

RESCINDED

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Community Reinvestment Act: Small Bank Asset Thresholds and Related Regulatory Revision

On December 22, 2008, the Office of the Comptroller of the Currency (OCC) published in the *Federal Register* revisions to its Community Reinvestment Act (CRA) regulation that are effective January 1, 2009. The revisions adjust the asset-size thresholds to be used to define "small bank" and "intermediate small bank" based on the annual percentage change in the Consumer Price Index.

The OCC's CRA regulation, as revised on December 21, 2007, provides that national banks that, as of December 31 of either of the prior two calendar years, had assets of less than \$1.061 billion are "small banks." Small banks with assets of at least \$265 million as of December 31 of both of the prior two calendar years, and less than \$1.061 billion as of December 31 of either of the prior two calendar years, are "intermediate small banks." 12 CFR 25.12(u)(1). The regulation provides that the OCC will publish annual adjustments to these dollar figures based on the year-to-year change in the average of the Consumer Price Index for Urban Wage Earners and Clerical Workers (CPIW), not seasonally adjusted, for each 12-month period ending in November, with rounding to the nearest million. 12 CFR 25.12(u)(2).

During the period ending November 2008, the CPIW increased by 4.49 percent. As a result, the OCC is revising section 25.12(u)(1) to make this annual adjustment. Beginning January 1, 2009, banks that, as of December 31 of either of the prior two calendar years, had assets of less than \$1.109 billion are "small banks." Small banks with assets of at least \$277 million as of December 31 of both of the prior two calendar years, and less than \$1.109 billion as of December 31 of either of the prior two calendar years, are "intermediate small banks." For further information about how these revised asset-size thresholds are applied, see the CRA page on the Federal Financial Institutions Examination Council's Website at www.ffiec.gov/cra.

If you have any questions about the regulatory revisions or about how to determine whether a national bank is classified as a small or intermediate small bank, please contact your supervisory office, the Compliance Policy Department at (202) 649-5470, or the Community and Consumer Law Division at (202) 649-5470.

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- [73 FR 78153](#)

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Chief Executive Officers and
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