



Office of the  
Comptroller of the Currency

COMPTROLLER'S LICENSING MANUAL

# GENERAL POLICIES AND PROCEDURES

APRIL 2022

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# Introduction

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The [\*Comptroller's Licensing Manual\*](#) is a collection of booklets that provide guidance concerning the licensing procedures of the Office of the Comptroller of the Currency (OCC) pertaining to a national bank or federal savings association (FSA) (collectively, banks) or other entities when engaging in various corporate transactions, such as organizing a new bank, initiating a business combination, establishing or closing a branch, establishing subsidiaries, making certain changes to capital or debt, and other transactions. The requirements referred to in these guidance documents reflect provisions in existing statutes and regulations. The relevant statutes and regulations are listed at the end of the booklets or referenced as applicable throughout the documents.<sup>1</sup>

The “General Policies and Procedures” booklet is an introduction to the other booklets that compose the [\*Comptroller's Licensing Manual\*](#) and should be used alongside the other booklets to prepare specific types of applications or notices (collectively, filings). This booklet describes how to submit filings to the OCC, the filing process, and how the OCC reviews and makes decisions on filings. This booklet is a procedural guide only and does not list all factors that may be assessed during the OCC’s analysis.

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<sup>1</sup> This booklet also may include procedures that banks must follow in connection with filing applications and notices with the OCC. Such procedures are not substantive rules that establish decision criteria. Rather, they are steps a bank must take in connection with filing an application or notice to allow the OCC to assess whether a bank has met the substantive requirements for the application or notice in existing statutes and regulations. Consistent with the Administrative Procedure Act, the OCC may issue guidance concerning licensing that has the binding procedural steps a bank must take to allow the OCC to assess a bank’s application or notice. See 5 USC 553(b)(A).

# Key Policies

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## Information Technology

### Central Application Tracking System

Required filings may be submitted on paper to the appropriate OCC licensing office, but the OCC strongly encourages electronic filings. The OCC's electronic filing system, called the Central Application Tracking System (CATS), allows filers to complete and submit certain filings online.<sup>2</sup> Some forms can be completely filled out online, and other forms and supporting documents may be completed offline and uploaded individually.

CATS is accessed through [BankNet](#), the OCC's secure website for communicating with and receiving information from banks. All banks can access BankNet after registering with the BankNet system. For more information about filing licensing applications or notices through CATS, including BankNet registration instructions and CATS user manuals, refer to the [Licensing Division home page](#) on the OCC's website.

### BankNet Large File Transfer Tool

[BankNet](#) users can securely transmit files of any size to the OCC by using the BankNet Large File Transfer tool. The tool automatically encrypts the files as they upload into the OCC folder selected to receive the transfer. For more information on access and use of the tool, visit the [BankNet Communications Center](#).

### Secure Email

The OCC has a secure email system for communication between OCC employees and bank representatives. When an OCC employee sends a secure email, the recipient receives a notification that an encrypted email was sent. The recipient follows the link in the notification to retrieve the message. If the recipient is not registered for OCC encrypted email, the recipient is prompted to register before the message can be read. For more information and to register for this service, visit the [BankNet Communications Center](#).

## General Filing Instructions

### Prefiling Discussions and Meetings

The OCC encourages potential filers to contact the OCC to discuss corporate proposals before filing applications or notices. Prefiling communications can be informal discussions (for example, telephone or conference calls) or more formal prefiling meetings.

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<sup>2</sup> "Filer" refers to a person or entity that submits a notice or application to the OCC. Refer to 12 CFR 5.3.

A filer can request a prefiling meeting with licensing staff to review a proposed transaction and the applicable processing steps. The OCC may require a prefiling meeting to discuss the submission requirements and appropriate policies and procedures related to a proposed filing (for example, charters). As discussed in 12 CFR 5.4(f), the OCC decides whether to require a prefiling meeting on a case-by-case basis.<sup>3</sup>

Filers requesting the OCC to approve an activity or transaction involving novel, complex, or unique proposals should contact licensing staff in the appropriate OCC licensing office to discuss the issues before submitting the filing. This prefiling discussion facilitates the filer's ability to prepare the filing effectively and completely. It also enhances the OCC's ability to process the filing.

The processing office for most filings is the OCC licensing office responsible for the state in which the bank is headquartered (refer to [Licensing Office Contacts](#)). Novel, complex, or unique filings; filings by certain of the largest banks; and filings from banks supervised by the Washington field office are usually processed in the OCC's Headquarters licensing office in Washington, D.C.

## Responsibility

The OCC expects each filer to prepare its filing accurately and completely. Each filer certifies that its filing and supporting materials submitted to the OCC contain no material misrepresentations or omissions. Any filer that misrepresents or omits facts in a filing or supporting materials may be subject to enforcement actions or other penalties, including criminal penalties, provided in 18 USC 1001.

Each filer should

- submit all necessary information about the proposed transaction to help the OCC reach an informed decision.
- provide complete, accurate responses to the questions in all relevant application and notice forms (refer to the [Comptroller's Licensing Manual](#) page on the OCC's website). If the answer is "not applicable," "unknown," or "none," the filer should say so. Answers of "unknown" should be explained.
- provide a cross-reference to a specific citation or location of documents attached as supporting information. Filers do not need to duplicate information supplied on another form or in another exhibit of the same filing.
- determine compliance with all applicable statutes and regulations.

Each filer is expected to notify the OCC of any significant change to a proposal, whether the change occurs before or after the OCC's initial decision. If the OCC discovers a material misrepresentation or omission after deciding the filing, the agency may nullify or revoke its decision.

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<sup>3</sup> A mutual FSA converting to stock form is the one instance when a prefiling meeting is mandatory. Refer to 12 CFR 192.100.

## Requests for Confidential Treatment

A filer or an interested person submitting information to the OCC may request that specific information be treated as confidential. The request should

- indicate precisely which portions of a document are considered confidential.
- discuss the justification for the requested treatment and specifically demonstrate the harm (for example, loss of competitive position or invasion of privacy) that would result from publicly releasing the information.
- generally not extend to an entire filing.

If the OCC does not consider the information to be confidential, the OCC may include that information in the public file after providing notice to the filer. In addition, the OCC may, at its own initiative, determine that certain information should be treated as confidential and withhold that information from the public file.

Certain filings may include personally identifiable information (PII). The term “PII” refers to information that can be used to distinguish or trace an individual’s identity, either alone or when combined with other information that is linked or linkable to a specific individual. Examples of PII include an individual’s first name or first initial and last name, Social Security number, passport number, credit card numbers, clearances, bank numbers, biometrics (for example, fingerprints), date or place of birth, mother’s maiden name, or medical data. If this type of information is lost, compromised, or disclosed without authorization, it can cause substantial harm, embarrassment, inconvenience, or injustice to an individual, including identity theft. Filers should request confidential treatment for portions of a filing containing PII.

The filer should separate confidential information from nonconfidential information and label the confidential portion as such. The OCC encourages filers to further separate PII into its own separate confidential section of the filing. The filing should include a comprehensive index or table of contents that identifies each item or section for which confidential treatment is being requested.

If a filing is submitted through CATS, the filer is asked to identify each document uploaded into CATS as public, confidential, or PII. The filer, however, must still request confidential treatment and, where sought, provide justification for that treatment within the filing, as described in this section.

## Sample Forms and Filing Requirements

Sample forms for OCC filings are on the [Comptroller’s Licensing Manual](#) page on the OCC’s website.

In lieu of using the OCC’s sample forms, filers may submit a form, application, or other document that has been submitted to another federal agency if that submission covers the proposed transaction and includes substantially the same information that the OCC requires.

Each filer may submit its original filing by one of the following methods: entry into CATS, hand delivery, regular mail, mail with return receipt requested, or express or overnight mail service (for example, FedEx, Express Mail, or United Parcel Service). Filers may submit additional information by any of those methods or by OCC secure email to the appropriate OCC licensing office.

## Fees

The OCC publishes a fee schedule at least annually in a bulletin titled “Office of the Comptroller of the Currency Fees and Assessments.” A copy of the current bulletin and notice of any fee suspensions are available on the [Assessment & Fees](#) page of the OCC’s website.

Unless the OCC has waived the filing fee requirement, the appropriate fee must be paid by means listed in the bulletin.

The OCC generally does not refund fees. When justified by the OCC’s processing cost or in extenuating circumstances, however, the OCC may grant a request for a fee waiver, reduction, or refund (fee concession). To request a fee concession, the filer should make a written request, including justification, to the appropriate OCC licensing office before or when submitting its filing. The OCC decides all requests individually. A fee concession may be warranted for

- a corporate reorganization when numerous affiliates are being combined, but only one analysis is needed.
- a transaction when multiple filings are necessary to comply with statutory or regulatory requirements.
- a filing necessitated by a natural disaster.

## Publication

Filers for certain types of transactions must publish newspaper notices as required by laws or regulations (public notice). A comment period, during which the public may provide comment to the OCC, follows the public notice. The relevant [Comptroller’s Licensing Manual](#) booklets discuss the specific publication requirement for each type of filing. The [“Public Notice and Comments”](#) booklet also has a general discussion of public notice requirements.

## Weekly Bulletin

The OCC publishes the [Weekly Bulletin](#), which provides notice of the OCC’s receipt of and actions taken on applications and notices filed for the following: new charters, new branches, mergers, conversions, fiduciary powers, subsidiaries, relocation of main offices and branches, changes in corporate title, branch closings, changes in bank control, terminations, and transactions involving federal branches and agencies. Although the Weekly Bulletin



provides additional information to the public, it does not satisfy filers' public notice requirements.

## Communications

The OCC encourages each filer to appoint a contact person to serve as its primary liaison. To enhance communications between the OCC and the filer and to expedite handling, the OCC encourages contact persons to use the CATS-assigned OCC control number, which identifies each filing uniquely, on all communications during the filing process.

Interested parties can file written comments to support or oppose a proposed transaction or activity during the public comment period. (Refer to the [“Public Notice and Comments”](#) booklet.) The OCC encourages banks and interested persons, including community groups, to communicate continuously on matters of material interest, not only when an application is filed.

When public comments are received, the OCC provides the commenter with a copy of the decision letter for the filing. (Refer to the [“Public Notice and Comments”](#) booklet.) A member of Congress who files a congressional inquiry also receives a copy of the OCC's decision from the OCC's Congressional Relations Division.

## Requests for Copies of Public Portion of Applications and Notices

While a filing is pending with the OCC, the OCC licensing office may provide the public portion of a filing to any person who requests it. The public file consists of those portions of the filing, supporting data, and supplementary information that were submitted by the filer and interested persons and not given confidential treatment.

To obtain the public portion of a pending filing, a person or entity should submit a written request (using postal mail or e-mail) to the appropriate OCC licensing office.<sup>4</sup> To obtain the public portion of a closed or decided filing, a person or entity may submit a request electronically through the OCC's Web portal at <https://foia-pal.occ.gov/palMain.aspx>, or in writing to the Office of the Comptroller of the Currency, Communications Division, 400 7th St. SW, Washington, DC 20219, or complete a request [online](#).

A person or entity seeking information on an application or notice beyond the public file should submit that request [online](#), under the procedures described in 12 CFR 4, subpart B.

The OCC may impose a fee for research and duplication expenses in accordance with 12 CFR 4.17 and at the rate the OCC publishes in the “Notice of Comptroller of the Currency Fees” described in 12 CFR 8.8.

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<sup>4</sup> The OCC posts the public portions of all business combination and charter applications on the [Freedom of Information Act Electronic Reading Room](#) page.

## Requests for Comments From Other Agencies

The OCC responds routinely to requests for comments from the following:

- The Federal Deposit Insurance Corporation (FDIC) and the Board of Governors of the Federal Reserve System (FRB) on banks involved in a merger.
- The FDIC and the FRB on proposed acquisitions under the Change in Bank Control Act.
- The FRB on Regulation K applications from national banks,<sup>5</sup> acquisitions of banks by existing bank holding companies, or proposed holding company formations by banks.
- The FRB regarding applications filed pursuant to 12 USC 1842 involving the acquisition of bank shares or assets of a national bank.<sup>6</sup>

## Filing Review Process

Licensing staff reviews each filing upon receipt to determine whether the filing contains all information necessary to reach a decision. Licensing staff

- requests additional information from the filer if the filing does not contain all required information.
- solicits input from appropriate OCC staff (for example, legal, supervision, and compliance).
- processes each filing in a timely manner.

Please refer to the booklets within the [Comptroller's Licensing Manual](#) for more specific information related to the requirements for each filing type.

## Expedited Review and Standard Review

For certain filings, the OCC grants an eligible bank expedited review. For this purpose, “eligible bank or eligible savings association” means a national bank or FSA that (1) is well capitalized as defined in 12 CFR 5.3; (2) has a composite rating of 1 or 2 under the Uniform Financial Institutions Rating System; (3) has a Community Reinvestment Act (CRA) rating of “outstanding” or “satisfactory,” if applicable; (4) has a consumer compliance rating of 1 or 2 under the Uniform Interagency Consumer Compliance Rating System; and (5) is not subject to a cease-and-desist order, consent order, formal written agreement, or prompt corrective action directive, or, if subject to any such order, is informed in writing by the OCC that the national bank or FSA may be treated as an “eligible bank or eligible savings

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<sup>5</sup> Regulation K addresses foreign operations of FRB member banks and applications pertaining to the establishment of foreign branches. Edge Act and Agreement corporations, investments in foreign companies and subsidiaries, and requests to engage in new activities are not specifically authorized by the regulation.

<sup>6</sup> Refer to 12 USC 1842(b). If the OCC disapproves of the application within 30 days of the FRB's request for comments, the FRB must hold a hearing on the application and decide whether to approve it based on the information presented at the hearing.

association” for purposes of 12 CFR 5.<sup>7</sup> Refer to the applicable [Comptroller’s Licensing Manual](#) booklet for further details on whether expedited treatment is available.

When a filer submits two or more related filings jointly, the OCC follows standard review procedures unless all the submissions meet the qualifications for expedited review. Additionally, the OCC may adopt materially different procedures as it deems necessary for exceptional circumstances or unusual transactions. If all the filings qualify for expedited review, they are decided as of the end of the longest applicable time period, unless the OCC has advised the filer that they will not be given expedited treatment.

The OCC notifies the filer in writing if a filing is removed from expedited review. The OCC may extend the expedited review period or remove a filing from expedited review if it concludes that the filing, or an adverse comment regarding the filing, presents a significant supervisory, CRA, or compliance concern, or raises a significant legal or policy issue that requires additional OCC review.<sup>8</sup>

If one or more adverse public comments are received, the OCC will not extend the expedited review period or remove a filing from expedited review if it determines the adverse comments

- do not raise a significant supervisory, CRA (if applicable), or compliance concern;
- do not raise a significant legal or policy issue that requires additional OCC review;
- are frivolous, nonsubstantive, or filed primarily as a means of delaying action on the filing; or
- raise a CRA concern that the OCC determines has been satisfactorily resolved.<sup>9</sup> (Refer to the [“Public Notice and Comments”](#) booklet.)

## Additional Information Requests

Although the OCC strives to ask filers for additional information or opinions at the earliest possible date, it may make that request at any time during the filing process. When the OCC requests additional information, it provides the filer with a due date for its response. A request for additional information does not suspend the review period for filings accorded expedited review. Not providing the information within the time frame required, however, could result in a filing being removed from expedited review, delayed, conditionally approved, denied, deemed materially deficient, or deemed abandoned.

If additional information substantially changes the nature of the original filing, the OCC may direct a filer to republish the public notice and provide the public with another opportunity for comment.

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<sup>7</sup> Refer to 12 CFR 5.3.

<sup>8</sup> Refer to 12 CFR 5.13(a)(2)(i).

<sup>9</sup> Refer to 12 CFR 5.13(a)(2)(ii).

## Consolidated Entity

In its analysis of a filing, the OCC considers the activities, resources, and condition of affiliates of the filer that reasonably may reflect on or affect the filer. For example, the OCC recognizes that the strength of a parent company, combined with the direct support it offers, might mitigate supervisory concerns about a filer. Conversely, the OCC recognizes when the filer's condition may be affected by the less than satisfactory condition of its parent or affiliate companies. Accordingly, the OCC considers the extent to which the filer's condition is affected by the overall condition of the consolidated entity.

## Approval or Conditional Approval

The OCC determines whether approval is consistent with applicable laws, regulations, policies, and safety and soundness considerations. Criteria applicable to each type of filing are in the respective [Comptroller's Licensing Manual](#) booklet.

The OCC may condition its approval of an application or notice if it determines that one or more conditions are necessary or appropriate to ensure that approval is consistent with applicable laws, regulations, and OCC policies. Examples of possible conditions include

- conditions that limit the activities a bank subsidiary may conduct or that set standards for how certain activities may be conducted.
- supervisory conditions that require adherence to a capital or CRA plan.

Conditions that the OCC imposes in approving an application or notice are enforceable under 12 USC 1818. The conditions remain in effect after the effective or consummation date of an approved transaction or activity and continue until the OCC removes them. In decision letters that include references to enforceability, the following language is inserted in a separate paragraph that follows the list of conditions:

This condition of approval is a condition “imposed in writing by a federal banking agency in connection with any action or any application, notice, or other request” within the meaning of 12 USC 1818. As such, the condition is enforceable under 12 USC 1818.

## Safeguard Agreements

In certain cases, the OCC conditions approval of a filing on the filer entering into and complying with certain safeguard agreements. The OCC typically imposes such conditions in transactions involving limited purpose banks, such as trust banks and credit card banks, to address the specific risks inherent in those banks. The OCC may also impose conditions that require a bank to enter into safeguard agreements to address unique issues or provide additional support for the bank in other situations.

The OCC may use the following safeguard agreements:

- **Operating Agreement (OA):** An OA is a written agreement between the OCC and a bank that sets forth specific requirements the bank must adhere to. The requirements typically include minimum capital and liquidity levels, prior notice of significant changes to a bank’s business plan, and board and committee independence standards.<sup>10</sup>
- **Capital Assurance and Liquidity Maintenance Agreement (CALMA):** A CALMA is a written agreement between a bank and its parent company that requires the parent company to provide financial support if the bank cannot meet its capital or liquidity minimums as required in the OA.
- **Capital and Liquidity Support Agreement (CSA):** A CSA is similar to a CALMA and is used in addition to the CALMA when the parent company is not a bank or savings and loan holding company regulated by the FRB.

## Consummation Requirements

The OCC imposes standard requirements on many filings that must be met before completing the proposed transaction (for example, opening a bank or branch or completing a merger). In addition, the OCC imposes other consummation requirements that filers must satisfy before the OCC will issue a letter certifying that the proposed transaction was completed. Please refer to the booklets in the [Comptroller’s Licensing Manual](#) for more specific information related to the requirements for each filing type.

## Denial

The OCC may deny a filing if

- a significant supervisory, CRA (if applicable), or compliance concern exists with respect to the filer or proposal.
- approval would be inconsistent with applicable law, regulation, or OCC policy.
- the filer does not provide, within the time frame required, information that the OCC requested to make an informed decision.

## Materially Deficient

The OCC may return a filing without a decision if it finds the filing to be materially deficient. A filing is materially deficient if it lacks sufficient information for the OCC to make a determination under the applicable statutory or regulatory criteria.

## Abandonment

A filing must contain information required by the applicable regulation and the appropriate form, and as described in the appropriate booklet of the [Comptroller’s Licensing Manual](#). If a filer does not provide required or additional requested information within the time period

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<sup>10</sup> OAs issued in the context of a licensing filing are not enforcement actions.

specified by the OCC, the OCC may deem the filing abandoned and return the filing to the filer.

## Time Considerations

12 USC 4807 requires that the OCC (and all other federal banking agencies) take final action on any application before the end of a one-year period beginning on the date when a completed application is received. Filers may waive this requirement for any filing; the OCC, however, expects to render a decision on each filing well in advance of the one-year deadline.

## Post-Decision Issues

### Satisfaction Survey

The OCC includes a satisfaction survey with certain decision letters to filers. The OCC welcomes comments and uses them to improve licensing policies and procedures.

### Extension of Time

When the OCC approves or conditionally approves a filing, the approval expires at a specified date if the filer does not consummate the transaction or commence the new or expanded activity by that date. In extenuating circumstances, a filer may request an extension of the approval from the appropriate OCC licensing office. The OCC does not grant extensions generally unless it determines that the delay is beyond the filer's control.

### Nullifying a Decision

After rendering a decision on a filing, the OCC may nullify its decision if it discovers

- a material misrepresentation or omission.
- the decision is contrary to law, regulation, or OCC policy.
- approval was granted because of a clerical or administrative error, or a material mistake of law or fact.

### Appeal

A filer may appeal an OCC decision under policy and procedures discussed in [OCC Bulletin 2013-15, "Bank Appeals Process: Guidance for Bankers."](#) Filers may file an informal appeal with the appropriate OCC licensing office director or a formal appeal to the Deputy Comptroller for Licensing or the Ombudsman.

## Removal or Modification of Condition of Approval

A filer may request that the OCC remove or modify a condition that was imposed in a final decision. The request should be in writing and include the OCC control number, a description of the condition imposed that the bank wishes to modify or have removed, and a detailed justification for such modification or removal. A board of directors' resolution approving the request to modify or remove the condition should accompany the request.

## Copy of the OCC Decision on a Filing

Final decisions on filings are available to the public. Requests for those decisions may be submitted electronically through the OCC's [Freedom of Information Act](#) page or in writing to the Office of the Comptroller of the Currency, Communications Division, 400 7th St. SW, Washington, DC 20219. Requests for final decisions generally are answered within 20 business days of receipt.

## Specific Requirements

### Filings for Undercapitalized Banks

Pursuant to 12 USC 1831o, an undercapitalized bank shall not acquire,<sup>11</sup> directly or indirectly, any interest in any company or depository institution, establish or acquire any additional branch office, or engage in any new line of business unless the OCC has accepted the bank's capital restoration plan, the bank is implementing the plan, and the OCC has determined that the proposed action is consistent with and will further achieving the plan; or the FDIC determines that the proposed action will further the purposes of 12 USC 1831o.

## Community Reinvestment Act

Congress enacted the CRA to require federal bank and thrift regulators to encourage insured depository institutions to help meet the credit needs of their entire communities, including low- and moderate-income neighborhoods, consistent with the safe and sound operation of the institutions. In accordance with the CRA, the OCC considers a filer's record of CRA performance in deciding applications for the following:

- Establishment of a domestic branch
- Relocation of a main, home, or branch office
- Business combination
- Conversion to a federal charter

On the [Interpretations and Actions](#) page of its website, the OCC publishes decision letters that address CRA-related issues in licensing applications. (Refer to the [Comptroller's Licensing Manual](#) booklets for further discussion of the CRA's effect on the filing types.)

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<sup>11</sup> Refer to 12 USC 1831o(b)(1)(C) and 12 CFR 6.4(b)(3) for the definition of an undercapitalized bank.

# Glossary

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**Application:** A submission requesting prior OCC approval to engage in various corporate activities or transactions.

**Appropriate OCC licensing office:** (1) The licensing office where the bank’s supervisory office is located; (2) Headquarters licensing for the five largest banks and those banks supervised out of Washington, D.C.

**Complete filing:** A filing that is fully responsive to each request for information included in the relevant form and includes any information the OCC may subsequently request, or otherwise provides adequate information when considered together with other information available to the OCC for its decision.

**Eligible bank or savings association:** A national bank or FSA that is well capitalized under 12 CFR 5.3 and

- has a composite CAMELS rating of 1 or 2.<sup>12</sup>
- has a consumer compliance rating of 1 or 2.
- has a satisfactory or better CRA rating. (This factor does not apply to an uninsured bank, an uninsured federal branch, or a special purpose bank covered by 12 CFR 25.11(c)(3) or 195.11(c)(2).)
- is not subject to a cease-and-desist order, consent order, formal written agreement, or prompt corrective action directive, or, if subject to any such order, agreement, or directive, is informed in writing by the OCC that the bank still may be treated as an “eligible bank.”

**Filer:** A person or entity that submits a notice or application to the OCC.

**Filing:** An application or a notice submitted to the OCC.

**Holding company:** Any company that controls or proposes to control a bank regardless of whether the company is a bank holding company under 12 USC 1841(a)(1) or a savings and loan holding company under 12 USC 1467a.

**Incomplete filing:** A filing that is not fully responsive to each item of information included in the relevant form or that the OCC determines lacks adequate information, when considered together with other available information, for the OCC to make its decision.

**Low- and moderate-income areas:** A low-income area is one where the median family income is less than 50 percent of the area median family income. A moderate-income area is one where the median family income is at least 50 percent and less than 80 percent of the

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<sup>12</sup> A bank’s composite rating under the Uniform Financial Institutions Rating System, or CAMELS, integrates ratings from six component areas: capital adequacy, asset quality, management, earnings, liquidity, and sensitivity to market risk.



area median family income. An area (or geography) is defined as a census tract delineated by the U.S. Census Bureau in the most recent decennial census.

**Notice:** A submission notifying the OCC that a filer (1) intends to engage in certain corporate activities or transactions, or (2) has begun certain corporate activities or transactions (see **application** and **filing**).

**Public file:** For an application or notice, the public file consists of those portions of the filing, supporting data, and supplementary information submitted by the filer and interested persons that have not been afforded confidential treatment by the OCC.

**Undercapitalized bank:** An FDIC-insured depository institution that meets the criteria established in 12 CFR 6.4(b)(3).

# References

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In this section, references apply to both national banks (NB) and FSAs unless noted otherwise that the referenced law, regulation, or issuance applies to NBs or FSAs.

## **Appeals Process**

Regulation 12 CFR 5.13(f)

OCC Bulletin 2013-15, “Bank Appeals Process: Guidance for Bankers”

## **Community Reinvestment Act**

Law 12 USC 2901–2908

Regulation 12 CFR 25 (NB), 12 CFR 195 (FSA)

## **Definitions**

Regulation 12 CFR 5.3

## **Expedited Review of Filings**

Regulation 12 CFR 5.13(a)(2)

## **Extension of Time for Review of Filings**

Regulation 12 CFR 5.13(g)

## **Fees**

Regulation 12 CFR 8.8

12 CFR 5.5

12 CFR 5.7(c)

12 CFR 8.6

## **Freedom of Information Act**

Law 5 USC 552

Regulation 12 CFR 4.11

## **Misrepresentations or Omissions**

Law 18 USC 1001

12 CFR 5.4(g)

## **Publication Requirement**

Regulation 12 CFR 5.8

## **Public Comment**

Regulation 12 CFR 5.10

## **Public File Availability**

Regulation 12 CFR 5.9

## Table of Updates Since Publication

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