



Office of the  
Comptroller of the Currency



# ANNUAL 2017 REPORT

PRESERVATION AND PROMOTION OF MINORITY-OWNED  
NATIONAL BANKS AND FEDERAL SAVINGS ASSOCIATIONS

*In accordance with section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989*



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## 1 Executive Summary

As of December 31, 2017, the Office of the Comptroller of the Currency (OCC) supervised 49 minority-owned national banks and federal savings associations (collectively, minority depository institutions or MDI), accounting for 4.0 percent of the 1,226 banks in the OCC's Midsize and Community Bank Supervision (MCBS) line of business.

The OCC's 2017 MDI report to Congress is submitted to comply with section 367 of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). As amended by the Dodd-Frank Act, section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA) directs the Comptroller of the Currency to report on actions taken to carry out section 308. Section 308 describes goals for preserving MDIs and directs the Secretary of the Treasury to consult with the Comptroller and chairpersons of the Board of Governors of the Federal Reserve System (FRB), the National Credit Union Administration, and the Federal Deposit Insurance Corporation (FDIC) on methods for best achieving these goals.

Pursuant to section 367, this report details the OCC's actions taken in 2017 to preserve and promote MDIs – such as technical assistance, support, and training provided to MDIs and OCC examiners supervising MDIs – in the following sections: Condition of OCC-supervised MDIs; the OCC's National Minority Depository Institutions Program; and OCC Outreach to MDIs.

In 2017, the OCC took numerous actions to achieve the section 308 goals, including the following:

- OCC subject matter experts provided technical assistance to MDIs on various topics, including safety and soundness, cybersecurity, legal, accounting and compliance issues. This technical assistance focused on asset quality and loan administration, liquidity and interest rate risk management, and capital formation through earnings retention.
- The OCC held a series of five collaboration roundtables in regional locations to discuss partnership opportunities among large banks, midsize banks, and MDIs.
- The OCC's MCBS hosted two Minority Depository Institutions Advisory Committee (MDIAC) meetings in June and October.
- The OCC co-sponsored, along with the FDIC and FRB, the 2017 Interagency MDI and Community Development Financial Institution (CDFI) Bank Conference in April at the Los Angeles Branch of the San Francisco Federal Reserve Bank to provide a forum for leadership from MDIs to learn about best practices and approaches beneficial to their institutions.

- The OCC held bank director workshops throughout the United States that addressed risk governance, credit risk, compliance risk, and other important banking issues. The OCC encouraged MDI directors to attend these workshops and waived participation fees as an incentive.
- The OCC's District Community Affairs Officers consulted with MDIs on community development, the Community Reinvestment Act (CRA), and related topics.
- OCC staff participated in the National Bankers Association's (NBA) Annual Convention outreach events, including conferences sponsored by the NBA and the Independent Community Bankers of America's Minority Bank Council.
- The OCC's External Outreach and Minority Affairs staff consulted with MDIs on CDFI certification and advised them about other federal resources that support their missions.

## 2 Condition of OCC-Supervised MDIs

In 2017, the overall financial health of OCC-supervised MDIs showed continued improvement. Key indicators of the MDIs' financial health improved over the past 12 months. As of December 31, 2017, the average return on assets increased from 0.47 percent to 0.56 percent, the net interest margin was up 4 basis points to 3.66 percent, and noncurrent loans were reduced from 1.58 percent to 1.45 percent. Another indication of MDIs' improved financial condition was their capital positions. The average MDI tier 1 capital leverage ratio was 13.01 percent, up from 12.57 percent a year ago.

### 3 OCC’s National Minority Depository Institutions Program

The OCC’s National Minority Depository Institutions program provides technical assistance and other support to OCC-supervised MDIs to promote and preserve these banks, consistent with the requirements of section 308 of the FIRREA.

#### 3.1 Preserving the Present Number of MDIs

Table 1 indicates that 61 percent of OCC-supervised MDIs have assets totaling \$250 million or less, and 86 percent have assets of \$500 million or less, percentages that have not changed materially since 2010.

**Table 1: Asset Distribution for OCC-Supervised MDIs (as of December 31, 2017)**

Asset size	National banks	Federal savings associations	Total MDIs	Percentage of total OCC MDIs
\$50 million or less	2	0	2	4.1%
\$51 million to \$100 million	11	0	11	22.4%
\$101 million to \$250 million	13	4	17	34.7%
\$251 million to \$500 million	9	3	12	24.5%
\$501 million to \$1 billion	2	2	4	8.2%
Greater than \$1 billion	3	0	3	6.1%
<b>Total</b>	<b>40</b>	<b>9</b>	<b>49</b>	<b>100%</b>

OCC-supervised MDIs are located in 20 states with combined assets of \$16.7 billion. The heaviest concentrations of MDIs are in California (10), Texas (9), and New York (5).

MDI ownership remained similar to previous years, with the largest group of minority owners being Asian or Pacific Islander American (41 percent), followed by women (27 percent), Hispanic American (14 percent), African American (12 percent), and Native American or Alaskan Native (6 percent).

#### 3.2 Preserving the Minority Character of MDIs

When considering potential merger and acquisition partners for MDIs, the OCC, in coordination with the FDIC, uses the “general preference guidelines” outlined in section 308 of the FIRREA to establish preferences for the types of institutions for which a merger or acquisition would be most appropriate. The OCC applies the section 308 guidelines in the following order:

1. Same type of MDI in the same city
2. Same type of MDI in the same state
3. Same type of MDI nationwide

4. Any type of MDI in the same city
5. Any type of MDI in the same state
6. Any type of MDI nationwide
7. Any other bidders

### **3.3 Providing Technical Assistance to Prevent the Insolvency of Institutions Not Now Insolvent**

In 2017, MDIs faced challenges because of higher-than-average levels of noncurrent loans. The OCC regularly provided technical assistance during on-site examinations and quarterly management discussions. In addition, the OCC provided various training and educational programs focused on helping MDIs improve overall asset quality and strengthen capital levels. Furthermore, MDIs had ready access to OCC subject matter experts on a wide range of topics, including accounting, compliance, and capital markets. OCC experts provided technical assistance to MDIs on asset quality and loan administration, liquidity and interest rate risk management, and capital formation through earnings retention.

### **3.4 Supporting and Preserving MDIs**

MDIs play and have played for many years, a critical role in their local communities. Many MDIs serve economically challenged communities traditionally underserved by the banking industry and other businesses. The OCC understands that MDIs are uniquely positioned to create positive change in these communities and supports the MDI mission through many actions.

The OCC supports and preserves MDIs and their mission by conducting outreach, hosting educational conferences, and providing training, advice, and technical assistance to OCC-supervised MDIs and to new MDIs seeking to obtain national bank or federal savings association charters. For example, every two years, the OCC, in conjunction with the FDIC and the FRB, hosts an important interagency conference for MDI and CDFI banks to help promote and preserve the MDI mission.

Between April and June 2017, the OCC hosted a series of regional collaboration roundtables in New York City, Miami, Dallas, Los Angeles, and Chicago. At these events MDIs and large and midsize banks explored potential collaborative strategies that could strengthen the MDIs.

As of December 31, 2017, the OCC supervised 49 of the 157 MDIs operating in the United States. Of the OCC-supervised MDIs, 40 have national bank charters and 9 have federal savings association charters.

For each MDI it supervises, the OCC develops a supervisory strategy annually. The supervisory strategy is based on the risks facing each MDI and addresses specific supervisory issues identified by the OCC as requiring review. As part of the supervisory strategy, OCC examiners also consider the MDI's need for technical assistance, training, and education in such areas as compliance, risk management, and operational issues.

Additionally, the OCC provides advice and technical assistance to MDI applicants interested in obtaining a national bank or federal savings association charter. The agency provides materials to organizing groups that help facilitate the MDI application process. The OCC assists organizing groups through pre-filing meetings and by commenting on draft applications. In 2017, there were no formal written requests to the OCC for new federal charters.

More information on the technical assistance the OCC provides to MDI applicants is available in appendix 2, the OCC's "Policy Statement on Minority National Banks and Federal Savings Associations."

### 3.5 Providing Training, Technical Assistance, and Educational Programs

OCC bank director workshops are among the many training opportunities available for MDI directors to help them fulfill their fiduciary responsibilities. Directors are integral to the long-term health and viability of community-based banks, and the OCC is committed to providing a support structure that recognizes and builds on the importance of the directors' responsibilities. In 2017, workshops focusing on five subjects (see table 2) were held in cities across the United States to make participation convenient for attendees. While the OCC typically charges a registration fee for attending bank director workshops, the registration fee was waived for MDI directors to encourage their attendance. During 2017, the OCC conducted 34 workshops in 21 locations. The agency sent announcements to all OCC-regulated MDIs notifying them of the 2017 workshop schedule and explaining that the registration fee would be waived for their directors. Table 2 provides data on MDI participation.

**Table 2: MDI Director Participation in OCC 2017 Bank Director Workshops**

Title	Sessions	MDIs	Total institutions	MDIs*	MDI directors	Total directors	MDI directors**
Risk Governance	6	4	63	6.34%	3	91	3.29%
Credit Risk	7	4	66	6.06%	3	103	2.91%
Compliance Risk	6	6	79	7.59%	12	106	11.32%
Operational Risk	8	5	93	5.37%	3	150	2.00%
Building Blocks for Directors	7	11	93	11.82%	22	168	13.09%

\* As a percentage of institutions.

\*\* As a percentage of all directors.

The OCC's District Community Affairs Officers supported MDIs through the following training, technical assistance, and outreach actions:

- Providing training and technical assistance on community revitalization strategies, financial literacy initiatives, and other community development activities designed to alleviate poverty and develop healthy communities. The training and technical assistance typically focuses on bank responsibilities under the CRA, understanding and responding to community credit needs, and structuring safe and sound community development and consumer financial services strategies.
- Offering customized, one-on-one consultations to help banks develop and implement community development finance strategies. These consultations help banks identify opportunities for community development finance, form partnerships with community development organizations and government agencies, create mechanisms for expanding the bank's community development capacity in urban and rural markets, and prepare for CRA examinations.
- Facilitating community outreach and convening community stakeholders to exchange ideas and establish partnerships. District Community Affairs Officers, often working in concert with the other regulatory agencies, sponsor roundtable discussions, conferences, seminars, and workshops in communities in which MDIs are located. These sessions address such topics as understanding the CRA, ending homelessness, financing small businesses, partnering with nonprofit loan funds, and lending in Indian Country.

The OCC's Community Affairs Division conducts "best practice" research and produces publications that encourage economic development actions by national banks and federal savings associations consistent with safe and sound banking practices. OCC publications relevant to MDIs include the following newsletters, fact sheets, and reports:

- *Housing Financing in Indian Country: Spotlight on HUD's Title VI Program* focuses on the U.S. Department of Housing and Urban Development's Title VI Loan Guarantee Program, which provides an additional source of funding for Indian tribes receiving federal Indian Housing Block Grants for affordable housing activities.
- *Extending Credit in Indian Country: How Banks Use Federal Programs to Promote Economic Development* highlights best practices, challenges, and CRA treatment of the investments, services, and credit extensions that banks make in Indian Country.
- *Minority-Owned Banks: Making a Difference in Their Communities* outlines the role MDIs play in meeting the credit needs of customers in their communities.
- *A Guide to Tribal Ownership of a National Bank*, a companion to the OCC's *Comptroller's Licensing Manual*, helps federally recognized Native American tribes explore entry into the national banking system by establishing or acquiring control of a national bank.

- *Commercial Lending in Indian Country: Potential Opportunities in an Untapped Market* discusses the specific approaches that bankers active in this market have used to meet some of the unique business and legal challenges, including the use of several federal programs that are available to manage the risks in tribal commercial and business development.
- *Banking in Indian Country: Challenges and Opportunities* addresses how financial institutions, tribal organizations, and other organizations have developed partnerships that lead to increased access to lending and other financial services on tribal lands. Noted successes are in the areas of home mortgage lending, commercial lending, retail services, financial literacy initiatives, and development of Native American financial institutions.
- *Partnerships with Minority- and Women-Owned Financial Institutions and Low-Income Credit Unions* describes how banks can receive CRA consideration for investments in and partnerships with MDIs.

These publications are available on the OCC Community Affairs pages on the agency's [website at www.occ.gov](http://www.occ.gov). Additionally, the publications are promoted at conferences and events that OCC staff members attend.

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## 4 OCC Outreach Supporting MDIs

### 4.1 Outreach

The OCC holds regional outreach meetings for bank executive officers typically once a year. Chief executive officers (CEO) generally attend these meetings, which cover a variety of topics including compliance, accounting, economics, and safety and soundness.

The OCC distributes quarterly newsletters to the CEOs of OCC-supervised banks to provide updates on recent OCC issuances and guidance on current hot topics pertaining to safety and soundness or compliance matters. The format of agency bulletins, which announce new regulations, guidance, and other issuances, includes an easily identifiable and readable box summarizing the applicability of the guidance to community banks titled “Note for Community Banks.”

Other publications specifically designed for MDI and community banks include the following:

- *A Common Sense Approach to Community Banking* describes fundamental banking best practices that have proven useful to boards of directors and management in successfully guiding community institutions through economic cycles and environmental changes.
- *New Capital Rule Quick Reference Guide for Community Banks* is a high-level summary of the aspects of the new capital rule that are generally relevant for small, non-complex banks and savings associations that are not subject to the market risk rule or the advanced approaches capital rule. Community banking organizations became subject to the new rule on January 1, 2015.

The OCC participates in a number of national and state banking conventions via an exhibit booth program of the agency’s Banking Relations and Minority Affairs units. In addition, OCC staff members participate in events sponsored by minority trade associations and typically attended by a significant number of MDI representatives. Outreach efforts specifically targeted to MDIs in 2017 included the following:

- The OCC held two MDIAC meetings, in June and October, to identify and discuss supervisory matters affecting MDIs.
- The OCC hosted a series of five collaboration roundtables across the country to facilitate discussions with large and midsize banks about opportunities to partner with MDIs.
- The OCC developed and delivered workshops for MDIs on collaborations and innovative models.

- The OCC's External Outreach and Minority Affairs staff participated in the NBA Annual Legislative and Regulatory Conference, and in MDI discussions with congressional representatives.
- The OCC met with the NBA's Chairman and President to discuss concerns that minority bankers have with regulatory requirements and other challenges in serving the needs of their communities.
- OCC staff conducted more than 50 outreach calls to assess the immediate needs and interests of MDI management in support of enhancing OCC technical assistance efforts to MDIs.
- External Outreach and Minority Affairs staff participated in discussions with representatives from the NBA, FDIC, FRB, Small Business Administration, and Minority Business Development Agency to discuss partnership opportunities with non-minority financial institutions and private sector entities.

These meetings gave the OCC the opportunity to hear suggestions from MDI bankers about issues affecting their banks and the banking industry, and provided MDI bankers with information on banking trends and issues. Agency staff highlighted OCC-developed resources (e.g., a commercial real estate stress test model and comparative analysis reports on the OCC's BankNet website, a secure site only for OCC-supervised banks).

In addition, every two years the federal banking agencies (OCC, FDIC, and FRB) host an interagency conference for MDIs to help preserve minority ownership of MDIs and promote their mission. In 2017, the conference, "Expanding the Impact: Increasing Capacity and Influence," was held April 5 and 6 at the Los Angeles Branch of the San Francisco Federal Reserve Bank. Conference attendees included CEOs and board members of MDIs and CDFI banks and representatives from the banking agencies. Altogether, 109 MDI and CDFI bankers represented 72 banks at this conference. The 2017 conference workshops offered by the OCC presented topics covering innovation and collaboration.

## 4.2 Educational Activities With OCC Bank Examiners

In 2017, the OCC conducted diversity-awareness training sessions for newly hired examiners as part of their orientation to the agency. The sessions provided information about cultural and generational diversity to enhance examiners' interactions with the diverse workforces of the OCC and the institutions they supervise. The training helped employees understand how their own attributes, traits, and experiences influence their perceptions of and interactions with others.

## **4.3 OCC Minority Depository Institutions Advisory Committee**

The MDIAC provides advice to the agency on meeting the goals of section 308 of the FIRREA. The MDIAC members are officers and directors of MDIs and other financial institutions committed to supporting these institutions. The MDIAC provides the OCC with an assessment of the current condition of MDIs and suggestions about regulatory changes or other steps the OCC should consider as part of its efforts to preserve MDIs.

The MDIAC met on June 27, 2017, and October 3, 2017. These meetings were informative for both the OCC and the committee members. Minutes of the meetings are posted on the agency's website at [www.occ.gov](http://www.occ.gov).

## **5 Conclusion**

The OCC enthusiastically supports the MDI goals of the FIRREA. During 2017, the sixth year in which FIRREA's MDI provisions, as amended by the Dodd-Frank Act, applied to the OCC, the agency demonstrated its commitment to MDIs by planning and implementing or participating in many outreach, training, educational, and examination actions supporting MDIs. OCC participants included senior management and other representatives from various agency units, including MCBS, Bank Supervision Policy, Banking Relations, Community Affairs, External Outreach and Minority Affairs, the Chief Counsel, Licensing, and the Ombudsman's offices.

Recognizing the importance of MDIs to the community bank sector and the local communities they serve, the OCC continues to support MDI banks through proactive and coordinated programs and through ongoing and new partnerships with other agencies and community groups.

## 6 Appendixes

### Appendix 1: OCC-Supervised MDIs (as of December 31, 2017)

Name	Address	City	State	Zip code	Telephone	Charter	Total assets (\$000)	Owner code
Commonwealth National Bank	2214 St. Stephens Rd.	Mobile	AL	36617-0000	(251) 476-5938	16553	49,504	1
The First National Bank of Izard County	2005 Highway 56	Calico Rock	AR	72519-0000	(870) 297-3711	21165	162,560	6
New Omni Bank, NA	1235 South Garfield Ave.	Alhambra	CA	91801-5037	(626) 284-5555	16840	434,741	3
American Plus Bank, NA	630 West Duarte Rd.	Arcadia	CA	91007-0000	(626) 821-9188	24716	482,272	3
Broadway Federal Bank, FSB	4835 West Venice Blvd.	Los Angeles	CA	90019-0000	(323) 634-1700	705141	411,638	1
Gateway Bank, FSB	919 Clement St.	San Francisco	CA	94118-0000	(415) 831-1288	708857	119,771	3
Mission National Bank	3060 16th St.	San Francisco	CA	94103-0000	(415) 826-3627	17176	285,981	3
Beacon Business Bank, NA	55 Second St., Suite 100	San Francisco	CA	94105-0000	(415) 543-3377	18358	132,543	3
Asian Pacific National Bank	333 West Valley Blvd.	San Gabriel	CA	91776-0000	(626) 457-4888	23006	55,969	3
Universal Bank	3455 Nogales Street, 2nd Floor	West Covina	CA	91792-0000	(626) 854-2818	705801	374,752	3
California International Bank, NA	15606 Brookhurst St., Suite C	Westminster	CA	92683-7582	(714) 338-8712	24577	53,378	3
Bank of Whittier, National Association	15141 East Whittier Blvd.	Whittier	CA	90603-0000	(562) 945-7553	17548	55,958	3
Native American Bank, NA	999 18th Street, Suite 2460	Denver	CO	80202-0000	(303) 988-2727	21158	95,479	4
Continental National Bank of Miami	1801 Continental Plaza	Miami	FL	33135-0000	(305) 642-2440	16325	464,292	2
Executive National Bank	9600 North Kendall Dr.	Miami	FL	33176-0000	(305) 964-2442	15974	403,619	2
Interamerican Bank, FSB	9190 Coral Way	Miami	FL	33165-2049	(305) 223-1434	707506	204,750	2
Touchmark National Bank	3651 Old Milton Pkwy.	Alpharetta	GA	30005-0000	(770) 407-6700	24789	385,218	3
Embassy National Bank	1817 North Brown Rd.	Lawrenceville	GA	30043-0000	(770) 822-9111	24679	114,517	3
Southeast First National Bank	10144 Commerce St.	Summerville	GA	30747-0000	(706) 857-3473	15651	57,599	6
Quantum National Bank	505 Peachtree Industrial Blvd.	Suwanee	GA	30024-0729	(770) 831-2601	22905	442,587	3
Hawaii National Bank	45 North King St.	Honolulu	HI	96817-0000	(808) 528-7711	14911	664,023	3

# Preservation and Promotion of Minority-Owned National Banks and Federal Savings Associations

Appendixes

Name	Address	City	State	Zip code	Telephone	Charter	Total assets (\$000)	Owner code
First National Bank of Manning	401 Main St.	Manning	IA	51455-0000	(712) 655-3557	3455	73,997	6
Illinois-Service FS & LA	4619 S King Dr.	Chicago	IL	60653-4107	(773) 624-2000	703395	133,096	1
The First National Bank of Odon	501 W Main St.	Odon	IN	47562-1223	(812) 636-7324	7260	106,006	6
First National Bank in Fredonia	730 Madison St.	Fredonia	KS	66736-1339	(620) 378-2151	14370	95,300	6
Leader Bank, NA	141 Massachusetts Ave.	Arlington	MA	02474-0000	(781) 646-3900	24131	1,222,453	3
Woodlands National Bank	122 Main St.	Hinckley	MN	55037-0000	(888) 532-4142	23926	182,665	4
The First National Bank of Gordon	134 N. Main St.	Gordon	NE	69343-0000	(308) 282-0050	8521	194,087	6
City National Bank of New Jersey	900 Broad St.	Newark	NJ	07102-0000	(973) 6240865	16142	213,858	1
KEB Hana Bank, NA	2024 Center Ave.	Fort Lee	NJ	07024-0000	(212) 689-5292	20622	208,578	3
Ponce de Leon Federal Bank	2244 Westchester Ave.	Bronx	NY	10462-0000	(718) 931-9000	706509	924,343	2
Abacus Federal Savings Bank	6 Bowery	New York	NY	10013-5101	(212) 266-9063	708059	303,293	3
Carver Federal Savings Bank	75 W. 125th St.	New York	NY	10027-4512	(212) 360-8810	705273	657,349	1
Chinatown Federal Savings Bank	107-109 Bowery	New York	NY	10002-0000	(212) 334-9191	708003	134,166	3
Eastbank, NA	183 Centre St.	New York	NY	10013-0000	(212) 219-9000	18431	193,220	3
Banccentral, NA	602-612 Flynn St.	Alva	OK	73717-0000	(580) 327-1122	12152	490,973	6
First National Bank in Okeene	124 North Main St.	Okeene	OK	73763-0000	(580) 822-3300	10913	73,631	6
First National Bank and Trust Company	130 East Macarthur	Shawnee	OK	74804-0000	(405) 275-8830	18430	225,245	4
The National Bank of Malvern	King and Warren Streets	Malvern	PA	19355-0000	(610) 647-0100	3147	152,123	6
American First National Bank	9999 Bellaire Blvd.	Houston	TX	77036-0000	(713) 596-2888	23521	1,484,749	3
Golden Bank, NA	9315 Bellaire Blvd.	Houston	TX	77036-0000	(713) 777-3838	18558	806,194	3
Southwestern National Bank	6901 Corporate Dr.	Houston	TX	77036-0000	(713) 771-9700	23081	396,068	3
Unity National Bank of Houston	2602 Blodgett St.	Houston	TX	77004-0000	(713) 387-7400	21008	96,010	1
Texas National Bank	215 S. Texas Ave.	Mercedes	TX	78570-0000	(956) 565-2485	11879	248,880	2
Lone Star National Bank	206 West Ferguson	Pharr	TX	78577-0000	(956) 781-4321	17611	2,233,845	2
The Santa Anna National Bank	610 Wallis Ave.	Santa Anna	TX	76878-0000	(325) 348-3108	13854	50,540	6

## Appendixes

Name	Address	City	State	Zip code	Telephone	Charter	Total assets (\$000)	Owner code
Commercial National Bank of Texarkana	5515 Summerhill Rd.	Texarkana	TX	75505-0000	(870) 773-4561	15257	203,299	6
Zapata National Bank	7th & Hidalgo	Zapata	TX	78076-0000	(956) 765-4302	14955	86,272	2
First National Bank in Tigerton	140 Cedar St.	Tigerton	WI	54486-9527	(715) 535-2291	14150	23,692	6

### Owner codes

1=African American

2=Hispanic American

3=Asian or Pacific Islander American

4=Native American or Alaskan Native

5=Multiracial Minorities

6=Women

## **Appendix 2: Policy Statement on Minority National Banks and Federal Savings Associations**

The Office of the Comptroller of the Currency (OCC) recognizes the vital role that minority national banks and federal savings associations (herein referred to as minority depository institutions or MDIs), play in promoting the economic viability of the communities they serve. The OCC reaffirms its commitment to further the regulatory and legislative mandates designed to support the creation and preservation of these institutions.

### **Statutory Framework**

Consistent with its mission of ensuring a safe and sound federal banking system, the OCC promotes the preservation of robust and healthy MDIs and seeks to advance the goals of section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), where applicable. In meeting these goals, the OCC will seek to:

- preserve the number of MDIs.
- preserve their minority character in cases of merger or acquisition.
- provide technical assistance to help MDIs remain healthy.
- promote and encourage the creation of new MDIs.
- provide training, technical assistance, and educational programs.

### **Definition of MDIs**

The OCC defines MDI as any national bank or federal savings association that (1) is not a U.S. subsidiary of a foreign-owned bank; and (2) is at least 51 percent owned by minorities (African Americans, Asian Americans, Hispanic Americans, and Native Americans), women, or socially and economically disadvantaged individuals.

The OCC may consider additional factors when evaluating mutual institutions. First, the OCC may consider a mutual federal savings association an MDI if the majority of the Board of Directors is minority and the communities that it serves are predominantly minority. Second, the OCC may consider a mutual institution an MDI if women comprise a majority of the Board of Directors and hold a significant percentage of senior management positions.

The OCC, at its discretion, may continue to treat a national bank or federal savings association previously designated as an MDI as covered by this policy statement, even if that institution no longer meets the ownership criteria outlined above, provided that the institution primarily serves the credit and other economic needs of the community in which it is chartered, and that community is predominantly minority.

### **Identification of MDIs**

The OCC maintains a list of MDIs on its Web site at [www.occ.gov](http://www.occ.gov).

## **Formation of MDIs**

The OCC provides advice and technical assistance to MDI applicants interested in obtaining a national bank or federal savings association charter. The agency makes available materials useful to organizing groups that help facilitate MDI applications. The OCC assists organizing groups through pre-filing meetings and by commenting on draft applications. Requests for such assistance should be directed to the licensing director in the OCC district office that serves the area where the MDI will be headquartered.

An MDI may be eligible for designation as a community development bank if its activities primarily support (1) low- and moderate-income individuals or areas; (2) government-targeted revitalization areas; or (3) activities that would be considered “qualified investments” under the Community Reinvestment Act (CRA) regulations. An MDI’s designation as a community development bank may facilitate investments in that community development bank by other depository institutions.

## **Examination Support for MDIs**

The OCC develops a supervisory strategy annually for each MDI. The supervisory strategy is based on the risks facing each MDI and addresses specific supervisory issues identified by the OCC as requiring attention. As part of the supervisory strategy, OCC examiners also consider the MDI’s need for technical assistance, training, and education in such areas as compliance, risk management, and operational issues.

The OCC assigns assistant deputy comptrollers (ADCs) and portfolio managers to MDIs who are familiar with the issues and needs of MDIs. Assignment of examiners to MDIs takes into account the expertise and background needed to properly evaluate the products and services offered by those MDIs and the markets and environments in which they operate.

Each OCC district has expert advisers who provide institutions with guidance on credit, asset management, consumer compliance, capital markets, licensing, bank information systems, legal issues, economic conditions, and other concerns.

The OCC periodically convenes meetings and discussions among ADCs with responsibility for supervising MDIs. The purpose of the meetings is to exchange information and best practices for supervising MDIs. ADCs also meet with minority bank trade associations to keep abreast of important topics and emerging concerns.

## **Capital for MDIs**

The OCC supports investments by national banks and federal savings associations in MDIs pursuant to their respective public welfare investment authority (12 CFR 24 and 560.36). National banks and federal savings associations that invest in MDIs may receive positive consideration under CRA.

## **Resolution of Supervisory Cases**

In the course of its ongoing supervision, the OCC provides advice and technical assistance to help prevent the failure of MDIs. In resolving supervisory cases involving MDIs, the OCC encourages remedies – including mergers and acquisitions – that are consistent with the MDIs’ safety and soundness and the goal of maintaining their minority ownership.

## **Supporting MDIs through the Community Reinvestment Act**

The OCC recognizes that majority-owned institutions are often key partners with MDIs. As such, in assessing the record of a majority-owned, non-women-owned institution under CRA, the OCC considers capital investment, loan participation, and other ventures undertaken in cooperation with MDIs if such activities help meet the credit needs of local communities in which the MDIs are chartered.

## **MDI Advisory Committee and Working Group Roles and Responsibilities**

The OCC seeks advice from a Minority Depository Institution Advisory Committee (MDIAC) and the MDI Working Group to meet the goals outlined in section 308 of FIRREA and in this policy statement. The Senior Advisor for Midsize and Community Bank Supervision is the OCC’s primary point of contact regarding MDI Advisory Committee matters.

The Director for Minority Outreach serves as chairperson of the MDI Working Group and as the agency’s focal point for MDI matters. The OCC’s efforts in support of MDIs are coordinated through the MDI Working Group, which is comprised of representatives from several OCC departments, including Public Affairs (which includes External Outreach and Minority Affairs), Midsize and Community Bank Supervision, Office of Minority and Women Inclusion, and Community Affairs.

## **Information, Education, and Outreach for MDIs**

The OCC provides relevant information to MDIs through news blasts and on the Minority Bankers page on the agency’s Web site at [www.occ.gov](http://www.occ.gov).

A series of workshops are available to directors of national banks and federal savings associations. The workshops cover a variety of topics relevant to all community banks, including those with minority ownership. The OCC actively promotes these workshops to MDIs, encourages their directors to participate, and waives their registration fees.

The OCC, in collaboration with other financial regulatory agencies, periodically co-sponsors an interagency national conference for MDIs. The conference highlights current regulatory developments and provides the OCC’s executive leadership and managers opportunities to understand and identify strategies to address issues facing MDIs. The OCC provides staff resources to serve as speakers, moderators, and instructors.

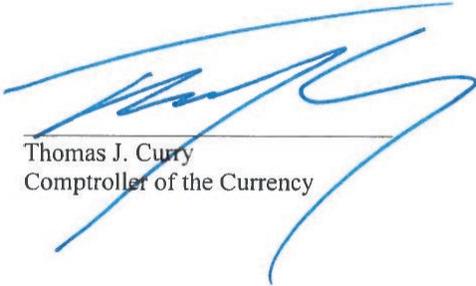
OCC District Community Affairs Officers provide advice and technical assistance to MDIs interested in structuring community development investments. District Community Affairs Officers also advise MDIs on designing community development initiatives.

## Annual Report

Pursuant to section 367 of the Dodd–Frank Wall Street Reform and Consumer Protection Act and section 308 of FIRREA, the Comptroller of the Currency (1) consults with the Secretary of the Treasury on methods for best achieving the aforementioned policy goals and (2) submits an annual report to the Congress on actions taken to carry out the goals of section 308 of FIRREA.

## Conclusion

The OCC recognizes the important role of MDIs in their communities and the federal banking system. The agency is committed to employing measures and providing resources that preserve minority ownership of national banks and federal savings associations and to helping MDIs remain safe, sound, and capable of meeting the financial needs of their communities.



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Thomas J. Curry  
Comptroller of the Currency

6-7-13

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Date

## Appendix 3: Charter

### OFFICE OF THE COMPTROLLER OF THE CURRENCY MINORITY DEPOSITORY INSTITUTIONS ADVISORY COMMITTEE

1. Committee's Official Title. Office of the Comptroller of the Currency (OCC) Minority Depository Institutions Advisory Committee (MDIAC).
2. Authority. This charter is prepared and filed in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C., App. 2.
3. Objective and Scope of Activities.

The MDIAC will provide advice to the Department of the Treasury, OCC on meeting the goals established by section 308 of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), Pub. L. No. 101-73, Title III, 103 Stat. 353, 12 U.S.C. § 1463 note, to preserve the present number of minority depository institutions, preserve the minority character of minority owned institutions in cases involving mergers or acquisitions, provide technical assistance, and encourage the creation of new minority depository institutions.

The scope of the MDIAC's work will include an assessment of the current condition of minority depository institutions, what regulatory changes or other steps OCC may be able to take to fulfill the mandate of section 308, and other issues of concern to OCC-supervised minority depository institutions.

4. Description of Duties. The MDIAC shall meet to discuss issues of importance to minority depository institutions and provide advice and recommendations to OCC. No non-advisory functions shall be performed.
5. Official to Whom Committee Reports. The MDIAC reports to the Comptroller of the Currency, who shall be solely responsible for any action taken with respect to the MDIAC's advice and recommendations.
6. Support Services. OCC shall provide all necessary support to the MDIAC.
7. Estimated Annual Operating Costs and Staffing. The estimated annual cost to operate the MDIAC is approximately \$ 125,000 (includes approximately .35 full-time equivalent.) While MDIAC members are not compensated for their services, they are reimbursed for travel-related expenses to attend meetings and outreach and orientation sessions in accordance with 5 U.S.C. § 5703.
8. Designated Federal Official (DFO). The DFO (or designee) is a full-time federal employee who will be appointed by the Comptroller of the Currency and shall ensure compliance with the requirements of FACA and its implementing regulations. The DFO will approve or call all of the advisory committee and subcommittee meetings, prepare and approve all meeting agendas, attend all committee and subcommittee meetings, and adjourn any meeting when determined to be in the public interest.

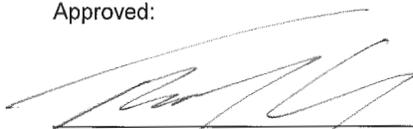
9. Estimated Number and Frequency of Meetings. The MDIAC generally meets two to three times each calendar year. Advance notice of the meetings will be published in the Federal Register.
10. Duration. The MDIAC is a continuing advisory committee.
11. Termination Date. The authority to utilize the MDIAC expires two years from the original charter filing as indicated in paragraph 15.
12. Membership and Designation. The MDIAC shall consist of no more than 10 members serving for one two-year term. Each member shall serve as a representative of his or her institution.

A structured application process shall be used to provide a balanced membership and ensure that diverse views are represented, including the views of officers and directors of minority depository institutions, and other depository institutions with a commitment to supporting minority depository institutions.

13. Subcommittees. The OCC has the authority to create subcommittees that must report back to the MDIAC. The subcommittees may not provide advice or recommendations directly to OCC.
14. Recordkeeping. The records of the MDIAC and its subcommittee(s) will be handled in accordance with the General Records Schedule 26, item 2 or other approved OCC records disposition schedule. The records will be available for public inspection and copying, subject to the Freedom of Information Act, 5 U.S.C. § 552.

15. Filing Date. The filing date of this charter is June 28, 2016.

Approved:

  
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Thomas J. Curry  
Comptroller of the Currency  
Office of the Comptroller of the Currency

Date:

5/26/16

Approved:

  
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Brodi Fontehot  
Assistant Secretary for Management

Date:

6-22-15