



Comptroller of the Currency  
Administration of National Banks  
US Department of the Treasury

# RESCINDED

OCC 2005-40

**Subject: Notice of Comptroller of the Currency  
Fees for Year 2006  
Date: December 1, 2005**

**To: Chief Executive Officers of All National  
Banks, Federal Branches and Agencies,  
Department and Division Heads, and All  
Examining Personnel**

## Description: Year 2006 Fee Structure

Any attachments to this document are rescinded only as they relate to national banks and federal savings associations.

### SEMIANNUAL ASSESSMENT

Reference: 12 CFR 8.2 and 8.6

#### 2006 Assessment Schedule

Effective January 1, 2006:

- Several permanent changes to the assessment collection process will be implemented beginning with the assessment that normally would be due January 31, 2006. These changes are based on revisions to the assessment regulations recently adopted by the OCC (see *70 Federal Register* 69641 dated November 17, 2005).
  - Assessments now are due March 31 and September 30 (in lieu of January 31 and July 31), based on call report information as of December 31, 2005, and June 30, 2006, respectively. The assessments cover the six-month period beginning on January 1 and July 1, respectively. For example, the assessment due March 31, 2006, covers the period January 1 through June 30, 2006.
  - Banks are no longer required to calculate their assessment and call in the amount to be debited from their account. The OCC will calculate the assessment due and draft the amount due on March 31 and September 30. The OCC will provide seven-business days notice (at least) of the amounts to be drafted from an institution's account. The institution is responsible for ensuring that the accounts are properly funded on the due dates.
  - Banks now are required to choose between their Federal Reserve account or, if a member of the Federal Home Loan Banking system, their Federal Home Loan Bank account as a permanent account from which assessments will be drawn. The OCC will send correspondence to institutions requesting this information.
- The marginal rates of the OCC's general assessment schedule continue to be indexed to reflect inflation, as measured by the Gross Domestic Product Implicit Price Deflator (GDIPIPD) for the previous June-to-June period. The GDIPIPD adjustment is 2.4 percent for 2006. As was the case the previous four years, the indexation adjustment will apply only to the first \$20 billion in a national bank's assets.
- Fees assessed independent trust banks and independent credit card banks have been adjusted for inflation as well. The schedules shown below reflect these changes.
- As was the case in 2003 and 2004, the OCC will charge interest on all payments received after the due date. The interest rate charged will be the United States Treasury Department's current value of funds rate that is published quarterly in the *Federal Register*.

- National banks that depart the national banking system on December 31, 2005, or June 30, 2006, will not be subject to the semi-annual assessment. Institutions must leave the national banking system prior to the close of business on the call report date to avoid paying the full semi-annual assessment.

The OCC's assessment schedule continues to include a surcharge for banks that require increased supervisory resources. The surcharge ensures that fees reflect the increased cost of supervision that applies to those national banks and federal branches and 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 relevant call date (i.e., December 31, 2005, or June 30, 2006). The surcharge is to be applied to all components of an institution's assessment, including book assets, assets under management (for independent trust banks), and receivables attributable (for independent credit card banks). National banks and federal branches and agencies of foreign banks that are subject to the surcharge can calculate their surcharge by multiplying the sum of the assessment based on the institution's book assets up to \$20 billion, the independent trust bank assessment (if applicable), and the independent credit card assessment (if applicable) by 50 percent for 3-rated institutions and 100 percent for 4- and 5-rated institutions.

The OCC will continue to reduce the assessment of nonlead national banks by 12 percent. A nonlead bank, for this purpose, is a national bank and federal branch or agency that is not the largest national bank, based on total assets, controlled by a company owning two or more national banks. Nonlead national banks within any company should multiply their calculated general assessment by 0.88 to recognize the 12 percent discount. The 12 percent discount does not apply to the independent trust bank assessment or the independent credit card bank assessment, given that independent trust banks and independent credit card banks are not affiliated with full-service national banks.

Each national bank and federal branch or agency pays the general assessment fee. Independent trust banks pay the general assessment fee and the independent trust bank assessment. Independent credit card banks pay the general assessment fee and the independent credit card bank assessment. Assessments should be calculated using the schedules below and then adjusted for the nonlead discount and/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 will be:		
Over	But Not Over	This Amount	Plus	Of Excess Over (millions)
\$	\$	\$		\$
0	2	5,311	0.000000000	0
2	20	5,311	0.000220402	2
20	100	9,278	0.000176321	20
100	200	23,384	0.000114607	100
200	1,000	34,845	0.000096975	200
1,000	2,000	112,425	0.000079344	1,000
2,000	6,000	191,769	0.000070529	2,000
6,000	20,000	473,885	0.000060012	6,000
20,000	40,000	1,314,053	0.000050403	20,000
40,000		2,322,113	0.000033005	40,000

### Independent Trust Bank Semiannual Assessment Schedule

If the total amount of Fiduciary and Related Assets are: (millions)		The Independent Trust Bank Semiannual Assessment will be:		
Over	But Not Over	This Amount	Plus	Of Excess Over (millions)
\$	\$	\$		\$
0	100,000	20,170	0.000000000	0
1,000	10,000	20,170	0.000004021	1,000
10,000	100,000	56,359	0.000000674	10,000
100,000		117,019	0.000000429	100,000

### Independent Credit Card Bank Semiannual Assessment Schedule

If the bank's total off-balance sheet receivables attributable are: (millions)		The Independent Credit Card Bank Semiannual Assessment will be:	
Over	But Not Over		
\$	\$		
0	100		43,000
100	1,000		64,250
1,000	5,000		86,000
5,000			107,265

### HOURLY RATE FOR EXAMINATION AND INVESTIGATIONS

Reference: 12 CFR 8.6

Effective Date: Examinations and investigations subject to the fee beginning after January 1, 2003.

Rate: \$110 per hour to recover the cost of conducting special examinations and investigations described in 12 CFR 8.6.

### LICENSING FEES <sup>1</sup>

Reference: 12 CFR 5.5

The Licensing Fee Schedule is as follows:

Application Type	Fee
<b>New National Bank Charter</b>	
Individuals and Nonbank Holding Company Sponsored <sup>2</sup>	
-Full Service	\$25,000
-Credit Card	35,000
-Trust	25,000
-Internet – Primary <sup>3</sup>	50,000

<b>Bank Holding Company Sponsored</b>	
-Full Service	10,000
-Credit Card	10,000
-Trust	10,000
-Internet – Primary	50,000
-Bankers' Bank	25,000
<b>Low- and Moderate-Income Area <sup>4</sup></b>	
	0
<b>Conversion to a National Bank</b>	
Standard	5,000
Expedited	2,500
<b>Business Combination Between Banks <sup>5</sup></b>	
Standard	6,000
Expedited - Business Reorganization <sup>5</sup>	2,000
Expedited - Streamlined Application <sup>5</sup>	4,000
<b>Combination with Nonbank Subsidiary or Affiliate <sup>6</sup></b>	
Expedited Reorganization <sup>7</sup>	250
<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 <sup>8</sup></b>	
Standard	350
Expedited	0
Low- and Moderate-Income Area <sup>4</sup> or Indian Reservations <sup>8</sup>	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</b>	

Standard	2,700
Multi-Bank Operating Subsidiary	as above +100 for each add'l bank
After-the-fact	0
<b>Change in Bank Control</b>	
New Entrant to system	10,000
After-the-fact	5,000
Existing Officer/Director/National Bank	2,000
<b>Fundamental Change in Asset Composition of Bank</b>	
Stripping of Charter by Sale or Other Disposition of Assets	0
Reactivation of Dormant/Stripped Charter <sup>10</sup>	10,000
<b>Increase in Permanent Capital <sup>11</sup></b>	
Standard Request for Approval	500
Expedited Request for Approval	250
<b>Reduction in Permanent Capital <sup>12</sup></b>	
Standard	500
Expedited	250
<b>Subordinated Debt as Capital <sup>13</sup></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
After-the-Fact	500
<b>Dividend</b>	
Cash Dividend	0
Dividend-in-Kind	250
<b>Stock Appraisal <sup>14</sup></b>	8,200
<b>Section 914 Notice</b>	
(Changes in directors or senior executive officers)	35
<b>Federal Branches and Agencies <sup>15</sup></b>	
Initial Federal Branch or Agency	10,000

Additional Federal Branch or Agency	
-Standard	1,000
-Expedited	500
Relocation	
-Standard <sup>16</sup>	350
-Expedited	0
-Short-Distance	0
Change of Status – State to Federal	
-Standard	3,600
-Expedited	1,800
Change of Status – Other <sup>17</sup>	
-Standard	700
-Expedited	350
Fiduciary Powers	
-Standard	1,600
-Expedited	800
Voluntary Liquidation	0

### LICENSING FEES - Endnotes

<sup>1</sup> Expedited processing is available to eligible banks as defined in 12 CFR 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 licensing director in the appropriate district office in advance of filing. Generally, fee concessions are not granted unless savings in the OCC's processing costs are demonstrated.

<sup>2</sup> These fees are appropriate for charter applications submitted by a group of individuals or a sponsor that is not a bank holding company for purposes of the Bank Holding Company Act; or a sponsor that has received Federal Reserve Board approval as a bank holding company but has been in operation for less than three years prior to filing the application to organize a new national bank.

<sup>3</sup> Includes banks that will operate predominantly on the Internet, but also have limited branch or non-branch physical facilities, such as kiosks or ATMs (limited facility bank), as well as banks that will operate solely via the Internet (Internet-only bank).

<sup>4</sup> The OCC does not require a licensing filing fee for applications for new national bank charters or branches to be located in a low- or moderate-income area as defined in 12 CFR 25.12(l), (n)(l), and (n)(2), and where no other depository institution operates a branch or main office.

<sup>5</sup> 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. 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. 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 the OCC's processing costs attributable to the additional banks.

An application that does not qualify for expedited review because it involves either an interim bank, a trust bank, or a 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 of which its 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 "Expedited – Business Reorganization" fee is charged for branch purchase and assumption transactions between affiliated institutions. Purchase and assumption transactions between unaffiliated banks are charged either the "Standard" or the "Expedited–Streamlined Application" fee, as appropriate.

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(c)(1).

<sup>6</sup> Transactions conducted pursuant to 12 USC 215a-3.

<sup>7</sup> Transactions conducted pursuant to 12 USC 215a-2.

<sup>8</sup> 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 licensing filing fee for applications for branches to be located on an Indian reservation.

<sup>9</sup> The fee for a change-in-bank-control filing should be borne by the entity 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.

<sup>10</sup> The OCC will charge a fee for an application to reactivate a charter of a formerly dormant bank or a national bank that recently was stripped of its assets and liabilities and became dormant under 12 CFR 5.53. Reactivation of a charter can occur by subsequent purchase of assets, other acquisitions of assets, other expansion of its operations, or by any other means not herein identified.

<sup>11</sup> 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 will receive a material noncash contribution to capital surplus.

<sup>12</sup> 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 applies to an application to conduct a reverse stock split. No fee is required for applications to pay a dividend pursuant to 12 USC 60(b) unless it is a dividend-in-kind.

<sup>13</sup> 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.

<sup>14</sup> The fee for a stock appraisal must be borne by the bank, which, in the case of a business combination, is the surviving bank.

<sup>15</sup> 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.

<sup>16</sup> Interstate relocations are processed under standard procedures.

<sup>17</sup> There is no fee for a downgrade in the status of the federal branch or agency.

**PUBLICATIONS**

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

Copies of all arrangements, 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.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 History – for single bank:

Bank History – for single bank:		
-Less than 50 years	\$	50.00
-Fifty years or more	\$	125.00

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

Certificates relating to licensing bank activities:		
	\$	100.00
-Title Changes		
-Mergers		
-Articles of Association		
-Declaration of Insolvency		
-Charter		
-Corporate Existence		
-Fiduciary Powers		

<b>Certificate of Authenticity (12 CFR 4)</b>	\$	100.00
<b>Copies of certificates</b>	\$	10.00

Freedom of Information Act and Privacy Act Requests:

<b>-Search and Review</b>	\$	35.00 an hour
<b>-Photocopying</b>	\$	0.20 a page

Examination Reports:

<b>-Initial Copy</b>	\$	Free
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<b>Additional Copies – Each</b>	\$	10.00
<b>Special Requests – Each</b>	\$	50.00

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