

# CSBS President and CEO John Ryan Statement: OCC's Bulletin on Preemption

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**CSBS President and CEO John W. Ryan statement on the Office of the Comptroller of the Currency's (OCC) recent bulletin asserting the National Bank Act would preempt certain types of state and local COVID-19 relief measures:**

"State officials should continue to develop the COVID-19 relief measures they feel are appropriate based on the needs and circumstances of their citizens, despite the OCC's recent anticipatory and categorical assertions of federal preemption.

It is the constitutional role of state officials to protect the health, safety and welfare of their citizens. Throughout the pandemic and resulting economic crisis, state regulators have focused on their mandate to ensure safety and soundness, protect consumers and promote economic growth. They are raising public awareness of relief programs and warning against scams. States are making sure their citizens have broad easy access to banking and credit services. They are ensuring their local financial institutions operate in a safe and sound manner and have appropriate liquidity to serve their communities.

Just a decade ago, Congress amended the National Bank Act to establish substantive and procedural requirements for the OCC to determine whether state law should be preempted. If the OCC feels strongly enough that a particular law has crossed the threshold set out by Congress, then it should follow the process established by Congress.

In the meantime, state regulators will continue to focus on their citizens' needs during the pandemic. They will also continue to work with the federal agencies to coordinate supervisory approaches and communication to the public."

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*The Conference of State Bank Supervisors (CSBS) is the national organization of bank regulators from all 50 states, American Samoa, District of Columbia, Guam, Puerto Rico and U.S. Virgin Islands. State regulators supervise roughly 79% of all U.S. banks and are the primary supervisors of non-depository financial services. CSBS, on behalf of state regulators, also operates the Nationwide Multistate Licensing System to license and register non-depository financial service providers in the mortgage, money services businesses, consumer finance and debt industries.*