



Privacy Impact Assessment of the Electronic Applications System

Program or application name.

Electronic Applications system (E-Apps)

System Owner.

Board of Governors of the Federal Reserve System's (Board) Division of Banking Supervision and Regulation (BS&R).

Contact information.

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Description of the IT system.

E-Apps is a web-based system for the electronic submission of regulatory applications, notices or proposals and related documents to the Federal Reserve System (FRS) via the Internet. The purpose of E-Apps is to provide external users the ability to submit regulatory applications, notices or

proposals to the FRS as either scanned documents/images or in their native file format, such as MS Word or Excel.

E-Apps will support the electronic receipt, access, distribution, and storage of official documents related to a regulatory filing during the processing cycle of a regulatory application, notice or proposal. E-Apps also will allow for online review of submitted material, as well as for storage and distribution of internally prepared memoranda and correspondence. In addition, the contents of most documents placed into E-Apps will be full-text indexed, and will allow internal users to efficiently search for information while the documents reside in the system during an application, notice or proposal's processing life cycle.

Regulatory filings and related memoranda, correspondence and record documents submitted into E-Apps will be electronically transferred to FIRMA, the Board's repository for FRS official records, and manually transferred to local Reserve Bank document management systems (if applicable).

1. Information concerning individuals that is being collected and/or maintained.

The E-Apps system is not specifically designed to capture personal information about individuals. Rather, it is primarily a mechanism to allow filers (for example, financial institutions, holding companies, other entities, individual filers and/or their agent(s) or representative(s)) to submit regulatory forms and related submissions over the Internet as an alternative to submitting hard copies of such information via mail or hand delivery.

The information submitted in conjunction with a regulatory application, notice or proposal, such as an "Interagency Biographical and Financial Report," may include personal information including, but not limited to:

- a. name;
- b. home address;
- c. social security number;
- d. telephone number;
- e. date and place of birth;
- f. citizenship;
- g. occupation and employment history;

- h. education and professional credentials;
- i. business and banking affiliations;
- j. legal and related matters; and
- k. personal financial information.

2. Source(s) of each category of information listed in item 1.

Any information about individuals is gathered during the regulatory application, notice or proposal process and is generally derived or prepared by either the individuals personally or their agents (for example, law firms, consultants).

In addition, FRS staff, as part of the due diligence process associated with the review of a particular regulatory application, notice or proposal, may contact other Federal agencies for comment on a particular regulatory application, notice or proposal, including comments related to individuals involved in such filings. The Federal agencies include:

- a. Federal Deposit Insurance Corporation;
- b. Office of the Comptroller of the Currency;
- c. Office of Thrift Supervision;
- d. National Credit Union Administration
- e. Department of Justice;
- f. Federal Bureau of Investigation;
- g. Securities and Exchange Commission;
- h. State Department;
- i. Central Intelligence Agency; and
- j. U.S. Citizenship and Immigration Services

FRS staff also may contact central bank or financial regulators in a foreign applicant or notificant's home country, state banking departments or other state regulatory agencies, or self-regulatory organizations for comment in regard to applications and individuals involved in a regulatory application, notice or proposal.

“Comment” or “no-comment” letters to the FRS from the Federal banking agencies that may contain personal information about individuals in connection with a regulatory application, notice or proposal are placed into the E-Apps system.

3. Purposes for which the information is being collected.

The individual information submitted in E-Apps is collected pursuant to Sections 9, 19, 25 and 25A of the Federal Reserve Act, 12 U.S.C. §§ 321-328, 466, 601-604(a) and 611-631; the Change in Bank Control Act, 12 U.S.C. § 1817(j); Section 18(c) of the Bank Merger Act, 12 U.S.C. § 1828(c); Section 32 of the Federal Deposit Insurance Act, 12 U.S.C. § 1831i; Sections 3, 4, and 5 of the Bank Holding Company Act of 1956, 12 U.S.C. §§ 1842, 1843 and 1844; Section 5 of the Bank Service Company Act, 12 U.S.C. § 1865; Sections 7, 8 and 10 of the International Banking Act, 12 U.S.C. §§ 3105, 3106 and 3107; Section 208 of the Board's Regulation H, 12 C.F.R. § 208; Section 211 of the Board's Regulation K, 12 C.F.R. § 211; Section 212 of the Board's Regulation L, 12 C.F.R. § 212; Section 225 of the Board's Regulation Y, 12 C.F.R. § 225; and Executive Order 9397. The information is collected and maintained to assist the Board in evaluating proposed officers, directors, principal shareholders, or persons with other similar interests in a depository institution, holding company or other entity in connection with the Board's consideration of various regulatory applications, notices and proposals to determine whether to approve the particular regulatory application or notice.

4. Who will have access to the information.

Authorized employees within the Federal Reserve who have a need for the information for official business purposes are granted access to the information maintained in E-Apps. Care is taken to ensure that only those employees who are authorized and have a need for the information for official business purposes have access to that information.

The external filers of regulatory applications, notices or proposals, including financial institutions, holding companies, other entities, individual filers and/or their agent(s) or representative(s), are granted security access to place documents into E-Apps. However, external filers are not able to view the contents of the documents submitted. They only are able to view limited metadata information (for example, file name and date submitted) for filings submitted on behalf of institutions they are authorized to act for.

The information maintained in E-Apps may be subject to disclosure under the Freedom of Information Act. The information may also be disclosed for enforcement, statutory and regulatory purposes; to another federal agency or

Reserve Bank; to a Member of Congress, to the Department of Justice, a court, an adjudicative body or administrative tribunal, or a party in litigation; to contractors, agents, and others; and where security or confidentiality has been compromised. Specified information may also be shared with other banking regulatory agencies consistent with the Board's information sharing regulation as well as explicit information sharing agreements.

5. Whether the individuals to whom the information pertains have an opportunity to decline to provide the information or to consent to particular uses of the information (other than required or authorized uses).

External filers, including individuals, may elect not to submit requested regulatory information; however, that failure will result in the Board's inability to consider information in connection with a regulatory application, notice or proposal and may result in the Board's denial of a particular regulatory request.

6. Procedure(s) for ensuring that the information maintained is accurate, complete, and up-to-date.

The filer (financial institution, holding company, other entity, and individual filer and/or their agent or representative) submitting a regulatory application, notice or proposal into E-Apps is responsible for the accuracy, completeness and timeliness of the information submitted during the application process. The system includes edit checks to ensure that data are entered correctly. E-Apps data are also reviewed by the Federal Reserve assigned analyst upon initial entry of a regulatory application, notice or proposal for sufficiency and completeness. Moreover, staff routinely reviews the information submitted into E-Apps in the course of the regulatory review of the regulatory application, notice or proposal to ensure that accurate data are reported. Any technical discrepancy or incident where information is determined to be inaccurate, incomplete, untimely or not relevant is reported to the filer and pursued until the matter is resolved.

7. The length of time the identifiable information will be retained and how will it be purged.

E-Apps is not used to maintain electronic record copies of records, but serves only as a temporary repository for regulatory filings and related

information. Documents filed in E-Apps remain in the system approximately 30-60 days after active processing on the regulatory application, notice or proposal is completed (that is, denial or withdrawal of the application, notice or proposal or completion of consummation of the proposed transaction). Documents submitted into E-Apps are sent to FIRMA, the Federal Reserve's official recordkeeping system, on a flow basis. In accordance with the Board's record retention policy (N1-82-00-02, Items 1-3 and N1-82-02-02), application records are retained for 15 years after final action on the application, notice or proposal, then destroyed when no longer needed for reference. Electronic records are purged from FIRMA in accordance with established procedures, while any paper documents are destroyed by shredding.

8. The administrative and technological procedures used to secure the information against unauthorized access.

In order to provide appropriate security for the information submitted via E-Apps, all external filers will be required to use digital certificates to access the system. Filing entities must request that certificates be issued to anyone who will file on their behalf (staff or agents). All certificate issuance requests will be subject to due diligence procedures to help ensure that only authorized parties are granted access to the system.

Access rights for all users will be role based, and access to information maintained in E-Apps will only be granted on a need-to-know basis. Internal Federal Reserve access to E-Apps will be restricted to authorized individuals with appropriate security credentials. The system will include an audit log of all internal activity related to accessing or copying documents within the system.

External filers will not be able to view the contents of the documents submitted in E-Apps. They are only able to view limited metadata information (for example, file name and date submitted) for filings submitted on behalf of institutions they are authorized to act for. The system also will include an audit log of all external activity related to the submission or modification of filings.

Other banking regulatory agencies may be granted access to specified information maintained in E-Apps pursuant to explicit information sharing agreements for regulatory comment purposes.

**9. Whether a new system of records under the Privacy Act be created.
(If the data is retrieved by name, unique number, or other identifier
assigned to an individual, then a Privacy Act system of records may
be created).**

E-Apps requires publication of a Privacy Act System of Records notice.

Reviewed:

(signed) Charles S. Struckmeyer

06/05/2008

Chief Privacy Officer

Date

(signed) Maureen Hannan

06/06/2008

Chief Information Officer

Date