Comptroller of the Currency
Administrator of National Banks

Quarterly Journal

QJ

vol. 24 no. 3

september 2005

Quarterly Journal

Office of the Comptroller of the Currency
Administrator of National Banks

John C. Dugan
Comptroller of the Currency

Volume 24, Number 3

September 2005
(Second quarter data)

Contents

About the OCC

About the Office of the Comptroller of the Currency

September 2005

Comptroller	John C. Dugan

Executive Committee

First Senior Deputy Comptroller and Chief Counsel	Julie L. Williams
Chief of Staff and Public Affairs	Mark A. Nishan
Senior Deputy Comptroller and Chief National Bank Examiner	Emory Wayne Rushton
Senior Deputy Comptroller for Large Bank Supervision	Douglas W. Roeder
Senior Deputy Comptroller for Midsize and Community Bank Supervision	Timothy W. Long
Chief Information Officer	Jackquelyn E. Fletcher
Senior Deputy Comptroller for International and Economic Affairs	Jeffrey A. Brown
Senior Deputy Comptroller for Management and Chief Financial Officer	Thomas R. Bloom
Ombudsman	Samuel P. Golden

Background

The Office of the Comptroller of the Currency (OCC) was established in 1863 as a bureau of the Department of the Treasury. The OCC is headed by the Comptroller, who is appointed by the President, with the advice and consent of the Senate, for a five-year term.

The OCC regulates national banks by its power to:

- Examine the banks;
- Approve or deny applications for new charters, branches, capital, or other changes in corporate or banking structure;
- Take supervisory actions against banks that do not conform to laws and regulations or that otherwise engage in unsound banking practices, including removal of officers, negotiation of agreements to change existing banking practices, and issuance of cease and desist orders; and
- Issue rules and regulations concerning banking practices and governing bank lending and investment practices and corporate structure.

The OCC divides the United States into four geographical districts, with each headed by a deputy comptroller.

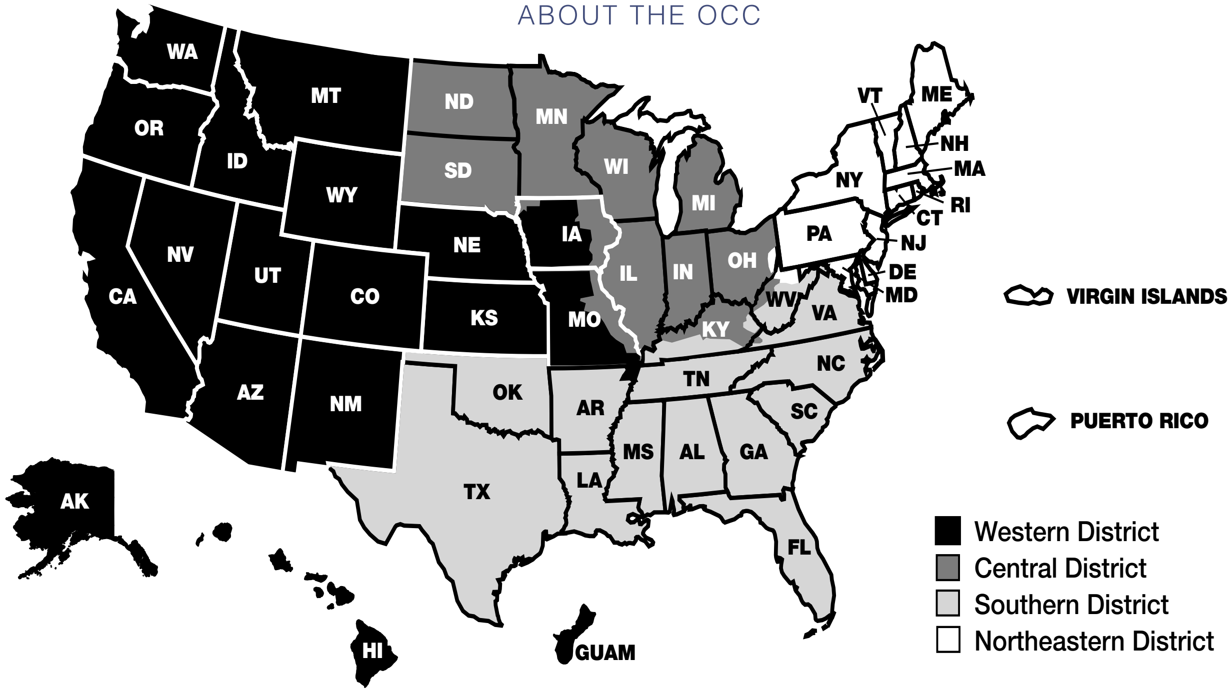
Th□
Banking Act of 1978, the OCC regulates federal branches and agencies of foreign banks in the United States.

The Comptroller

John C. Dugan was sworn in as the 29th Comptroller of the Currency on August 4, 2005. Prior to his appointment as Comptroller, Mr. Dugan was a partner at the law firm of Covington & Burling, where he chaired the firm's Financial Institutions Group. He specialized in banking and financial institution regulation. He also served as outside counsel to the ABA Securities Association. He served at the Department of the Treasury from 1989 to 1993 and was appointed assistant secretary for domestic finance in 1992. While at Treasury, Mr. Dugan had extensive responsibility for policy initiatives involving banks and financial institutions, including the savings and loan cleanup, Glass-Steagall and banking reform, and regulation of government-sponsored enterprises. In 1991, he oversaw a comprehensive study of the banking industry that formed the basis for the financial modernization legislation proposed by the administration of the first President Bush. From 1985 to 1989, Mr. Dugan was minority counsel and minority general counsel for the U.S. Senate Committee on Banking, Housing, and Urban Affairs. There he advised the committee as it debated the Competitive Equality Banking Act of 1987, the Proxmire Financial Modernization Act of 1988, and the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

Among his professional and volunteer activities before becoming Comptroller, he served as a director of Minbanc, a charitable organization whose mission is to enhance professional and educational opportunities for minorities in the banking industry. He was also a member of the American Bar Association's committee on banking law, the Federal Bar Association's section of financial institutions and the economy, and the District of Columbia Bar Association's section of corporations, finance, and securities laws. A graduate of the University of Michigan in 1977 with an A.B. in English literature, Mr. Dugan also earned his J.D. from Harvard Law School in 1981.

The *Quarterly Journal* is the journal of record for significant actions and policies of the OCC. It is published four times a year, based on data released in March, June, September, and December. The *Quarterly Journal* is first released on the Web at www.occ.treas.gov/qj/qj.htm, and then, by subscription, on the CD-ROM *Quarterly Journal Library,* a cumulative collection starting with volume 17. The *Quarterly Journal* includes the press briefing on the condition and performance of commercial banks, statistical tables on the performance of FDIC-insured banks and OCC data on bank corporate structure, policy statements, decisions on banking structure, appeals to the ombudsman, links to selected speeches and congressional testimony and interpretive letters, summaries of enforcement actions, and other information of interest in the administration of national banks. Please send your comments and suggestions to Rebecca Miller, senior writer-editor, by fax to (202) 874-5263 or by e-mail to quarterlyjournal@occ.treas.gov. The subscription to the *Quarterly Journal Library* CD-ROM is available for $50 a year by writing to Publications—QJ, OCC, Attn: Accounts Receivable, MS 4-8, 250 E St., SW, Washington, DC 20219 [order form].



Northeastern District
New York District Office
340 Madison Avenue
5th Floor
New York, NY 10017-2613

(212) 790-4000

Southern District
Dallas District Office
500 North Akard Street
Suite 1600
Dallas, TX 75201

(214) 720-0656

Central District
Chicago District Office
One Financial Place, Suite 2700
440 South LaSalle Street
Chicago, IL 60605-1073

(312) 360-8800

Western District
Denver District Office
1225 17th Street
Suite 300
Denver, CO 80202

(720) 475-7600

Headquarters
Washington Office
250 E Street, SW
Washington, DC 20219-0001

(202) 874-5000

Office of the Ombudsman
1301 McKinney Street, Suite 3400
Houston, TX 77010-9000

(713) 336-4350

Customer Assistance Group
1301 McKinney Street, Suite 3450
Houston, TX 77010-9050

(713) 336-4300
Toll-free (800) 613-6743

For more information on the Office of the Comptroller of the Currency, contact:

OCC Public Disclosure Room, Communications Division, Washington, DC 20219
fax: (202) 874-4448; e-mail: FOIA-PA@occ.treas.gov
See the *Quarterly Journal* on the World Wide Web at http://www.occ.treas.gov/qj/qj.htm
Comments or suggestions? e-mail quarterlyjournal@occ.treas.gov.

September 2005

Quarterly Journal Library CD-ROM ordering

The *Quarterly Journal* is available by subscription on CD-ROM, as the *Quarterly Journal Library,* and continues to be available on the Internet at http://www.occ.treas.gov/qj/qj.htm. The CD-ROM subscription price is $50 for four quarterly issues. An individual CD is $15. Each issue of the *Quarterly Journal Library* CD-ROM will include Volume 17 (1998) through the current quarterly issue.

Quarterly Journal Library for Vols. 17 through current issue, in 4 CDs, issued quarterly:	$50.00 per year
Single copy of the *Quarterly Journal Library* (CD-ROM):	$15.00 each

TO ORDER, PREPAYMENT IS REQUESTED. Please complete the form below and send it with a check, payable to the *Comptroller of the Currency,* to:

Comptroller of the Currency
ATTN: Accounts Receivable
250 E Street, SW, MS 4-8
Washington, DC 20219

	Price	x	Quantity	=	Amount
Quarterly Journal Library annual subscription	$50.00	x	_______	=	_______
Single copy of *Quarterly Journal Library:* Vol.____, No.____	$15.00	x	_______	=	_______
			Total amount enclosed		_______

Name of firm:____

Attention (person or department):____

Address:____

City/state/zipcode:____

Area code/phone number:____

Taxpayer Identification Number (TIN) (or EIN or SSN):____
This number may be used for the collection and reporting of any delinquent amount arising from doing business with the federal government, per 31 USC 7701.

Please make your check payable to the *Comptroller of the Currency.* Payments by check will be converted into an electronic fund transfer. Please read the following notice on the reverse of this page (also at http://www.occ.treas.gov/NoticePaymentbyCheck.htm) if you are paying by check.

For advice or information about availability, or for an urgent need for a publication, please call OCC Publications Control at (202) 874-4960.

Thank you for your interest in the *Quarterly Journal.* We welcome your comments on how to make this publication more informative for you. We are particularly interested in your comments on the usefulness of the information and its presentation. Please send your comments to Rebecca Miller, Senior Writer-Editor, OCC Publishing Services, by fax at (202) 874-5263 or by e-mail at quarterlyjournal@occ.treas.gov.

(revised July 2005)

Notice to Customers Making Payment by Check

Authorization to convert your check: If you present a check to make your payment, your check will be converted into an electronic fund transfer. “Electronic fund transfer” is the term used to refer to the process in which a business or government agency electronically instructs your financial institution to transfer funds from your account to its account, rather than processing your paper check. **By presenting your signed check to the OCC, you authorize the agency to copy the check and to use the account information from the check to make an electronic fund transfer from your account for the same amount as the check.** If the electronic fund transfer cannot be processed for technical reasons, you authorize the OCC to process the copy of your check.

Insufficient funds: The electronic fund transfer from your account will usually occur within 24 hours, which is faster than a check is normally processed. Therefore, make sure sufficient funds are available in your checking account when you send your check to the OCC. If the electronic fund transfer cannot be completed because of insufficient funds, the OCC may attempt the transfer two additional times.

Transaction information: The electronic fund transfer from your account will be on the account statement you receive from your financial institution. However, the transfer may be in a different place on your statement than the place where your check entries normally appear. For example, it may appear under **“other withdrawals”** or **“other transactions.”** You will not receive your original check back from your financial institution. For security reasons, the OCC will destroy your original check, but it will keep a copy of the check for record keeping.

Your rights: You should contact your financial institution immediately if you believe that the electronic fund transfer reported on your account statement was not properly authorized or is otherwise incorrect. Consumers have protections under a federal law called the Electronic Fund Transfer Act for an unauthorized or incorrect electronic fund transfer.