

Friday, August 7, 2020--Update #2

To: New York Community Banks

**Office of the Comptroller of the Currency Fees and Assessments: Amended Interim Calendar Year 2020 Fees and Assessments Structure**

**[Office of the Comptroller of the Currency Fees and Assessments : Amended Interim Calendar Year 2020 Fees and Assessments Structure](#)**

*To:*

Chief Executive Officers of All National Banks, Federal Savings Associations, and Federal Branches and Agencies; Department and Division Heads; All Examining Personnel; and Other Interested Parties

**Summary**

This bulletin informs all national banks, federal savings associations, and federal branches and agencies of foreign banks (banks) of fees and assessments charged by the Office of the Comptroller of the Currency (OCC) for the remainder of calendar year 2020. The bulletin becomes effective September 7, 2020.

**Note for Community Banks**

This interim notice applies to all community banks.

**Highlights**

- The OCC is reducing assessments due on September 30, 2020, in response to the national emergency declared in connection with the coronavirus disease (COVID-19). Assessments due on September 30, 2020, for all OCC-supervised banks will be calculated using the December 31, 2019, call report for each institution, rather than the June 30, 2020, call report. This change will result in lower assessments for most banks. However, if a bank's assets as reported on the June 30, 2020, call report are lower than on the December 31, 2019, call report, the OCC will calculate the assessment due on September 30, 2020, for the bank using the June 30, 2020, call report.
- All other elements of OCC assessments and fees for 2020, as set out in OCC Bulletin 2019-59 and outlined below, remain in effect:
  - [OCC Bulletin 2019-59](#), "Office of the Comptroller of the Currency Fees and Assessments: Calendar Year 2020 Fees and Assessments Structure."
  - [OCC Bulletin 2020-63](#), "Assessments: Interim Final Rule."
- For the 2020 assessment year, there will be no inflation adjustment to assessment rates.
- For the 2020 assessment year, the OCC has revised the assessments policy for institutions that enter the federal banking system in the time between assessment cycles. Under this policy, the OCC will assess these new entrants to the federal charter on a prorated basis using call report information as of December 31 or June 30 depending on the date the institution enters the federal banking system. The OCC is adopting this revised policy to ensure that supervisory efforts and resources are allocated and aligned once an institution is subject to the jurisdiction of the OCC. This revision is in line with the OCC's refund policy for institutions that leave the federal banking system.
- The OCC is increasing the hourly fee for special examinations and investigations to \$140 from \$110. The increase is to ensure adequacy in recovering the cost of conducting special examinations and investigations.

**SEMIANNUAL ASSESSMENT**

Reference: 12 CFR 8, "Assessment of Fees"

In setting assessments, the OCC may take into account the nature and scope of the activities of a bank, the amount and type of assets that the entity holds, the financial and managerial condition of the entity, and any other factor the Comptroller of the Currency determines is appropriate, as provided by 12 USC 16.

**2020 Assessment Schedule**

As of September 7, 2020,

- assessments were due March 31, 2020, based on call report information as of December 31, 2019. Assessments due on September 30, 2020, will be calculated using the December 31, 2019, call report for each institution, rather than the June 30, 2020, call report. If a bank's assets as reported on the June 30, 2020, call report are lower than on the December 31, 2019, call report, however, the OCC will calculate the assessment due on September 30, 2020, for the bank using the June 30, 2020, call report information.
- the assessments cover the six-month periods beginning January 1 and July 1, respectively. For example, the assessment due March 31 covers the period January 1 through June 30.
- the OCC sends the assessment invoice, which includes the calculated assessment fee due, and drafts the fee amount on March 31 and September 30. The OCC provides at least seven business days' notice of the amount to be drafted from an institution's designated account. The institution is responsible for ensuring that the account is funded properly on the due dates.
- the OCC continues to charge interest on all payments received after the due date. The interest rate charged is the U.S. Department of the Treasury's current value of funds rate published quarterly in the *Federal Register*.
- the OCC has revised the assessments policy for institutions that enter the federal banking system in the time between assessment cycles. Under this policy, the OCC will assess these new entrants to the federal charter on a prorated basis using call report information as of December 31 or June 30 depending on the date the institution enters the federal banking system. The OCC is adopting this revised policy to ensure that supervisory efforts and resources are allocated and aligned once an institution is subject to the jurisdiction of the OCC. This revision is in line with the OCC's refund policy for institutions leaving the federal banking system during the first half of the assessment cycle.
- national banks, federal savings associations, and federal branches and agencies of foreign banks that are no longer subject to OCC supervision on or before December 31, 2019, or June 30, 2020, are not subject to the semiannual assessment for the period beginning January 1 or July 1, respectively.
- institutions that leave the federal banking system after December 31, 2019, or June 30, 2020, and before March 31, 2020, or September 30, 2020, respectively, will receive a refund of the second half of their semiannual assessment. Institutions that leave the federal banking system after March 31, 2020, or September 30, 2020, respectively, will be subject to the full semiannual assessment for the assessment period.

The OCC's assessment schedule continues to include a surcharge for national banks, federal savings associations, and federal branches and agencies of foreign banks that require increased supervisory resources. The surcharge ensures that fees reflect the increased cost of supervision applying to those national banks, federal savings associations, and federal branches and agencies of foreign banks rated 3, 4, or 5 under the Uniform Financial Institutions Rating System. The surcharge also ensures that fees reflect the increased cost of supervision for these same banks. The surcharge will be determined in tandem with the asset-based assessment on December 31, 2019, and June 30, 2020. Increases or decreases in ratings after December 31, 2019, and June 30, 2020, will be reflected in the subsequent assessment period. The surcharge is to be applied to all components of an institution's assessment, including book assets, assets under management (for independent trust national banks/federal savings associations), and receivables attributable (for independent credit card national banks/federal savings associations). National banks, federal savings associations, and federal branches and agencies of foreign banks subject to the surcharge calculate the surcharge by multiplying the sum of the general assessment (based on the institution's book assets up to \$40 billion) and the independent trust national bank/federal savings association assessment or the independent credit card national bank/federal savings association assessment by 50 percent for 3-rated institutions and 100 percent for 4- and 5-rated institutions.

The OCC continues to reduce the assessment of non-lead national banks, federal savings associations, and federal branches and agencies of foreign banks by 12 percent. A non-lead institution, for this purpose, is a national bank, federal savings association, or federal branch or agency of a foreign bank that is not the largest national bank, federal savings association, or federal branch or agency of a foreign bank, based on total assets, controlled by a company owning two or more national banks, federal savings associations, or federal branches or agencies of foreign banks. Non-lead national banks, federal savings associations, and

federal branches and agencies of foreign banks within any company should multiply their calculated general assessment by 88 percent to recognize the non-lead discount. The 12 percent discount does not apply to the independent trust national bank/federal savings association assessment or the independent credit card national bank/federal savings association assessment, given that independent trust national banks/federal savings associations and independent credit card national banks/federal savings associations, by definition, are not affiliated with full-service national banks, federal savings associations, or federal branches or agencies of foreign banks.

Each national bank, federal savings association, and federal branch or agency of a foreign bank pays the general assessment fee. Independent trust national banks/federal savings associations pay the general assessment fee and the independent trust national bank/federal savings association assessment fee. Independent credit card national banks/federal savings associations pay the general assessment fee and the independent credit card national bank/federal savings association assessment fee. Assessments are calculated using the schedules in this bulletin and then adjusted for the non-lead discount or condition surcharge.

#### General Assessment Fee Schedule

**If the amount of total balance-sheet assets (consolidated domestic and foreign subsidiaries) is (millions) ...**

**... the semiannual assessment is**

	Over	But not over	This amount	Plus	Of excess over (millions)
\$	0 \$	2 \$	4,993	0.000000000 \$	0
	2	20	4,993	0.000197152	2
	20	100	8,541	0.000157720	20
	100	200	21,158	0.000102513	100
	200	1,000	31,409	0.000086742	200
	1,000	2,000	100,802	0.000070971	1,000
	2,000	6,000	171,773	0.000063084	2,000
	6,000	20,000	424,109	0.000053678	6,000
	20,000	40,000	1,175,601	0.000040435	20,000
	40,000	250,000	1,984,301	0.000031592	40,000
	250,000		8,618,621	0.000031275	250,000

#### Independent Trust National Bank/Federal Savings Association Assessment Fee Schedule

**If the total amount of fiduciary and related assets is (millions) ...**

**... the independent trust national bank/federal savings association semiannual assessment is**

	Over	But not over	This amount	Plus	Of excess over (millions)
\$	0 \$	1,000 \$	21,096	0.000000000 \$	0
	1,000	10,000	21,096	0.000004203	1,000
	10,000	100,000	58,923	0.000000701	10,000
	100,000		122,013	0.000000443	100,000

Independent Credit Card National Bank/Federal Savings Association Assessment Fee Schedule

□

	If the total amount of off-balance-sheet receivables attributable are (millions) ...		... the independent credit card national bank/federal savings association semiannual assessment is
	Over	But not over	
\$	0 \$	100 \$	44,981
	100	1,000	67,206
	1,000	5,000	89,969
	5,000		112,212

**HOURLY RATE FOR EXAMINATIONS AND INVESTIGATIONS**

**Reference:** 12 CFR 8.6, “Fees for Special Examinations and Investigations”

**Effective date:** Examinations and investigations are subject to the fee effective January 1, 2020.

**Rate:** \$140 per hour to recover the cost of conducting special examinations and investigations described in 12 CFR 8.6. Examinations of the fiduciary activities of national banks, federal savings associations, and federal branches and agencies of foreign banks and related entities under 12 CFR 8.6(a) (1) generally are not subject to hourly rates.

**LICENSING FEES**

**Reference:** 12 CFR 5.5, "Fees"

**All licensing fees have been suspended for calendar year 2020.**

**MISCELLANEOUS FEES**

Prepayment is *required* for certifications.

	<b>Certificates relating to licensing bank activities:</b>	\$ 100.00
Title changes		
Mergers		
Articles of association		
Receivership determination and appointment of receiver		
Charter		
Corporate existence		
Fiduciary powers		
Copies of certificates (copies are available only when the original copy is ordered at \$100.00)		\$10.00

The OCC does not scan, email, or fax certificates and certifications or confirm them by telephone. No expedited service or special dating of certificates is provided. Requests are handled on a first-come, first-served basis.

**Freedom of Information Act and Privacy Act requests:**

Search and review	\$ 60.00 an hour
Photocopying	\$ 0.20 a page

**Examination reports:**

Initial copy	Free
Additional copies—each	\$ 10.00
Special requests—each	\$ 50.00

Kathy Murphy  
Senior Deputy Comptroller for Management and Chief Financial Officer

## Related Links

- [OCC Publications List](#)
- [Safety and Soundness](#)
- [Compliance](#)
- [Asset Management](#)
- [Comptroller's Licensing Manual](#)
- [Request Certified Documents](#)

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**IBANYS will continue to provide updates as additional information becomes available. Thank you all for your continued participation and support.**

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