

Office of the Comptroller of the Currency
Supporting Statement
Community Reinvestment Act Qualifying Activities Confirmation
OMB Control No. 1557-0356

A. Justification

1. Circumstances that make the collection necessary:

The OCC created a form titled “Community Reinvestment Act Qualifying Activities Confirmation Request Form” to address the need for a qualifying activities confirmation process that would allow banks and interested parties to ascertain whether an activity qualifies under the Community Reinvestment Act (CRA). The process was well-received and strongly supported by commenters on the OCC ANPR and NPR that resulted in the CRA final rule issued by the OCC in 2020 (2020 CRA final rule).¹ Commenters on the OCC’s September 2021 CRA NPR also expressed continued support for such a confirmation system and the OCC determined that it was important to maintain this confirmation system after adopting the 2021 CRA final rule.² The OCC believes that there remains widespread support for such a confirmation system and, thus, has determined that it is important to maintain this confirmation system to allow for a more effective and efficient confirmation of CRA-qualified activities.

2. Use of the information:

Interested parties may request that the OCC confirm that an activity is a qualifying activity by submitting a complete Qualifying Activity Confirmation Request Form.

3. Consideration of the use of improved information technology:

The OCC uses information technology to reduce compliance burden on banks and decrease costs to both the banks and the OCC.

4. Efforts to identify duplication:

The information collected pertains to bank-specific activities. The information supports bank-specific requests for confirmation of qualifying community development and retail lending activities. For these reasons, the information collected is not otherwise available.

5. Methods used to minimize burden if the collection has an impact on small entities:

The information provided is voluntary and presents a modest burden to small banks.

6. Consequences to the Federal program if the collection was conducted less frequently:

¹ 85 FR 34734 (June 5, 2020).

² 86 FR 71328 (Dec. 14, 2021). The OCC currently assesses national banks’ and savings associations’ CRA performance under the 2021 regulatory framework.

Not applicable. The information collected is provided voluntarily by banks or other interested parties on an as needed basis at their option.

7. *Special circumstances necessitating the collection to be conducted in a manner inconsistent with 5 CFR part 1320:*

The information collection requirements related to the OCC's CRA regulation are consistent with 5 CFR part 1320.

8. *Efforts to consult with persons outside the agency:*

The OCC issued a notice for 60 days of comment concerning the collection on April 15, 2025, 90 FR 15783. There were no comments received.

9. *Payment to respondents:*

Not applicable. There is no payment to respondents.

10. *Assurance of confidentiality:*

No assurance of confidentiality is made.

11. *Justification for questions of a sensitive nature:*

Not applicable.

12. *Burden estimate:*

Burden Type	Requirements in 12 CFR 25	No. of Respondents	Avg. hours per Response	Estimated Burden Hours
Optional Reporting	<u>Qualifying activities confirmation and illustrative list.</u> <i>Process</i> – An interested party may request that the OCC confirm that an activity is a qualifying activity by submitting a complete Qualifying Activity Confirmation Request Form.	24	19	456
Total				456

Cost of Hour Burden:

$$456 \times \$ 131.10 = \$ 59,782.00 \text{ (rounded)}$$

To estimate wages the OCC reviewed May 2024 data for wages (by industry and occupation) from the U.S. Bureau of Labor Statistics (BLS) for credit intermediation and related activities (NAICS 5220A1). To estimate compensation costs associated with the rule, the OCC uses \$131.10 per hour, which is based on the average of the 90th percentile for six occupations adjusted for inflation (3.6 percent as of Q1 2025), plus an additional 35.6 percent for benefits (based on the percent of total compensation allocated to benefits as of Q4 2024 for NAICS 522: credit intermediation and related activities).

13. Estimate of the total annualized cost to respondents:

Not applicable.

14. Estimate of annualized cost to the federal government:

Not applicable.

15. Changes in burden:

Prior Burden: 2,280
Current Burden: 456 hours.
Difference: -1,824 hours.

The initial burden estimate during the implementation of this collection in 2022 was based on the expected volume of Qualifying Activity Confirmation Request Form submissions. The new estimate is based on the actual number of submissions the agency received in 2023 and 2024. The expected volume estimate was significantly higher than actual submissions.

16. Information regarding collections whose results are planned to be published for statistical purposes:

Not applicable.

17. Display of expiration date:

Not applicable.

18. Exceptions to certification statement:

Not applicable.

B. Collections of information employing statistical methods

Not applicable.