


Regulations.gov will start redirecting users to the Beta at <https://beta.regulations.gov> on Tuesdays and Thursdays for 24 hours starting at 8am ET. Please note that all comments that are submitted through the Beta, both during the redirect and regular operations are provided to agencies.



## Daniel Cope

This is a Comment on the **Comptroller of the Currency (OCC) Proposed Rule: Role of Supervisory Guidance**

For related information, [Open Docket Folder](#) 

### Comment

This rule is fine but also accomplishes nothing. It has always been the case that regulatory guidance did not itself constitute a regulation but instead articulated the issuing agency's views regarding what procedures represented safe and sound business practices. The petition for rulemaking seems premised on the notion that placing this statement into regulation will somehow constrain the agencies future actions. That seems unlikely and ultimately impossible. As always, the agencies may issue MRAs or other criticisms and ask that a supervised entity respond promptly. If the entity chooses not to, the agency can pursue an enforcement action, which process provides the entity with due process rights. This policy statement changes nothing about that dynamic. Furthermore, if it were found that this regulation did constrain the agencies' actions, the agencies could always seek to repeal it outright, and agency rules cannot constrain future agency leaders' future rulemaking actions.

On balance, this rule is innocuous but also a waste of agency resources.

**ID:** OCC-2020-0005-0015

**Tracking Number:** khu-o805-5e4j

### Document Information

**Date Posted:**  
Nov 25, 2020

**RIN:**  
Not Assigned

[Show More Details](#) 

### Submitter Information

**Submitter Name:**  
Daniel Cope

**City:**  
New York

**Country:**  
United States

**State or Province:**  
NY