODY></TABLE></TD></TR>
<TR>
<TD><IMG height=44 alt="Navigation Bar"=
src="http://www.gpoaccess.gov/images/nav_03.gif" =
width=568=
useMap=#Map =
border=0></TD></TR></TBODY></TABLE></TD></TR></TBODY></TABLE><MAP=
name=Map><AREA shape=POLY alt=About. =
coords=588,3,661,3,644,24,571,23=
href="http://www.gpoaccess.gov/about/index.html"><AREA shape=POLY =
alt=Help.=
coords=509,3,583,3,565,24,493,23=
href="http://www.gpoaccess.gov/help/index.html"><AREA=
title="A-Z Resource List." shape=RECT alt="A-Z Resource List."=
coords=1,29,151,54 =
href="http://www.gpoaccess.gov/databases.html"><AREA=
title="Locate a Federal Depository Library." shape=RECT=
alt="Locate a Federal Depository Library." coords=155,30,415,54=
href="http://www.gpoaccess.gov/libraries.html"><AREA title="Buy =
Publications."=
shape=RECT alt="Buy Publications." coords=419,28,555,54=
href="http://bookstore.gpo.gov/"><AREA title=Legislative. =
shape=RECT=
alt=Legislative. coords=0,1,144,26=
href="http://www.gpoaccess.gov/legislative.html"><AREA =
title=Executive.=
shape=RECT alt=Executive. coords=149,1,279,25=
href="http://www.gpoaccess.gov/executive.html"><AREA =
title=Judicial.=
shape=RECT alt=Judicial. coords=284,1,388,26=
href="http://www.gpoaccess.gov/judicial.html"></MAP><!--End of top =
navigation. -->
```

```

<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D700 border=3D0>
  <TBODY>
    <TR>
      <TD id=3Dleftnav vAlign=3Dtop width=3D5 bgColor=3D#333399><IMG =
alt=3D" "=20
      src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif" =
width=3D5></TD>
      <TD id=3Dleftnav vAlign=3Dtop width=3D135 bgColor=3D#333399>
        <DIV align=3Dcenter><A name=3Dlinks></A><IMG height=3D122=20
alt=3D"National Archives and Records Administration logo."=20
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/narablue.gif" =
width=3D120>=20
        </DIV><!-- #BeginLibraryItem "/library/leftnav.lbi" -->
        <TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =
bgColor=3D#ffffff border=3D0>
          <TBODY>
            <TR vAlign=3Dtop align=3Dleft>
              <TD colSpan=3D2 height=3D12>
                <DIV align=3Dcenter><IMG height=3D16 alt=3D"Database =
Features."=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/applicationfeatures.gif"=20
width=3D137></DIV></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD colSpan=3D2 height=3D5><IMG height=3D5 alt=3D" "=20
                =
src=3D"http://ecfr.gpoaccess.gov/images/spacer.gif"></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside width=3D13 height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3D%2Findex.tpl">Browse</A></TD><=
/TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D20><A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;page=3Dsimple">Simple=20
                Search </A></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D19>
                  <DIV align=3Dcenter>=95</DIV></TD>
                <TD class=3Dside height=3D19><FONT face=3D"Arial, Helvetica, =
sans-serif"=20
                color=3D#000011>Advanced Search </FONT></TD></TR>
              <TR vAlign=3Dtop align=3Dleft>
                <TD class=3Dside height=3D2>
                  <DIV align=3Dcenter></DIV></TD>
                <TD class=3Dside height=3D20>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;page=3Dboolean">=20
                Boolean</A></TD></TR>
              <TR align=3Dmiddle>
                <TD height=3D20>&nbsp;</TD>
                <TD class=3Dside align=3Dleft>*<A=20
                =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;page=3Dproximity">Proximity</A></TD>=
</TR>

```

```
<TR vAlign=3Dtop align=3Dleft>
  <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
  <TD class=3Dside height=3D20><A=20
    =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;page=3Dhistory">Search=20
  History</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3Dsearch.tpl">Search=20
    Tips</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3Dcorrectionspage.tpl">Correctio=
ns</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20>
      <P><A=20
        =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3Dupdate.tpl">Latest=20
      Updates</A></P></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3Dabout.tpl">User=20
      Info</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside align=3Dmiddle height=3D2>=95</TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3Dfaq.tpl">FAQs</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3D%2Fagencylist.tpl">Agency=20
      List</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD class=3Dside height=3D2>
      <DIV align=3Dcenter>=95</DIV></TD>
    <TD class=3Dside height=3D20><A=20
      =
href=3D"http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?sid=3D62ce2783347e3=
3f9c07a2391a3b04b08&amp;c=3Decfr&amp;tpl=3D%2Findex.tpl">e-CFR=20
      Main Page</A></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD colspan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20
      src=3D"http://ecfr.gpoaccess.gov/images/bottom.gif"=20
width=3D137></TD></TR></TBODY></TABLE>
```

```

<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =
bgColor=3D#ffffff border=3D0>
  <TBODY>
    <TR vAlign=3Dtop align=3Dleft>
      <TD colSpan=3D2 height=3D12>
        <DIV align=3Dcenter><IMG height=3D16 alt=3D"Related =
Resources"=20
          src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/related.gif"=20
          width=3D137></DIV></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD colSpan=3D2 height=3D5><IMG height=3D5 alt=3D" "=20
          =
src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif"></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside width=3D13 height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside height=3D35><A=20
          href=3D"http://www.gpoaccess.gov/cfr/index.html">Code of =
Federal=20
          Regulations</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside height=3D20><A=20
          href=3D"http://www.gpoaccess.gov/fr/index.html">Federal=20
Register</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside height=3D35><A=20
          href=3D"http://www.gpoaccess.gov/lssa/index.html">List of=20
CFR<BR>Sections Affected</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside width=3D132 height=3D20><A=20
          =
href=3D"http://www.regulations.gov/">Regulations.gov</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside width=3D132 height=3D20><A=20
          href=3D"http://www.gpoaccess.gov/ua/index.html">Unified=20
Agenda</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD class=3Dside height=3D2>
          <DIV align=3Dcenter>=95</DIV></TD>
        <TD class=3Dside width=3D132 height=3D20><A=20
          href=3D"http://www.gpoaccess.gov/nara/index.html">All NARA=20
Publications</A></TD></TR>
      <TR vAlign=3Dtop align=3Dleft>
        <TD colSpan=3D2 height=3D2><IMG height=3D16 alt=3D" "=20
          src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/bottom.gif"=20
          width=3D137></TD></TR></TBODY></TABLE>
<TABLE cellSpacing=3D0 cellPadding=3D0 width=3D137 =
bgColor=3D#ffffff border=3D0>
  <TBODY>
    <TR vAlign=3Dtop align=3Dleft>
      <TD colSpan=3D3 height=3D12>
        <DIV align=3Dleft><IMG height=3D16 alt=3D"About Government." =
          =
          src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/learn.gif"=20
          width=3D137></DIV></TD></TR>
    <TR vAlign=3Dtop align=3Dleft>

```

```
<TD colSpan=3D3 height=3D5><IMG height=3D5 alt=3D" "=20
  src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/spacer.gif"=20
width=3D1></TD></TR>
<TR vAlign=3Dtop align=3Dleft>
  <TD width=3D52 height=3D10>
    <DIV align=3Dleft><A href=3D"http://bensguide.gpo.gov/"><IMG =
height=3D52=20
  alt=3D"Ben's Guide Logo." hspace=3D2=20
  src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/ben2.gif" =
width=3D48=20
  border=3D0></A></DIV></TD>
  <TD class=3Dside width=3D85 height=3D10>
    <DIV align=3Dleft><A =
href=3D"http://bensguide.gpo.gov/">Ben's=20
  Guide<BR>to U.S.<BR>Government</A></DIV></TD></TR>
  <TR vAlign=3Dtop align=3Dleft>
    <TD colSpan=3D3 height=3D2><IMG height=3D16 alt=3D" "=20
      src=3D"http://ecfr.gpoaccess.gov/e/ecfr/images/bottom.gif"=20
      width=3D137></TD></TR></TBODY></TABLE><!-- #EndLibraryItem -->
  <DIV align=3Dcenter><A=20
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more than one savings association;

(C) By a savings and loan holding company for approval of an acquisition of shares issued by a savings association in a qualified stock issuance pursuant to 7574.8 of this part; or

(D) By any director, officer, or any individual who owns, controls, or holds with power to vote (or holds proxies representing) more than 25 percent of the voting shares of a savings and loan holding company for approval of an acquisition of one or more savings associations.

(ii) The OTS may determine as a general matter or on a case-by-case basis not to require application information not relevant to transactions described in paragraphs (a)(3)(i) (C) and (D) of this section.

(4) *H-(e)3.* This application shall be used for all applications filed under 7574.3(a) of this part:

(i) By a savings and loan holding company for approval of acquisitions by a merger, consolidation, or purchase of assets of a savings association or uninsured institution or a savings and loan holding company;

(ii) By any company for approval of acquisitions by a merger, consolidation, or purchase of assets of two or more savings associations.

(5) *H-(e)4.* This information filing shall be used to claim that a reorganization is exempt from prior written approval of the OTS under 7574.3(c)(1)(ii) of this part.

(6) *Notice Form 1393, parts A and B.* This form shall be used for all notices filed under 7574.3(b) of this part regarding the acquisition of control of a savings association by any person or persons not constituting a company except as provided in paragraph (a)(3) of this section.

(b) *Filing requirements* 97(1) *Applications, notices, and rebuttals.* (i) Complete copies including exhibits and all other pertinent documents of applications, notices, and rebuttal submissions shall be filed with the Region in which the savings association or associations involved in the transaction have their home office or offices. Unsigned copies shall be conformed. Each copy shall include a summary of the proposed transaction.

(ii) Any person or company may amend an application, notice or rebuttal submission, or file additional information, upon request of the OTS or, in the case of the party filing an application, notice, or rebuttal, upon such party's own initiative.

(2) *H-96(e)4 Information filing.* Any information filing =

required=20
to be made to claim that a reorganization is exempt from prior =
written=20
approval of the OTS under =A7574.3(c)(1)(ii) of this part shall be =
clearly=20
labeled =93H=96(e)4 Information Filing=94.</P>
<P>(c) <I>Sufficiency and waiver. </I>(1) Except as provided in=20
=A7574.6(c)(5), an application or notice filed pursuant to =
=A7574.3 (a) or (b)=20
shall not be deemed sufficient unless it includes all of the =
information=20
required by the form prescribed by the Office and this part, =
including a=20
complete description of the acquiror's proposed plan for =
acquisition of=20
control whether pursuant to one or more transactions, and any =
additional=20
relevant information as the Office may require by written request =
to the=20
applicant. Unless an application or notice specifically indicates=20
otherwise, the application or notice shall be considered to =
pertain to=20
acquisition of 100 percent of a savings association's voting =
stock. Where=20
an application or notice pertains to a lesser amount of stock, the =
Office=20
may condition its approval or non-disapproval to apply only to =
such=20
amount, in which case additional acquisitions may be made only by=20
amendment to the acquiror's application or notice and the Office's =

approval or non-disapproval thereof. Failure by an applicant to =
respond=20
completely to a written request by the Office for additional =
information=20
within 30 calendar days of the date of such request may be deemed =
to=20
constitute withdrawal of the application, notice, or rebuttal =
filing or=20
may be treated as grounds for denial of an application, issuance =
of a=20
notice of disapproval of a notice, or rejection of a rebuttal.</P>
<P>(2) The period for the Office's review of any proposed =
acquisition will=20
commence upon receipt by the Office of a notice or application =
deemed=20
sufficient under paragraph (c)(1) of this section. The Office =
shall notify=20
an acquiror in writing within 30 calendar days after proper filing =
of an=20
application or notice as to whether an application or =
notice=97</P>
<P>(i) Is sufficient;</P>
<P>(ii) Is insufficient, and what additional information is =
requested in=20
order to render the application or notice sufficient; or</P>
<P>(iii) Is materially deficient and will not be processed. The =
Office=20
shall also notify an acquiror in writing within 15 calendar days =
after=20
proper filing of any additional information furnished in response =
to a=20
specific request by the Office as to whether the application or =
notice is=20

thereby deemed to be sufficient. If the Office fails to so notify =
an=20
acquiror within such time, the application or notice shall be =
deemed to be=20
sufficient as of the expiration of the applicable period.</P>
<P>(3) After additional information has been requested and =
supplied, the=20
Office may request additional information only with respect to =
matters=20
derived from or prompted by information already furnished, or =
information=20
of a material nature that was not reasonably available from the =
acquiror,=20
was concealed, or pertains to developments subsequent to the time =
of the=20
Office's initial request for additional information. With regard =
to=20
information of a material nature that was not reasonably available =
from=20
the acquiror or was concealed at the time an application or notice =
was=20
deemed to be sufficient or which pertains to developments =
subsequent to=20
the time an application or notice was deemed to be sufficient, the =
Office,=20
at its option, may request such additional information as it =
considers=20
necessary, or may deem the application or notice not to be =
sufficient=20
until such additional information is furnished and cause the =
review period=20
to commence again in its entirety upon receipt of such additional=20
information.</P>
<P>(i) The 60-day period for the Office's review of an application =
or=20
notice deemed to be sufficient also may be extended by the Office =
for up=20
to an additional 30 days.</P>
<P>(ii) The period for the Office's review of a notice may be =
further=20
extended not to exceed two additional times for not more than 45 =
days each=20
time if=97</P>
<P>(A) The Office determines that any acquiring party has not =
furnished=20
all the information required under this part;</P>
<P>(B) In the Office's judgment, any material information =
submitted is=20
substantially inaccurate;</P>
<P>(C) The Office has been unable to complete an investigation of =
each=20
acquiror because of any delay caused by, or the inadequate =
cooperation of,=20
such acquiror; or</P>
<P>(D) The Office determines that additional time is needed to =
investigate=20
and determine that no acquiring party has a record of failing to =
comply=20
with the requirements of subchapter II of chapter 53 of title 31 =
of the=20
United States Code.</P>
<P>(4) With respect to an H=96(e)4 information filing, the Chief =
Counsel or=20
his or her designee shall have 30 days after receipt of a filing =

deemed=20
sufficient to disapprove the assertion that the company qualifies =
for the=20
exemption provided in =A7574.3(c)(1)(ii). After the expiration of =
such=20
30-day period without response from the Chief Counsel, the filing =
shall be=20
deemed to be approved.</P>
<P>(5) The Office may waive any requirements of this paragraph (c) =

determined to be unnecessary by the Office, upon its own =
initiative, upon=20
the written request of an acquiring person, or in a supervisory =
case.</P>
<P>(d) <I>Public notice. </I>(1) The acquiror must publish a =
public notice=20
of an application under =A7574.3(a) or =A7574.8 of this chapter or =
a notice=20
under =A7574.3(b) of this chapter, in accordance with the =
procedures in=20
subpart B of part 516 of this chapter. Promptly after publication, =
the=20
acquiror must transmit copies of the public notice and the =
publisher's=20
affidavit to OTS.</P>
<P>(2) The acquiror must provide a copy of the public notice to =
the=20
savings association whose stock is sought to be acquired, and may =
provide=20
a copy of the public notice to any other person who may have an =
interest=20
in the application.</P>
<P>(3) OTS will notify the appropriate state supervisor and will =
notify=20
persons whose requests for announcements, as described in 12 CFR =
part=20
563e, Appendix B, have been received in time for the notification. =
OTS may=20
also notify any other persons who may have an interest in the =
application=20
or notice.</P>
<P>(e) <I>Submission of comments. </I>Commenters may submit =
comments on=20
the application or notice in accordance with the procedures in =
subpart C=20
of part 516 of this chapter.</P>
<P>(f) <I>Disclosure. </I>(1) Any application, notice, other =
filings,=20
public comment, or portion thereof, made pursuant to this part for =
which=20
confidential treatment is not requested in accordance with this =
paragraph=20
(f), shall be immediately available to the public and not subject =
to the=20
procedures set forth herein. Public disclosure shall be made of =
other=20
portions of an application, notice, other filing or public comment =
in=20
accordance with paragraph (f)(2) of this section, the provisions =
of the=20
Freedom of Information Act (5 U.S.C. 552a) and parts 503 and 505 =
of this=20
chapter. Applicants and other submitters should provide =
confidential and=20

non-confidential versions of their filings, as described in =
=A7574.6(f) (2)=20
and (3) in order to facilitate this process.</P>
<P>(2) Any person who submits any information or causes or permits =
any=20
information to be submitted to the Office pursuant to this part =
may=20
request that the Office afford confidential treatment under the =
Freedom of=20
Information Act to such information for reasons of personal =
privacy or=20
business confidentiality, which shall include such information =
that would=20
be deemed to result in the commencement of a tender offer under =
=A7240.14d=962=20
of title 17 of the Code of Federal Regulations, or for any other =
reason=20
permitted by Federal law. Such request for confidentiality must be =
made=20
and justified in accordance with paragraph (f)(5) of this section =
at the=20
time of filing, and must, to the extent practicable, identify with =
specificity the information for which confidential treatment may =
be=20
available and not merely indicate portions of documents or entire=20
documents in which such information is contained. Failure to =
specifically=20
identify information for which confidential treatment is =
requested,=20
failure to specifically justify the bases upon which =
confidentiality is=20
claimed in accordance with paragraph (f)(5) of this section, or =
overbroad=20
and indiscriminate claims for confidential treatment, may be bases =
for=20
denial of the request. In addition, the filing party should take =
all steps=20
reasonably necessary to ensure, as nearly as practicable, that at =
the time=20
the information is first received by the Office (i) it is supplied =
segregated from information for which confidential treatment is =
not being=20
requested, (ii) it is appropriately marked as confidential, and =
(iii) it=20
is accompanied by a written request for confidential treatment =
which=20
identifies with specificity the information as to which =
confidential=20
treatment is requested. Any such request must be substantiated in=20
accordance with paragraph (f)(5) of this section.</P>
<P>(3) All documents which contain information for which a request =
for=20
confidential treatment is made or the appropriate segregable =
portions=20
thereof shall be marked by the person submitting the records with =
a=20
prominent stamp, typed legend, or other suitable form of notice on =
each=20
page or segregable portion of each page, stating =93Confidential =
Treatment=20
Requested by [name].=94 If such marking is impracticable under the =

circumstances, a cover sheet prominently marked "Confidential Treatment" Requested by [name] should be securely attached to each group of records submitted for which confidential treatment is requested. Each of the records transmitted in this manner should be individually marked with an identifying number and code so that they are separately identifiable.

(4) A determination as to the validity of any request for confidential treatment may be made when a request for disclosure of the information under the Freedom of Information Act is received, or at any time prior thereto. If the Office receives a request for the information under the Freedom of Information Act, OTS will advise the filing party before it discloses material for which confidential treatment has been requested.

(5) Substantiation of a request for confidential treatment shall consist of a statement setting forth, to the extent appropriate or necessary for the determination of the request for confidential treatment, the following information regarding the request:

(i) The reasons, concisely stated and referring to specific provisions of the Freedom of Information Act, why the information should be withheld from access under the Freedom of Information Act;

(ii) The applicability of any specific statutory or regulatory provisions which govern or may govern the treatment of the information;

(iii) The existence and applicability of any prior determination by the Office, other Federal agencies, or a court, concerning treatment of the information;

(iv) The adverse consequences to a business enterprise, financial or otherwise, that would result from disclosure of confidential commercial or financial information, including any adverse effect on the business' competitive position;

(v) The measures taken by the business to protect the confidentiality of the commercial or financial information in question and of similar information, prior to, and after, its submission to the Office;

(vi) The ease or difficulty of a competitor's obtaining or compiling the commercial or financial information;

(vii) Whether commercial or financial information was voluntarily submitted to the Office, and, if so, whether and how disclosure of the information would tend to impede the availability of similar information.

to the Office;

(viii) The extent, if any, to which portions of the substantiation of the request for confidential treatment should be afforded confidential treatment;

(ix) The amount of time after the consummation of the proposed acquisition for which the information should remain confidential and justification thereof;

(x) Such additional facts and such legal and other authorities as the requesting person may consider appropriate.

(6) Any person requesting access to an application, notice, other filing, or public comment made pursuant to this part for purposes of commenting on a pending submission may prominently label such request: Request for Disclosure of Filing(s) Made Under part 574/Priority Treatment Requested.

(g) *Supervisory cases.* The provisions of paragraphs (d), (e) and (f) of this section may be waived by the Office in connection with a transaction approved by the Office for supervisory reasons.

(h) *Notification of State supervisor.* Upon receiving a notice relating to an acquisition of control of a state-chartered savings association, the Office shall forward a copy of the notice to the appropriate state savings and loan association supervisory agency, and shall allow 30 days within which the views and recommendations of such state supervisory agency may be submitted. The Office shall give due consideration to the views and recommendations of such state agency in determining whether to disapprove any proposed acquisition. Notwithstanding the provisions of this paragraph (h), if the Office determines that it must act immediately upon any notice of a proposed acquisition in order to prevent the default of the association involved in the proposed acquisition, the Office may dispense with the requirement of this paragraph (h) or, if a copy of the notice is forwarded to the state supervisory agency, the Office may request that the views and recommendations of such state supervisory agency be submitted immediately in any form or by any means acceptable to the Office.

(i) *Additional procedures for acquisitions involving mergers.* Acquisitions of control involving mergers (including mergers with an interim association) shall also be subject to the procedures set forth in 7563.22 of this chapter to the extent applicable, except as provided in paragraph (a) of this section.

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charset="iso-8859-1"

Content-Transfer-Encoding: quoted-printable

Content-Location: http://ecfr.gpoaccess.gov/e/ecfr/styles/styles.css

```

.td {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.tr {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.h1 {
    FONT-WEIGHT: bold; FONT-SIZE: 16px; LINE-HEIGHT: 18pt; FONT-FAMILY: =
Arial, Helvetica, sans-serif; Arial:=20
}
.h2 {
    PADDING-RIGHT: 0px; PADDING-LEFT: 0px; FONT-WEIGHT: bold; FONT-SIZE: =
14px; MARGIN-BOTTOM: 0px; PADDING-BOTTOM: 0px; COLOR: #000000; =
LINE-HEIGHT: normal; PADDING-TOP: 0px; FONT-STYLE: normal; FONT-FAMILY: =
Arial, Helvetica, sans-serif
}
.h3 {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.caption {
    FONT-WEIGHT: bold; FONT-SIZE: 12px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.footer {
    BACKGROUND-POSITION: center 50%; FONT-SIZE: 10px; FONT-FAMILY: Arial, =
Helvetica, sans-serif; TEXT-ALIGN: center
}
.top {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: =
right
}
.tablespaceing {
    PADDING-RIGHT: 5px; PADDING-LEFT: 5px; PADDING-BOTTOM: 5px; =
PADDING-TOP: 10px
}
.fontsmall {
    FONT-SIZE: 11px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.navigation {
    FONT-SIZE: 10px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.invisiblelink {
    FONT-SIZE: 10px; COLOR: #ffffff; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-DECORATION: none
}
A.menubar:link {
    COLOR: blue
}
A.menubar:visited {
    COLOR: purple
}
A.menubar:hover {
    COLOR: #cc3333
}
A.menubar:active {
    COLOR: purple
}
.toplogo {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; MARGIN-BOTTOM: 0px; LINE-HEIGHT: =
normal; FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.search {

```

```

        FONT-SIZE: 10px; CLIP: ; FONT-FAMILY: Arial, Helvetica, sans-serif
    }
    .side {
        FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
    }
    .subparagraph {
        FONT-WEIGHT: normal; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
        sans-serif; TOP: -5px
    }
    .head {
        FONT-WEIGHT: bolder; FONT-SIZE: 18px; FONT-FAMILY: Arial, Helvetica, =
        sans-serif
    }
    .recentupdateslink {
        FONT-WEIGHT: bolder; FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, =
        sans-serif; TEXT-ALIGN: left
    }
    .updatetitle {
        FONT-WEIGHT: bold; FONT-SIZE: 14px; COLOR: #ff0000; TEXT-INDENT: 5pt; =
        FONT-FAMILY: Arial, Helvetica, sans-serif; TEXT-ALIGN: left
    }
    .updatebodytest {
        BACKGROUND-POSITION: left 50%; FONT-WEIGHT: normal; FONT-SIZE: 12px; =
        FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
        TEXT-ALIGN: left; FONT-VARIANT: normal
    }
    .updatebold {
        BACKGROUND-POSITION: left 50%; FONT-WEIGHT: bold; FONT-SIZE: 12px; =
        FONT-STYLE: normal; FONT-FAMILY: Arial, Helvetica, sans-serif; =
        TEXT-ALIGN: left
    }
    .body {
        COLOR: #000000; FONT-FAMILY: Arial, sans-serif; BACKGROUND-COLOR: =
        #ffffff
    }
    .a {
        TEXT-DECORATION: underline
    }
    .a:link {
        COLOR: blue; BACKGROUND-COLOR: #ffffff
    }
    .a:visited {
        COLOR: red; BACKGROUND-COLOR: #ffffff
    }
    .a:active {
        COLOR: #ff0000; BACKGROUND-COLOR: #ffffff
    }
    .p {
        FONT-WEIGHT: normal; WIDTH: 474px; BACKGROUND-REPEAT: no-repeat; =
        FONT-FAMILY: Arial, sans-serif; TEXT-ALIGN: center
    }
    .title {
        FONT-WEIGHT: bold; FONT-SIZE: 20px; FONT-FAMILY: Arial, Helvetica, =
        sans-serif; TEXT-ALIGN: left
    }
    .subtitle {
        FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
        sans-serif; TEXT-ALIGN: left
    }
    .mainheader {
        FONT-WEIGHT: bold; FONT-SIZE: 130%
    }
    .chapter {
        FONT-WEIGHT: bold; FONT-SIZE: 16px; FONT-FAMILY: Arial, Helvetica, =

```

```
sans-serif; TEXT-ALIGN: left
}
.subchapter {
    FONT-WEIGHT: bold; FONT-SIZE: 14px; FONT-FAMILY: Arial, Helvetica, =
sans-serif; TEXT-ALIGN: left
}
.part {
    FONT-WEIGHT: bold; FONT-SIZE: 100%
}
.subpart {
    FONT-SIZE: 90%; COLOR: blue; BACKGROUND-COLOR: #ffffff
}
.nopart {
    COLOR: green; BACKGROUND-COLOR: #ffffff
}
.reserved {
    COLOR: red; BACKGROUND-COLOR: #ffffff
}
.menu {
    FONT-SIZE: 12px; FONT-FAMILY: Arial, Helvetica, sans-serif
}
.hilite {
    FONT-WEIGHT: bold; COLOR: #cc0000
}
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charset="iso-8859-1"

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#topnav {
    DISPLAY: none
}
```

```
#leftnav {
    DISPLAY: none
}
```

```
.tablesacing {
    PADDING-LEFT: 0px
}
```

-----=_NextPart_000_0000_01C89A2E.D6301E70--