FDIC Proposed Rule on Merger Transactions

COMMENT LETTER

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November 23, 2026
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Jennifer M. Jones
Deputy Executive Secretary
Attention: Comments/Legal OES (RIN 3064—AG18)
Federal Deposit Insurance Corporation
550 17th Street NW
Washington, DC 20429

Re: *Merger Transactions*

Dear Ms. Jones:

The Conference of State Bank Supervisors ("CSBS")1 provides the following comments on the notice of proposed rulemaking ("proposal") issued by the Federal Deposit Insurance Corporation ("FDIC") titled *Merger Transactions*.2

CSBS has long advocated for a modern, objective, and streamlined merger and acquisition ("M&A") framework that serves community banks, particularly in rural areas. State regulators recognize and support the progress the proposal makes towards reforming the M&A framework, particularly the introduction of shorter timelines, new processing categories, and updates to the competitive effects analysis. These changes will enable responsible growth and promote the long-term stability of both community banks and the broader financial system. We recommend additional revisions to the M&A framework that would further advance these same objectives.

1. **Proposed Changes to the Herfindahl–Hirschman Index ("HHI") and Competition Analysis**

   a). Areas of Support

State and federal regulators are responsible for fostering a healthy, diverse, and competitive banking market. The current approach to competition analysis can create significant burdens for mergers between smaller banks that are unlikely to present anticompetitive concerns in their relevant market. The proposed changes would improve and streamline the competitive effects analysis and allow smaller banks to thrive and serve their communities.

Read the full comment letter.

- 1

CSBS is the nationwide organization of state banking and financial regulators from all 50 states, the District of Columbia, and the U.S. territories. The views presented in this letter may not reflect the policy of individual states.

- 2

FDIC, Notice of Proposed Rulemaking, *Merger Transactions*, 91 Fed. Reg. 60196 (Sept. 22, 2026).

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