

## Cabinet News and Views

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### Federal Banking Agencies to Issue Notice of Proposed Rulemaking to Amend Uniform Rules of Practice and Procedure



By **Daniel Meade**  
Partner | Financial Regulation

On March 22, the Federal Reserve Board issued a Notice of Proposed Rulemaking (“NPR”) that will be joined by the Federal Deposit Insurance Corporation, National Credit Union Administration and the Office of the Comptroller of the Currency. The Interagency NPR proposes to amend the Uniform Rules of Practice and Procedure (“Uniform Rules”). The Uniform Rules are used by the banking agencies to govern the conduct of their administrative proceedings.

The agencies are amending the Uniform Rules (and their own local rules) to help modernize the rules to acknowledge that electronic filings, rather than paper filings, can be accepted. The agencies have been accepting electronic filings, but they have tended to be ad hoc arrangements determined by the relevant administrative law judges (“ALJs”). Through this rulemaking, the agencies intend to update and modernize the Uniform Rules to in fact have a uniform approach rather than the ad hoc arrangement that exists today.

While the agencies are performing this needed “housecleaning” of the rules, they also propose to amend the rules in other ways. The NPR proposes removing references to the Office of Thrift Supervision, which was eliminated by the Dodd-Frank Act in 2010. Other updates to the rules would include replacing gender-specific references with gender-neutral references, replacing the word “shall” with “must” or “will” to conform with current *Federal Register* drafting style, and allowing for the use of ALJ instead of administrative law judge.

Comments on the proposal are due within 60 days after publication in the *Federal Register*.

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