

OCC Bulletin 2020-106 | December 1, 2020

Office of the Comptroller of the Currency Fees and Assessments: Calendar Year 2021 Fees and Assessments Structure

Summary

This bulletin informs all national banks, federal savings associations, and federal branches and agencies of foreign banks of fees and assessments charged by the Office of the Comptroller of the Currency (OCC) for calendar year 2021. The bulletin becomes effective January 1, 2021.

Note for Community Banks

This notice applies to all national banks, federal savings associations, and federal branches and agencies of foreign banks.

Highlights

- The OCC is reducing the rates in all Fee Schedules by 3 percent. The reduction reflects cost savings in the OCC's operations and projections of the OCC's revenues and expenses.
- For the 2021 assessment year, there will be no inflation adjustment to assessment rates.
- The OCC assesses institutions that enter the federal banking system in the time between assessment cycles. Under current 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. Institutions that enter the federal banking system in the time between assessment cycles and

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

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have not previously filed call reports will be assessed a prorated fraction of the lowest tier of the general assessment fee schedule, plus any additional assessments due under other assessment categories in 12 CFR 8. The OCC adopted this policy to ensure that supervisory efforts and resources are allocated and aligned once an institution is subject to the jurisdiction of the OCC. This proration policy 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 \$150 from \$140. 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 national bank, federal savings association, and federal branches and agencies of foreign banks; 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.

2021 Assessment Schedule

As of January 1, 2021,

- assessments are due March 31 and September 30, based on call report information as of December 31 and June 30, respectively. 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 charges 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 assesses institutions that enter the federal banking system in the time between assessment cycles. Under current 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. Institutions that enter the federal banking system in the time between assessment cycles and have not previously filed call reports will be assessed a prorated fraction of the lowest tier of the general assessment fee schedule, plus any additional assessments due under other assessment categories in 12 CFR 8. The OCC adopted this policy to ensure that supervisory efforts and resources are allocated and aligned once an institution is subject to the jurisdiction of the OCC. This proration policy 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, 2020, or June 30, 2021, 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, 2020, or June 30, 2021, and before March 31, 2021, or September 30, 2021, respectively, will receive a refund of the second half of their semiannual assessment. Institutions that leave the federal banking system after March 31, 2021, or September 30, 2021, 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, 2020, and June 30, 2021. Increases or decreases in ratings after December 31, 2020, and June 30, 2021, 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	\$ 4,843	0.000000000000	0
2	20	4,843	0.000191237	2
20	100	8,285	0.000152988	20
100	200	20,524	0.000099437	100
200	1,000	30,467	0.000084139	200
1,000	2,000	97,778	0.000068841	1,000
2,000	6,000	166,619	0.000061191	2,000
6,000	20,000	411,383	0.000052067	6,000
20,000	40,000	1,140,321	0.000039222	20,000

40,000	250,000	1,924,741	0.00003064	40,000
250,000		8,359,981	0.00003032	50,000

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	\$ 20,463	0.000000	\$ 0
1,000	10,000	20,463	0.000004076	1,000
10,000	100,000	57,147	0.000000679	0,000
100,000		118,257	0.000000429	0,000

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	\$ 43,632		
100	1,000	65,190		
1,000	5,000	87,270		
5,000		108,846		

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, 2021.

Rate: \$150 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.

MISCELLANEOUS FEES

Prepayment is *required* for certifications.

Certificates relating to licensing bank activities: \$ 10.00

Title changes

Mergers

Articles of association

Receivership determination and appointment of receiver

Charter

Corporate existence

Fiduciary powers

All requests for certified documents should be submitted electronically through the OCC's FOIA Portal. Prepayment is required. All certificates are transmitted electronically. No copies, expedited service, or special handling of certificates is provided. Requests are processed on a first-come, first-served basis. Please visit the OCC's Certifications Page for additional information.

Freedom of Information Act and Privacy Act requests:

Search and review \$ 60.00 an hour

Photocopying	\$ 0.20 a page
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Examination reports:

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

Kathy K. Murphy

Senior Deputy Comptroller for Management and Chief Financial Officer

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