

**AMENDMENT TO H. R. 10, AS REPORTED
OFFERED BY MR. FOLEY OF FLORIDA**

[Interstate branches and agencies of foreign banks]

**(Page & line nos. refer to the Committee Print
of June 24, 1999)**

Page 244, after line 18, insert the following new section (and amend the table of contents accordingly):

1 **SEC. 198A. INTERSTATE BRANCHES AND AGENCIES OF FOR-**
2 **EIGN BANKS.**

3 Section 5(a)(7) of the International Banking Act of
4 1978 (12 U.S.C. 3103(a)(7)), is amended to read as follows:
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6 “(7) ADDITIONAL AUTHORITY FOR INTERSTATE
7 BRANCHES AND AGENCIES OF FOREIGN BANKS, UP-
8 GRADES OF CERTAIN FOREIGN BANK AGENCIES AND
9 BRANCHES.—Notwithstanding paragraphs (1) and
10 (2), a foreign bank may—

11 “(A) with the approval of the Board and
12 the Comptroller of the Currency, establish and
13 operate a Federal branch or Federal agency or,
14 with the approval of the Board and the appro-

1 pripate State bank supervisor, a State branch or
2 State agency in any State outside the foreign
3 bank’s home State if—

4 “(i) the establishment and operation
5 of such branch or agency is permitted by
6 the State in which the branch or agency is
7 to be established, and

8 “(ii) in the case of a Federal or State
9 branch, the branch receives only such de-
10 posits as would be permitted for a corpora-
11 tion organized under section 25A of the
12 Federal Reserve Act (12 U.S.C. 611 et
13 seq.), or

14 “(B) with the approval of the Board and
15 the relevant licensing authority (the Comp-
16 troller in the case of a Federal branch or the
17 appropriate State supervisor in the case of a
18 State branch), upgrade an agency, or a branch
19 of the type referred to in subparagraph (A)(ii),
20 located in a State outside the foreign bank’s
21 home State, into a Federal or State branch if—

22 “(i) the establishment and operation
23 of such branch is permitted by such State;
24 and

25 “(ii) such agency or branch—

1 “(I) was in operation in such
2 State on the day before September 29,
3 1994; or

4 “(II) has been in operation in
5 such State for a period of time that
6 meets the State’s minimum age re-
7 quirement permitted under section
8 44(a)(5) of the Federal Deposit Insur-
9 ance Act.”.