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

OCC 2001-39 has been replaced by OCC 2009-06

OCC 2001-39

Subject: Community Reinvestment Act
Date: July 30, 2001

**To: Chief Executive Officers of National Banks,
Department and Division Heads, Examining Personnel
and Other Interested Parties**

Description: 2001 Interagency Questions and Answers

On July 12, 2001, the bank and thrift regulatory members of the Federal Financial Institutions Examination Council (Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision) (the agencies) published in the *Federal Register* an update of "Interagency Questions and Answers Regarding Community Reinvestment" (2001 Interagency Questions and Answers), which is a comprehensive interpretation of the Community Reinvestment Act (CRA) regulations. The agencies consider the Interagency Questions and Answers to be the primary vehicle for disseminating guidance interpreting the CRA regulations. This update supersedes all previously published Interagency Questions and Answers.

The 2001 Interagency Questions and Answers adopt the revisions to one question and answer proposed in the April 28, 2000 version, along with a conforming amendment to another question and answer. Within the 2001 Interagency Questions and Answers, we are also adopting six new questions and answers and making slight clarifying revisions to eight existing questions and answers.

The 2001 Interagency Questions and Answers adopt the following revisions to previously proposed questions and answers that:

1. Explain that, if, in light of an institution's performance context, an institution has adequately addressed the community development needs of its assessment areas(s), examiners will consider community development activities that benefit low- and moderate-income individuals or geographies in the broader statewide or regional area that includes the institution's assessment area(s), even if those activities do not have a purpose, mandate, or function of benefiting the institution's assessment areas(s) - see §§ __.12(i) & 563e.12(h) - 5.
2. Clarify the definition of a "regional area" - see §§ __.12(i) & 563e.12(h) - 6.

In addition, the 2001 Interagency Questions and Answers adopt six new questions and answers that:

1. Provide guidance about the types of activities that are considered to revitalize and/or stabilize low- and moderate-income areas - see §§ __.12(h)(4) & 563e.12(g)(4) - 1.
2. Clarify that certain lending activities may be considered to be responsive to the credit needs of an institution's assessment area - see §§ __.22(a) - 1.
3. Provide guidance regarding consideration for community development services performed by affiliates or third parties on an institution's behalf - see § __.24(e) - 1.
4. Provide guidance to CEBA credit card banks designated as limited purpose that explains how they can help meet their community's credit needs without losing their exemption from the definition of "bank" - see § __.25(a) - 1.
5. Discuss what is meant by "discriminatory or other illegal credit practices" and provide examples of "other illegal credit practices" that are inconsistent with helping to meet community credit needs. - see § __.28(c) - 1.
6. Provide guidance regarding maintaining public file information on an intranet or the Internet - see § __.43(c) - 2.

Interested parties are encouraged to review the attached 2001 Interagency Questions and Answers. For more information, contact Karen Tucker, national bank examiner, Community and Consumer Policy division, (202) 874-4446, or Margaret Hesse, special counsel, Community and Consumer Law division, (202) 874-5750.

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