FDIC

Rescission of Statement of Policy on Qualifications for Failed Bank Acquisitions

Laws and Regulations

March 19, 2026

Summary:

The Federal Deposit Insurance Corporation (FDIC) Board of Directors today approved the rescission of the agency's 2009 Statement of Policy on the Qualifications for Failed Bank Acquisitions (Statement of Policy) and related questions and answers issued in 2010.

Statement of Applicability: The contents of, and material referenced in, this FIL apply to (a) private investors in a company, including any company acquired to facilitate bidding on failed banks or thrifts that is proposing to, directly or indirectly, (including through a shelf charter) assume deposit liabilities, or such liabilities and assets, from the resolution of a failed insured depository institution; and

(b) applicants for insurance in the case of de novo charters issued in connection with the resolution of failed insured depository institutions (hereinafter "Investors").

Highlights:

- On September 2, 2009, the FDIC published the final Statement of Policy in the *Federal Register*.
- In January 2010 and April 2010, the FDIC issued questions and answers on aspects of the Statement of Policy.
- The Statement of Policy included a number of restrictions and conditions in excess of regulatory requirements that served as a deterrent for nonbank entities to engage in bidding on failed banks.
- The FDIC is rescinding the Statement of Policy and related questions and answers with the objectives of removing regulatory barriers to non-bank participation in the resolution process and reducing the cost of failures to the Deposit Insurance Fund.
- The rescission goes into effect upon publication in the *Federal Register*.

FIL-6-2026

Attachment(s)

Rescission of Statement of Policy on the Qualifications for Failed Bank Acquisitions (https://www.fdic.gov/board/federal-register-notice-rescission-statement-policy-qualifications-failed-bank-acquisitions)

Related Topics

Applications and Notices

Contact(s)

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Last Updated: March 19, 2026