

# RESCINDED



Any attachments to the document are rescinded only as they relate to national banks and FSAs.

OCC 2000–30

## OCC BULLETIN

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Comptroller of the Currency  
Administrator of National Banks

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Subject:	Notice of Comptroller of Currency Fees for year 2001	Description:	Year 2001 Fee Structure
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TO: Chief Executive Officers of All National Banks, Department and Division Heads, and All Examining Personnel

The purpose of this bulletin is to inform all national banks of fees charged by the Office of the Comptroller of the Currency (OCC) for year 2001. Unless otherwise specified, all fees are effective on January 1, 2001.

### **SEMIANNUAL ASSESSMENT**

Reference: 12 CFR 8.2

Effective date: Assessments due January 31 and July 31, 2001.

### **Assessment Changes**

The OCC is implementing the following changes effective the 12/31/00 assessment period:

1. The assessment regulation allows the OCC to adjust its assessment rates annually for inflation. For the previous six years the OCC has waived the inflationary adjustment. For 2001, the OCC will reinstate the inflation adjustment that was suspended six years ago; however, the reinstated inflation adjustment will apply only to the first \$20 billion in assets. The assessment fee schedule below reflects this 2 percent increase.
2. Independent trust banks are subject to an additional fee based on total assets under management. The fee is computed according to the schedule below and is in addition to the general assessment.
3. The OCC will no longer give prorated refunds of assessments for institutions that leave the national banking system part way through an assessment period.
4. The hourly rate for special examinations has been increased from \$49 to \$110.

The OCC's assessment schedule continues to include a 25 percent surcharge for national banks that require increased supervisory resources. The surcharge ensures that fees reflect the increased cost of supervision that applies to those banks, and federal branches and federal agencies of foreign banks, rated 3,4, or 5 under the Uniform Financial

Institution Rating System (UFIRS) or the risk management, operational controls, compliance and asset quality (ROCA) rating system as of the call date subject to the assessment (*i.e.*, December 31, 2000, or June 30, 2001). National banks, and federal branches and federal agencies of foreign banks, that are subject to the surcharge determine their assessment by multiplying the original assessment by an additional 25 percent.

The OCC will continue to reduce the assessment of non-lead national banks by 12 percent. The rule defines a non-lead bank as a national bank that is not the largest national bank, based on total assets, controlled by a company owning two or more national banks. Non-lead national banks within any company should multiply their calculated assessment by 0.88 to recognize the 12 percent discount. The 12 percent discount also applies to non-lead federal branches and agencies.

Each national bank, District of Columbia bank, or federal branch or agency, should calculate its assessment using the schedule below and then make adjustments for the non-lead discount or conditional surcharge.

### Assessment Fee Schedule

If the amount of total balance sheet assets (consolidated domestic and foreign subsidiaries) is:		Assessment will be:		
Over	But Not Over	This Amount	Plus	Of Excess Over
\$ 0	\$ 2 Million	\$ 0	0.0001603118	\$ 0
2 Million	20 Million	3,211	0.000200017	2 Million
20 Million	100 Million	6,824	0.000300572	20 Million
100 Million	200 Million	19,670	0.000104372	100 Million
200 Million	1,000 Million	30,107	0.000088314	200 Million
1,000 Million	2,000 Million	100,758	0.000072257	1,000 Million
2,000 Million	6,000 Million	173,015	0.000064230	2,000 Million
6,000 Million	20,000 Million	429,935	0.000054651	6,000 Million
20,000 Million	40,000 Million	1,195,049	0.000050403	20,000 Million
40,000 Million		2,203,109	0.000033005	40,000 Million

### Independent Trust Bank Fee Schedule

If the amount of total assets under management is:		Independent Trust Bank Fee will be:		
Over	But Not Over	This Amount	Plus	Of Excess Over
\$ 0	\$ 1,000 Million	\$ 18,750	0.000000000	\$ 0
1,000 Million	10,000 Million	18,750	0.000003750	1,000 Million
10,000 Million	100,000 Million	52,500	0.000000625	10,000 Million
100,000 Million		108,750	0.000000400	100,000 Million

**HOURLY RATE FOR EXAMINATIONS AND INVESTIGATIONS**

Reference: 12 CFR 8.5

Effective date: Examinations and investigations subject to the fee beginning after January 1, 2001.

Rate: \$110.00 per hour to recover the cost of conducting special examinations and investigations described in 12 CFR 8.6.

**CORPORATE FEES 1/**

Reference: 12 CFR 5.5

**Payment of Fees**

Fees should be paid by check. Checks should be made payable to the "Comptroller of the Currency" and accompany the application.

The Corporate Fee Schedule is as follows:

Application Type	Fee
<b>New National Bank Charter</b>	
Standard	\$15,000
Streamlined	7,500
Expedited	3,000
Low- and Moderate-Income Area <u>1/</u>	0
<b>Conversion to a National Bank</b>	
Standard	5,000
Expedited	2,500
<b>Business Combination <u>3/</u></b>	
Standard	6,000
Expedited - Business Reorganization <u>3/</u>	2,000
Expedited - Streamlined Application <u>3/</u>	4,000
<b>Failure Resolution</b>	
Acquisition by de novo Group	7,500
Acquisition by Existing Bank, Bank Holding Company, or Experienced Group	2,000
<b>Branches <u>4/</u></b>	
Standard	350
Expedited	0
Low- and Moderate-Income Area <u>2/</u> or Indian Reservations <u>4/</u>	0
<b>Branch Relocation</b>	
Standard	350
Expedited	0
Short-Distance	0
<b>Main Office Relocation</b>	
To Existing Branch Within City Limits	0
Other - Standard	700
Other - Expedited	350
<b>Subsidiary <u>5/</u></b>	
Standard	2,700
Expedited <u>6/</u>	1,350
Multi-Bank Op Sub	as above +100 for each add'l bank

After-the-Fact (Financial Subsidiary only)	500
<b>Change in Bank Control <u>7/</u></b>	
New Entrant to System	10,000
After-the-Fact	5,000
Existing Officer/Director/National Bank	2,000
<b>Increase in Permanent Capital <u>8/</u></b>	
Standard Request For Approval	500
Expedited Request For Approval	250
<b>Reduction in Permanent Capital <u>9/</u></b>	
Standard	500
Expedited	250
<b>Subordinated Debt as Capital <u>10/</u></b>	
Standard Application For Approval	1,000
Expedited Approval	500
Request to Prepay	250
<b>Fiduciary Powers</b>	
Standard	1,600
Expedited	800
<b>Bank Service Corporation</b>	
Standard	2,000
Expedited	1,000
<b>Stock Appraisal <u>11/</u></b>	8,200
<b>Section 914 Notice (Changes in Directors or Senior Executive Officers)</b>	35
<b>Investment in Bank Premises</b>	0
<b>Federal Branches and Agencies <u>12/</u></b>	
Initial Federal Branch or Agency	10,500
Additional Federal Branch or Agency	
Standard	1,000
Expedited	500
Relocation	
Standard <u>13/</u>	350
Expedited	0
Short-Distance	0
Change of Status - State to Federal	
Standard	3,600
Expedited	1,800

Change of Status - Other <u>14/</u>	
Standard	700
Expedited	350
Fiduciary Powers	
Standard	1,600
Expedited	800
Voluntary Liquidation	0

**CORPORATE FEES - Footnotes**

1/ Expedited processing is available to eligible banks as defined in Parts 5 and 28. Applicants may request a reduced fee for transactions requiring multiple filings, steps, or banks. Applicants requesting reduced fees should consult with the appropriate district office in advance of filing. Generally, fee concessions are not granted unless savings in OCC's processing cost are demonstrated.

2/ The OCC does not require a corporate filing fee for applications for new national bank charters or branches located in a low- or moderate-income area as defined in 12 CFR 25.12(l), (n)(1) and (n)(2), and where no other depository institution operates a branch or main office.

A charter application limited to trust accounts or credit card operations sponsored by an eligible national bank, or by a company whose lead bank is an eligible national bank, will be charged the expedited review fee. However, the application is not eligible for expedited review.

3/ The stated fees are for a transaction involving two banks. If more than two *affiliated* banks are involved and if the following criteria are met, the OCC may charge a fee of \$100 for each additional intrastate charter and \$200 for each additional interstate charter involved in the transaction. Otherwise, additional fees will be required equal to no more than one-half the stated fee times the number of banks, based on the marginal increases in OCC's processing costs attributable to the additional banks. *Criteria:* a) the acquiring bank is eligible, b) current national bank assets exceed non-national bank assets, and c) the combination presents no expected complications.

An application that does not qualify for expedited review because it involves either an interim bank, a trust bank, or credit card bank, is nonetheless charged the Expedited - Business Reorganization fee if (1) the interim bank is merging with an eligible bank or (2) the trust bank or credit card bank is a subsidiary of a bank holding company whose lead bank is an eligible national bank, or is a subsidiary of an eligible national bank. However, the application is not eligible for expedited review.

The definition of business reorganization is found at 12 CFR 5.33(d)(2). The definition of a streamlined application is found at 12 CFR 5.33(j)(1).

The "Expedited - Business Reorganization" fee is charged for branch purchase and assumption transactions between affiliated institutions.

- 4/ The fee listed is for one branch. Multiple branches filed together and published on the same date may be charged \$100 per additional bank branch. The OCC does not require a separate filing fee for applications for branches to be located on an Indian reservation.
- 5/ These fees apply to both operating and financial subsidiaries, unless otherwise noted.
- 6/ The bank must be eligible and the activity must qualify for expedited review.
- 7/ The fee for a change in bank control filing should be borne by the party(ies) acquiring the shares. The fee for increases by an existing officer or director is available for persons who have been associated with the bank for more than three years.
- 8/ A national bank generally need only submit a notice to increase its permanent capital. However, prior OCC approval is required to increase permanent capital if a bank is required by the OCC to obtain prior approval, it plans to sell common or preferred stock for consideration other than cash, or it plans to receive a material noncash contribution to capital surplus.
- 9/ Includes distributions from surplus or surplus accounts (unless to pay dividends from surplus that was transferred from prior period earnings); acquisitions of treasury stock; or retirement of outstanding shares. The expedited fee is appropriate for an application to conduct a reverse stock split. No fee is required for applications to pay dividends pursuant to 12 USC 60(b).
- 10/ Prior approval is required if the OCC has notified the bank that it must receive prior approval or the bank will become inadequately capitalized after the transaction. Otherwise, a bank may issue subordinated debt without prior OCC approval. However, if the bank would like the subordinated debt to count as Tier 2 capital, it must provide the OCC with notification after the debt has been issued. No fee is charged for this request. No approval is required for eligible banks to repay subordinated debt.
- 11/ The fee for a stock appraisal must be borne by the surviving bank after a merger transaction.

12/ After-the-fact merger applications could be subject to a fee. If a fee is required, it will be determined based on the specific circumstances surrounding the transaction.

13/ Interstate relations are processed under standard procedures.

14/ There is no fee for a downgrade in the status of the federal branch or agency.

### **PUBLICATIONS:**

The OCC has an extensive list of hard-copy publications available for a fee, as well as publications available free of charge. For a list of hard-copy publications and current prices, please consult the attached price list. Please note that publication prices are subject to change before the next schedule of fees is published.

Copies of an array of items, including news releases, job announcements, issuances (such as bulletins, advisories, and alerts) and other materials may be downloaded free of charge from the agency's Web site at: <http://www.occ.treas.gov>. For your convenience, the site contains a search engine to locate materials by subject.

### **MISCELLANEOUS FEES:**

Prepayment is *required* for bank histories and certifications.

#### Bank Histories

Bank histories are provided to determine the successor to an inactive national bank. It includes corporate transactions such as name changes, mergers, closings and the current address of the successor institution, if available.

History – for single bank:

Less than 50 years	\$ 50.00
Fifty years or more	\$ 125.00

Certificates relating to corporate bank activities	\$ 100.00
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Title Changes

Mergers

Articles of Association

Declaration of Insolvency

Charter

Corporate Existence

Fiduciary Powers

Certificate of Authenticity (12 CFR 4)	\$ 100.00
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Copies of certificates	\$ 10.00
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Freedom of Information Act and Privacy Act Requests:



Search and review	\$ 30.00 an hour
Photocopying	\$ 0.15 a page
Examination reports:	
Initial Copy	Free
Additional Copies – Each	\$ 10.00
Special Requests – Each	\$ 50.00

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 and Chief Financial Officer

Attachment – OCC Publications List