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**To:** Clients and Friends

**From:** David F. Dulock

**Subject:** Community Reinvestment Act Regulations – technical amendment

In the December 21, 2012, issue of the Federal Register (Vol. 77, Pages 75521 – 75523, click [here](#)) the Office of the Comptroller of the Currency, Treasury (OCC), the Board of Governors of the Federal Reserve System (FRB), and the Federal Deposit Insurance Corporation (FDIC) published a joint final rule amending their respective Community Reinvestment Act (CRA) regulations to adjust the asset-size thresholds used to define “small bank,” “small savings association,” “intermediate small bank,” and “intermediate small savings association,” effective January 1, 2013. As required by the CRA regulations, the adjustment to the threshold amount is based on the annual percentage change in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

Beginning January 1, 2013, banks and savings associations that, as of December 31 of either of the prior two calendar years, had assets of less than \$1.186 billion are small banks or small savings associations. Small banks or small savings associations with assets of at least \$296 million as of December 31 of both of the prior two calendar years and less than \$1.186 billion as of December 31 of either of the prior two calendar years are intermediate small banks or intermediate small savings associations.

The amended OCC regulation containing the definitions of “small bank” and “intermediate small bank” is found in 12 CFR §25.12(u)(1).

The amended OCC regulation containing the definitions of “small savings association” and “intermediate small savings association” is found in 12 CFR §195.12(u)(1).

The amended FRB regulation containing the definitions of “small bank” and “intermediate small bank” is found in 12 CFR §228.12(u)(1).

The amended FDIC regulation containing the definitions of “small bank” and “intermediate small bank” is found in 12 CFR §345.12(u)(1).

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