

Public Comments on Interagency Questions and Answers Regarding Community Reinvestment:

Title: Interagency Questions and Answers Regarding Community Reinvestment

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Comment:

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Office of the Comptroller of the Currency: Docket ID OCC-2014-0021

Federal Reserve Board: Docket OP-1497

Federal Deposit Insurance Corporation: Attention: Robert E. Feldman, Executive Secretary, CRA comments

RE: Proposed Changes to the Interagency Q&A Regarding Community Reinvestment

To Whom It May Concern:

Jewish Community Action is a member of the National Community Reinvestment Coalition and is writing to respond to the request for comments on the proposed changes to the Interagency Questions and Answers Regarding Community Reinvestment. We commend the regulatory agencies proposals to reward small dollar lending and the use of alternative credit histories with Community Reinvestment Act (CRA) credit. Access to banking services for low- and moderate-income (LMI) communities is a key component of CRA, and financial institutions must meet a high bar to prove that alternative service delivery methods are meeting the needs of LMI individuals. Until it is clear that alternative service delivery methods fully meet the needs of low- and moderate-income individuals and communities, bank branches should continue to receive greater weight on the service test of CRA examinations.

Jewish Community Action is a 20 year old nonprofit that brings together members of the Jewish community in alliance with diverse communities around social and economic justice. JCA is working with a set of partner organizations, and both Minneapolis and St. Paul on Responsible Banking ordinances. An important part of this work is to analyze CRA data and create goals and outcomes based on the needs of low to moderate income people in both cities. We are specifically focused on how to decrease the number of unbanked in both cities that has been growing for several years as well as how to increase lending in communities that has historically faced discrimination.

We commend the regulatory agencies on some of the proposed updates and changes to the Q&A. Specifically, we are pleased with the recommended updates to the question addressing innovative and flexible lending practices.

1) We are encouraged by the Agencies inclusion of using alternative credit histories as a practice that warrants CRA credit. Many existing underwriting practices effectively exclude a large number of creditworthy LMI borrowers. Financial institutions would have a greater incentive to integrate

alternative credit histories into their business with the added clarity that the practice is eligible for CRA credit.

2) Small dollar loan programs offer a promising alternative to higher-cost loans offered by institutions like payday lenders. And with the financial literacy and savings components, these loan programs offer real opportunities to help build sustainable wealth and financial knowledge. It must be clear to examiners, however, that these small dollar loan programs should only be awarded credit if they are safe and sound alternatives to high-cost and predatory products.

Yet these helpful changes are outweighed by our concerns with proposed changes to other questions and answers, most notably the proposed changes that address advancements in financial service technology. Our principal concerns are listed below.

1) There is a need to account for changes in banking technology and how customers engage with financial institutions. As a result of online and mobile technology, financial institutions can reach consumers in new ways, yet access to bank branches must continue to be given primary emphasis in determining a bank's CRA service test rating. Additionally, it must be made clear that financial institutions will not receive CRA credit even for the LMI individuals and geographies outside the financial institutions established assessment areas that are reached through mobile or online technology. So long as assessment areas are regional, examiners must restrict their assessments to a financial institutions performance and services in those areas.

2) The existence of online and mobile technologies and services alone is insufficient. To warrant CRA credit, it must be clear that:

- a) those services are accessible to LMI individuals and geographies;
- b) there is actual adoption of those technologies by LMI individuals and geographies;
- c) those technologies are the preferred method of engagement; and
- d) those services are not the sole method for LMI individuals and geographies to engage financial institutions.

We urge the banking regulatory agencies to consider this feedback and to strengthen the revisions to the Interagency Questions and Answers document to ensure that LMI communities continue to receive adequate and accessible banking services. Should you have any further questions about our comments, please contact Vic Rosenthal at 651-632-2184 or [vic@jewishcommunityaction.org](mailto:vic@jewishcommunityaction.org).

Thank you for your consideration.

Sincerely,

Vic Rosenthal  
Executive Director  
Jewish Community Action