

OCC 2008-26

**Subject: Responding to Disasters**  
**Date: October 3, 2008**

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

Replaced by OCC 2012-28.

### Description: Supervisory Guidance

In light of the severe weather which recently resulted in federal disasters being declared in parts of the gulf coast region, the Office of the Comptroller of the Currency (OCC) reminds management of national banks that they have the discretion to make individual decisions to remain open or to close in the event of a natural disaster or other emergency. The OCC will, however, continue to issue proclamations authorizing such closure as well should conditions warrant. If your bank operates or has customers in areas that are affected by a disaster, the OCC encourages you to:

- Consider temporarily waiving late payment fees or early withdrawal of savings penalties for affected customers.
- Consider waiving or reducing ATM fees.
- Reassess the current credit needs of your communities and help meet those needs by originating or participating in sound loans to rebuild damaged property.
- Work with borrowers affected by the disaster. Your examiners will not criticize loan documentation deficiencies brought about by staffing shortages or business disruptions during a recovery period, and we realize that adjusting or modifying payment terms may be the most reasonable option for some borrowers when done in a manner consistent with sound banking practices.
- Contact state and federal agencies, as well as other financial institutions, to help mitigate the effects of the disaster.

The OCC, as a member of the Financial and Banking Information Infrastructure Committee (FBII), can help expedite requests for assistance for critical issues such as cash availability and/or delivery, and the restoration of telecommunication services. We also are ready to approve temporary facilities that may be needed to replace facilities damaged or destroyed in the disaster. In addition, under the provisions of the Community Reinvestment Act, we will consider your institution's support of disaster-recovery related activities that help to revitalize or stabilize a major disaster area during our examinations.

A good source of information to assist you should a disaster strike your area is the Federal Emergency Management Agency (FEMA) Web site at <http://www.fema.gov> <sup>[<http://www.fema.gov>]</sup>. FEMA promptly provides disaster information, including major disaster declarations by the President of the United States. In addition, regional coalitions have been formed in several areas around the United States to facilitate the recovery of the financial services sector following a natural disaster or man-made attack. The coalitions facilitate information sharing with the government as well as with strategic partners during a crisis and are open to all members of the financial services sector. A list of regional coalitions is located at [www.rpcfirst.org/partnerships/default.asp](http://www.rpcfirst.org/partnerships/default.asp) <sup>[<http://www.rpcfirst.org/partnerships/default.asp>]</sup>.

If you have any questions, please contact your OCC supervisory office.

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**RESCINDED**