

ATTACHMENT B

Office of the Comptroller of the Currency

[Docket No. 85-5]

Privacy Act of 1974; Proposed New System of Record

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Notice of Proposed New System of Records Concerning the Chain Banking Organization System.

SUMMARY: Pursuant to the requirements of the Privacy Act of 1974, the Office of the Comptroller of the Currency ("Office") gives notice of the establishment of a new system of records entitled The Chain Banking Organizations System ("System").

DATE: Comments must be received no later than 30 days after publication of this notice. If no comments are received, the system of records will become effective June 24, 1985.

ADDRESS: Comments should be sent to Docket No. 85-5, Communications division, Office of the Comptroller of the Currency, Washington, D.C. 20219, Attn: Lynne Carter, (202) 447-1800.

FOR FURTHER INFORMATION CONTACT: Larry Senter, National Bank Examiner, Commercial Examinations, (202) 447-1164 or Larry Mallinger, Senior Attorney, Legal Advisory Services Division, (202) 447-1880, Office of the Comptroller of the Currency, 490: L'Enfant Plaza East, SW., Washington, D.C. 20219.

SUPPLEMENTARY INFORMATION:

Purpose of System

The Office is establishing the System to enhance its supervision of chain banks. The system will contain information useful in identifying chain banking relationships. This will facilitate internal and interagency coordination of bank examinations and related supervisory responsibilities. Moreover, the system will provide a base of assessing the consolidated condition of various chain banking groups. The System is subject to the provisions of the Privacy Act of 1974 (5 U.S.C. 552a).

Description of the System

The System will consist of word processing and microprocessing programs which

perform editing, updating and reporting functions of two types of data: (1) Name of an individual (or group of individuals acting in concert) that owns or controls two or more banks or financial institutions (including at least one national bank); and (2) information concerning individual chain banks, such as; name and location, charter number, charter type, date of last examination, percentage of outstanding stock owned by controlling individual or group and, if applicable, name of intermediate holding entity and percentage of it held by controlling individual or group.

TREASURY/CC00.015

SYSTEM NAME:

Chain Banking Organizations System (Treasury CC/00.015).

SYSTEM LOCATION:

Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, SW., Washington D.C. 20219.

1211 Avenue of the Americas, Suite 4250, New York, NY 10036.

Peachtree Cain Tower, Suite 2700, 229 Peachtree St., Atlanta, GA 30303.

Sears Tower, Suite 5750, 233 South Wacker Dr., Chicago, IL 60606.

2345 Grand Avenue, Suite 700, Kansas City, MO 64108.

1201 Elm St., Suite 3800, Dallas, TX 75270

50 Fremont Street, Suite 3900, San Francisco, CA 94105.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who directly, indirectly, or in concert with others, own and/or control a chain banking organization.

CATEGORIES OF RECORDS IN THE SYSTEM:

The Chain Banking Organizations System consists of word processing and microprocessing programs which perform editing, updating and reporting functions on two types of data: (1) Name of an individual (or group of individuals acting in concert) that owns or controls a chain banking organization and (2) information concerning individual chain banks, such as; name, location, charter number, charter type, date of last

examination, percentage of outstanding stock owned by controlling individual or group and, if applicable, name of intermediate holding entity and percentage of it held by controlling individual or group.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

12 U.S.C. 1, 12 U.S.C. 481, 12 U.S.C. 1817(j).

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

The System may be used:

(1) To disclose information about specific chain banking organizations to other financial institution supervisory authorities for: (a) Coordination of examining resources then the chain banking organization is composed of banks or financial institutions subject to multiple supervisory jurisdiction; (b) coordination and evaluations and analysis of the condition of the consolidated chain group; (c) coordination of supervisory, corrective of enforcement actions;

(2) To disclose information to the extent provided by law or regulation and as necessary to report any apparent violations of law to appropriate law enforcement agencies.

(3) To disclose pertinent information to appropriate Federal, State, or local agencies responsible for investigating or prosecuting the violation of, or for enforcing or implementing, a statute, rule, regulation, order, or license, where the disclosing agency becomes aware of an indication of a violation or potential violation of civil or criminal law.

(4) To disclose information to a Federal, State, or local agency, maintaining civil, criminal or other relevant enforcement information or other pertinent information, which has requested information relevant to or necessary to the requesting agency's or the bureau's hiring or retention of an employee, or issuance of a security clearance, license, contract, grant, or other benefit.

(5) To disclose information to a court, magistrate, or administrative tribunal in the course of presenting evidence, including disclosures to opposing counsel or witnesses in the course of civil discovery, litigation, or settlement negotiations or in connection with criminal law proceedings.

(6) To provide information to a Congressional office in response to an inquiry made at the request of the individual to whom the record pertains.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

These records are maintained in a computer data base and on computer floppy disks or hard copy printouts stored in file cabinets.

RETRIEVABILITY:

All retrievable records are indexed by district location, state, alphabetically by surname of the individual(s) and/or entity controlling the chain banking organization.

SAFEGUARDS:

Access to records in electronic storage systems is restricted by user identification procedures and passwords which limit access to authorized employees of the Office. Computer disks and hard copy printouts will be stored in locked file cabinets when the Office is vacant.

RETENTION AND DISPOSAL:

Records are generally maintained in electronic storage disks in an on-line capacity until needed. Certain records are achieved in off-line storage. All records, including those in printout form, are periodically updated to reflect changes and maintained as long as needed.

SYSTEM MANAGER(S) AND ADDRESSES:

Senior Deputy Comptroller for Bank Supervision, Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219. District Offices--The Deputy Comptroller for each District is responsible for assuring the accuracy and routine maintenance of the portion of the System applicable to the district.

NOTIFICATION PROCEDURE:

Individuals who wish to be notified if they are named in the system shall submit a signed, written request to the appropriate District Office (or to the System Manager at the address listed). The request must contain: (1) The requestor's name and address; (2) the name of the system of records; and (2) the name and location of the bank(s) which they control individually or in concert with others.

In order to avoid excessive delay and unneeded correspondence, individuals requesting notification should simultaneously request access to records pertaining to them.

RECORD ACCESS PROCEDURES:

Portions of this system of records may be accessed under the Privacy Act for purposes of inspection by identified controlling individuals for the express purpose of verifying that their controlling relationships are accurately recorded.

CONTESTING RECORD PROCEDURE:

Individuals who wish to contest a record in the system must submit a signed written request to the Senior Deputy Controller for Bank Supervision, Office of the Comptroller of the Currency, 490 L'Enfant Plaza East S.W., Washington, D.C. 20219.

The requests should contain: (1) The name and address of the individual contesting the record; (2) the name of the system of records, (3) the name and location of the chain bank(s) which they reportedly control individually or in concert with others; and (4) the specific information being contested and the reason for contesting (it is believed to be inaccurate, irrelevant, incomplete, etc.).

RECORD SOURCE CATEGORIES:

Information that identifies chain banking groups primarily is gathered from: (1) Examination reports and related materials; (2) regulatory filings; and (3) Change in Bank Control Notices filed pursuant to 12 U.S.C. 1817(j).

SYSTEMS EXEMPTED FROM CERTAIN PROVISION OF THE ACT:

None.

Dated April 12, 1985.

D. Edward Wilson, Jr.,

Deputy Assistant Secretary for Departmental Management.