

104TH CONGRESS
1ST SESSION

S. 562

To provide for State bank representation on the Board of Directors of the Federal Deposit Insurance Corporation, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 15, 1995

Mr. GRAMM (for himself and Mr. SHELBY) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To provide for State bank representation on the Board of Directors of the Federal Deposit Insurance Corporation, 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 “State Bank Represen-
5 tation Act”.

1 **SEC. 2. STATE BANK REPRESENTATION ON FDIC BOARD OF**
2 **DIRECTORS.**

3 (a) IN GENERAL.—Section 2(a)(1) of the Federal
4 Deposit Insurance Act (12 U.S.C. 1812(a)(1)) is amend-
5 ed—

6 (1) by striking “5 members” and inserting “6
7 members”;

8 (2) in subparagraph (B), by striking “and” at
9 the end;

10 (3) in subparagraph (C), by striking the period
11 at the end and inserting “; and”; and

12 (4) by adding at the end the following:

13 “(D) 1 of whom shall be appointed by the
14 President, by and with the advice and consent
15 of the Senate, from among individuals serving
16 as State bank commissioners or supervisors (or
17 the functional equivalent thereof) as of the date
18 on which the appointment is made.”.

19 (b) LIMITATION.—Section 2(b) of the Federal De-
20 posit Insurance Act (12 U.S.C. 1812(b)) is amended—

21 (1) in paragraph (1), by striking “appointed
22 members” and inserting “members appointed pursu-
23 ant to subsection (a)(1)(C)”; and

24 (2) in paragraph (2), by striking “appointed
25 members” and inserting “members appointed pursu-
26 ant to subsection (a)(1)(C)”.

1 (c) TERMS.—Section 2(c)(1) of the Federal Deposit
2 Insurance Act (12 U.S.C. 1812(c)(1)) is amended—

3 (1) by striking “Each appointed member” and
4 inserting the following:

5 “(A) IN GENERAL.—Each member ap-
6 pointed pursuant to subsection (a)(1)(C)” and
7 (2) by adding at the end the following:

8 “(B) STATE BANK REPRESENTATIVES.—

9 “(i) IN GENERAL.—Except as pro-
10 vided in clause (ii), each member appointed
11 pursuant to subsection (a)(1)(D) shall be
12 appointed for a single term of 2 years.

13 “(ii) EXCEPTION.—If a member ap-
14 pointed pursuant to subsection (a)(1)(D)
15 ceases to be a State banking commissioner
16 or supervisor (or functional equivalent
17 thereof) on a date prior to the expiration
18 of the 2-year period described in clause (i),
19 such member’s membership on the Board
20 of Directors shall terminate on that date.”.

21 (d) VACANCIES.—Section 2(d)(1) of the Federal De-
22 posit Insurance Act (12 U.S.C. 1812(d)(1)) is amended—

23 (1) by striking “Any vacancy” and inserting the
24 following:

1 “(A) IN GENERAL.—Subject to the restric-
2 tions contained in subparagraph (B), any va-
3 cancy”; and

4 (2) by adding at the end the following:

5 “(B) RESTRICTIONS.—

6 “(i) SAME INDIVIDUAL.—In filling a
7 vacancy on the Board of Directors pursu-
8 ant to subsection (a)(1)(D), the President
9 may not appoint an individual who has
10 previously served as a member of the
11 Board of Directors pursuant to subsection
12 (a)(1)(D).

13 “(ii) SAME STATE.—In filling a va-
14 cancy on the Board of Directors pursuant
15 to subsection (a)(1)(D) (other than a va-
16 cancy occurring under subsection
17 (c)(1)(B)(ii)), the President may not ap-
18 point an individual who is serving as the
19 State bank commissioner or supervisor (or
20 functional equivalent thereof) of the same
21 State as the member most recently ap-
22 pointed pursuant to subsection (a)(1)(D).”.

23 (e) NONCOMPENSATION; TRAVEL EXPENSES.—Sec-
24 tion 2 of the Federal Deposit Insurance Act (12 U.S.C.
25 1812) is amended by adding at the end the following:

1 “(g) PERSONNEL MATTERS RELATING TO STATE
2 BANK REPRESENTATIVES.—Members of the Board of Di-
3 rectors appointed pursuant to subsection (a)(1)(D)—
4 “(1) shall serve without compensation; and
5 “(2) shall be allowed travel expenses, including
6 per diem in lieu of subsistence, at rates authorized
7 for employees of agencies under subchapter I of
8 chapter 57 of title 5, United States Code, while
9 away from their homes or regular places of business
10 in the performance of services for the Board of
11 Directors.”.

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