

The OCC is responsible for approving or denying changes in corporate or banking structure, while taking supervisory action against institutions that do not comply with laws and regulations or that otherwise engage in unsound practices.



Section Five

Licensing and Enforcement Measures

Figure 1: Corporate Application Activity, National Banks, FY 2010 and FY 2011

	FY 2010	FY 2011	FY 2011 decisions			
	Applications received		Approved	Conditionally approved ^a	Denied	Total ^b
Branches	812	917	868	2	0	870
Capital/sub-debt	269	224	177	8	0	185
Change in bank control	8	4	1	1	0	3
Charters	17	6	3	4	0	8
Conversions ^c	4	8	1	2	0	3
Federal branches	2	2	0	1	0	1
Fiduciary powers	13	9	2	0	0	2
Mergers ^d	71	70	43	8	0	51
Relocations	168	187	169	1	0	170
Reorganizations	49	71	52	12	0	64
Stock appraisals	0	0	0	0	0	0
Subsidiaries	58	107	24	0	0	24
12 CFR 5.53 change in assets	4	2	0	1	0	1
Limited national bank upgrade	0	1	0	0	0	0
Total	1,475	1,608	1,340	40	0	1,382

Source: OCC data.

^a Data presented are for the fourth quarter of FY 2011 only.

^b Total includes alternative decisions or no-objections.

^c Conversions to national bank charters.

^d Mergers include failure transactions when the national bank is the resulting institution.

Figure 2: Corporate Application Activity, Federal Savings Associations, FY 2011

	FY 2011	FY 2011 decisions				
	Applications received	Approved	Denied	Withdrawn	Transferred ^a	Total
Branches ^b	40	39	0	0	0	39
Bylaw/charter	8	7	0	1	0	8
Conditions	2	3	0	0	0	3
Control ^c	0	3	0	0	2	5
Conversions ^d	0	2	0	0	0	2
Holding company	3	5	0	0	5	10
Merger	1	4	0	0	0	4
New institution	0	0	0	0	0	0
Oakar	7	6	0	0	0	6
Operations ^e	31	36	1	8	2	47
Sasser	9	7	0	1	0	8
Subsidiaries	9	4	0	2	1	7
Waiver	3	2	0	1	31	34
Total	113	118	1	13	41	173

Source: National Applications Tracking System.

Note: Data presented are for the fourth quarter of FY 2011 only.

^a Filings transferred to the Federal Reserve Board or FDIC under Dodd–Frank.

^b Includes branch closings, change in location, interstate, and intrastate filings.

^c Rebuttal of control filings.

^d Mutual-to-stock conversions.

^e Includes home office redesignation, director and senior officers, capital distribution, transfer of assets, voluntary dissolution, and golden parachute.

Figure 3: Licensing Actions and Timeliness, National Banks, FY 2010 and FY 2011

	FY 2010				FY 2011		
	Target time frames in days ^a	Number of decisions	Within target		Number of decisions	Within target	
			Number	Percent		Number	Percent
Branches	45/60	819	806	98	870	857	99
Capital/sub-debt	30/45	157	148	94	185	176	95
Change in bank control	NA/60	5	3	60	3	2	67
Charters ^b		12	8	67	8	7	88
Conversions	30/90	5	3	60	3	2	67
Federal branches	NA/120	0	0	0	1	1	100
Fiduciary powers	30/45	1	1	100	2	2	100
Mergers	45/60	64	61	95	51	49	96
Relocations	45/60	166	158	95	170	165	97
Reorganizations	45/60	45	40	89	64	58	91
Stock appraisals	NA/90	0	0	0	0	0	0
Subsidiaries	NA	65	61	94	24	21	88
12 CFR 5.53 change in assets	NA/60	5	5	100	1	1	100
Limited national bank upgrade		0	0	0	0	0	0
Total		1,344	1,294	96	1,382	1,341	97

Source: OCC data.

Note: Most decisions (95 percent in 2010 and 97 percent in 2011) were decided in the district offices and Large Bank Licensing under delegated authority. Decisions include approvals, conditional approvals, and denials. NA means not applicable.

^a Those filings that qualified for the “expedited review” process are subject to the shorter time frames listed. The longer time frames are the standard benchmarks for more complex applications. New time frames commenced in 1997 with the adoption of the revised part 5. The target time frame may be extended if the OCC needs additional information to reach a decision, permits additional time for public comment, or processes a group of related filings as one transaction.

^b For independent charter applications, the target time frame is 120 days. For holding-company-sponsored applications, the target time frame is 45 days for applications eligible for expedited review and 90 days for all others.

**Figure 4: Change in Bank Control Act, National Banks, FY 2007–FY 2011
(Notices Processed With Disposition)**

Year	Received	Acted on	Not disapproved	Disapproved	Withdrawn
2011	4	3	3	0	0
2010	8	5	5	0	0
2009	10	10	7	0	3
2008	5	4	4	0	0
2007	6	6	6	0	0

Source: OCC data.

**Figure 5: Change in Bank Control Act, Federal Savings Associations, FY 2011
(Notices Processed With Disposition)^a**

Year	Received	Acted on	Not disapproved	Disapproved	Withdrawn
2011	0	3	3	0	0

Source: National Applications Tracking System.

^a Data are for fourth quarter of FY 2011.

Figure 6: OCC Enforcement Actions, FY 2011

Type of enforcement action	Against institutions	Against institution-affiliated parties
Cease-and-desist orders	43	11
Temporary cease-and-desist orders	0	0
12 USC 1818 civil money penalties	5	32
12 USC 1818 civil money penalties amount assessed	\$ 40,000,000	\$ 1,992,773
Flood insurance civil money penalties	3	0
Flood insurance civil money penalties amount assessed	\$ 3,895	\$ 0
Restitution orders	3	5
Amount of restitution ordered	\$ 54,268,745	\$ 4,541,970
Formal agreements	55	0
Capital directives	3	NA
Prompt corrective action directives	3	NA
Individual minimum capital ratio letters	50	NA
Safety and soundness orders	0	NA
Memorandums of understanding	16	0
Commitment letters	3	NA
Suspension orders	NA	1
12 USC 1818 removal/prohibition orders	NA	35
12 USC 1829 prohibitions	NA	133
Letters of reprimand	NA	23
Total	184	240

Note: NA means not applicable.

Figure 7: List of Applications Presenting Community Reinvestment Act Issues Decided, FY 2011

Bank, city, state	Interpretations and actions	Document number
First Niagara Bank, National Association, Buffalo, N.Y. (merger)	May 2011	CRA Decision No. 148
Harris National Association, Chicago, Illinois (conversion/merger)	July 2011	Corporate Decision No. 2011-10

Source: OCC data.