



Mutual Alert

SBA Office of Advocacy Shares Comments on OCC's Bank Merger Proposal

The SBA Office of Advocacy submitted a **comment letter** this week regarding the OCC's NPRM on Business Combinations Under the Bank Merger Act. The proposed rule would eliminate the expedited merger process and the use of streamlined applications.

The Office of Advocacy expresses concerns about the methodology used to certify the proposal under the Regulatory Flex Act (RFA). The letter notes that the OCC's statement of certification does not clarify how the proposed rule's estimated impacted applies to small financial institutions, and possibly underplays its impact. Specifically, SBAOA cites AMB's **letter** when discussing the burden prolonged application processing would have on small banks.

The Office of Advocacy's echoes the sentiment of AMB's letter, which is that small banks should be exempt from the proposed rule, on the grounds that small banks are not the cause of problems that established the need of the RFA. Under the Small Business Jobs Act of 2010, the OCC is required to give proper consideration to the Office of Advocacy's comments and provide a response if and when the rule is finalized.

[Read the full letter here.](#)