

Acting Chairman Martin J. Gruenberg
Federal Deposit Insurance Corporation
550 17th Street NW,
Washington, DC 204229

Acting Comptroller Michael J. Hsu
Office of the Comptroller of the Currency
400 7th Street SW, Suite 3E-218
Washington, DC 20219

Chairman Jerome Powell
Federal Reserve Board of Governors
20th Street and Constitution Avenue NW
Washington, DC 20551

RE: Federal Deposit Insurance Corporation: 12 CFR Part 345, RIN 3064-AF81
Federal Reserve System: Docket No. R-1769, RIN 7100-AG29
Office of the Comptroller of the Currency: Docket ID OCC-2022-0002, RIN 1557-AF15

August 1, 2022

Dear Acting Comptroller Hsu, Acting Chairman Gruenberg, and Chairman Powell:

The City of Washington Citywide Development Corporation appreciates the opportunity to comment on the Notice of Proposed Rulemaking (NPR) regarding updating the Community Reinvestment Act (CRA). [Insert brief description of organization, 1-2 sentences.] This NPR represents the most significant changes to the CRA regulation and exams in 27 years.

The City of Washington CDC mission is to ensure safe and affordable housing in a LMI tracts south of Pittsburgh, PA through partnerships with financial partners, local, state, and federal agencies as well as to promote economic development and resources to its struggling downtown corridor.

CRA has successfully leveraged loans, investments, and services. Between 2009 and 2020, banks have made more than \$2.58 trillion in home loans to low- and moderate-income (LMI) borrowers or in LMI census tracts. They made \$856 billion in loans to small businesses with revenues under \$1 million. In the Pittsburgh, PA metropolitan statistical area (MSA), this has led to approximately \$13.4 billion in mortgage lending to LMI borrowers or LMI census tracts, and over \$7.1 billion to small businesses. We need to build on this progress and address remaining disparities in lending through CRA reform. CRA has never been more critical as we continue to deal with significant racial and economic inequalities in wealth and homeownership, and as we contend with the short-term and long-term effects of the COVID-19 pandemic.

CRA will be more effective in bolstering bank reinvestment activity in underserved communities, the more rigorous CRA exams and ratings are. The NPR proposed some significant improvements in test

rigor, but the improvements are not across the board on all aspects of exams. The NPR also improved data collection and the breadth of geographical areas on exams but did not include race on exams. Persistent racial disparities in lending should compel the agencies to incorporate race and ethnicity in CRA exams. A recent national level analysis showed continuing disparities in loan denials by race and when people of color received home loans, their equity accumulation was less. NCRC had asserted in a paper that it is possible for changes to CRA to comply with legal standards if CRA examined lending by race and ethnicity in geographical areas experiencing ongoing discrimination. By including race and ethnicity, CRA can identify and address persistent racial disparities that have direct impacts on quality of life and health outcomes.

Since CRA requires banks to meet the needs of communities, the agencies must elevate the importance of public comments regarding the extent to which banks meet needs. The agencies proposed to continue the current practice of sending any comments on CRA performance to banks and are also considering publishing comments received on agency websites. We urge the agencies to post comments on their websites and to establish a public registry for community organizations to sign up if they wish to comment on CRA performance. In addition, we ask that the agencies publish a list of organizations that comment and that the agencies identify those led by people of color and women to seek input from a diverse range of organizations.

The agencies bolstered the rigor on the large bank retail lending test by introducing performance ranges for comparisons among a bank's lending and demographic and market benchmarks. This approach would decrease ratings inflation and result in more failing and low satisfactory ratings on the lending test. As a result of this proposed reform, several banks would likely respond by boosting their retail lending to underserved communities. The other large bank tests such as community development finance and services include improvements but need to be further developed to guide examiners against inflating ratings.

The agencies correctly proposed to include new data collecting requirements for deposits, community development activities and automobile lending. Some of this data such as deposit and automobile lending would not be publicly available, which limits the extent to which the public can hold banks accountable. We ask the agencies to reconsider this decision and to expand this data collection to all large banks.

Advocates have urged the agencies to examine lending that occurs online. The agencies proposed to create assessment areas where a large bank does not have branches when a bank has issued 100 home loans or 250 small business loans. This proposal would result in the great majority of total lending being incorporated on exams and would therefore hold banks more accountable for serving low- and moderate-income communities. However, the agencies must further ensure that exams do not overlook assessment areas containing smaller metropolitan areas and rural counties.

The agencies proposed to eliminate certain subtests for about 1,000 medium-sized and smaller banks that would eliminate their accountability for providing community development finance and branches in underserved communities. These changes lack justification since these banks have been successfully

performing these activities for several years. We urge the agencies to eliminate this aspect of the NPR since it would reduce reinvestment activity.

The NPR is a good start and promises to make parts of CRA exams more rigorous, but we urge the agencies to extend the rigor of the large bank lending test to the other tests. We also ask the agencies to incorporate race in CRA exams, to expand the public reporting of their data collection proposals and to incorporate the other improvements discussed above. If CRA is improved while maintaining public input and accountability, we believe the proposed rule could help reduce inequalities, disinvestment, and other disadvantages in America's overlooked communities.

Respectfully,



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