

June 27, 2022

Housekeeping

Today's program is 60 minutes.

Materials & Attendance Form. Are available for download from the reminder email sent from <u>DorseyU@Dorsey.com</u>. Return completed attendance form to <u>attendance@Dorsey.com</u>.

Q&A. We will not have time for Q&A, attendees may contact the speakers directly or reach out to your trusted Dorsey contact.

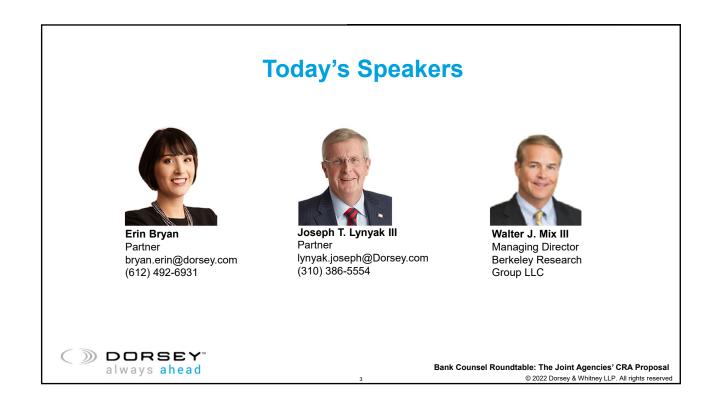
CLE. A CLE code will be announced for attendees in states that require a Code. CLE expected: AZ, CA, CO, IA, IL, MN, ND, NY, OR, TX, UT, WA, WI.

Want Credit? Complete the Attendance Form and return attendance@dorsey.com.

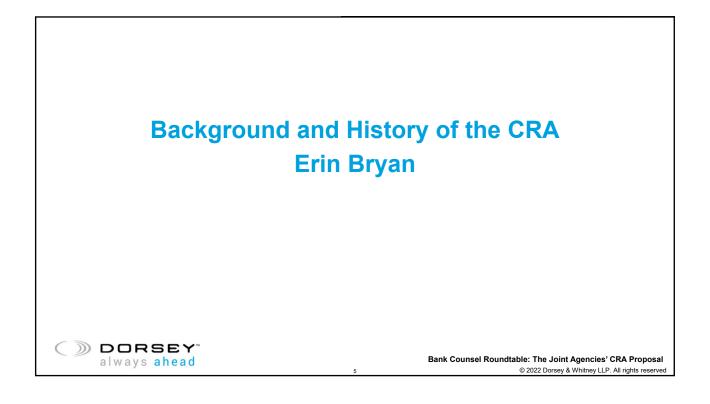
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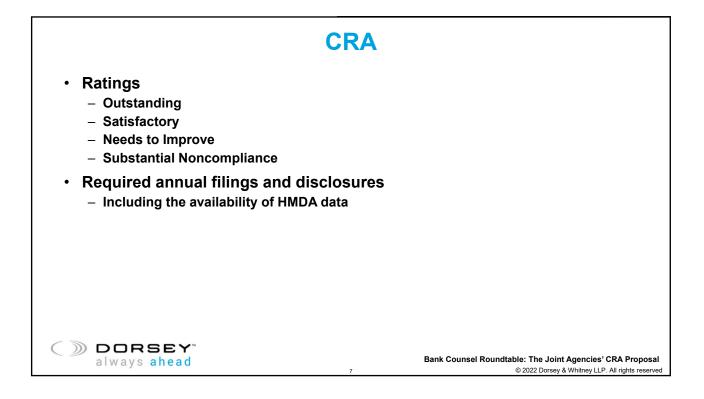
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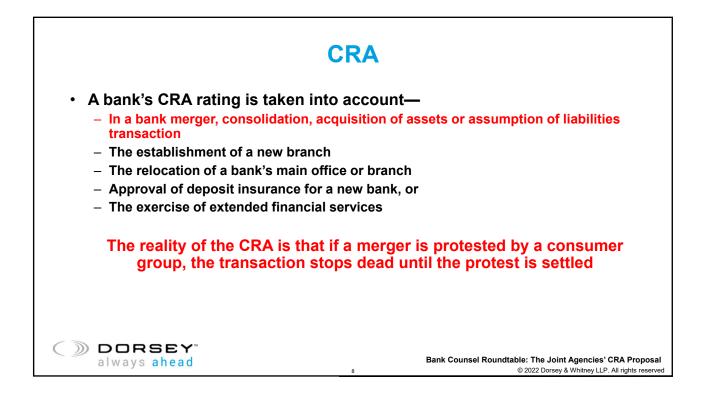


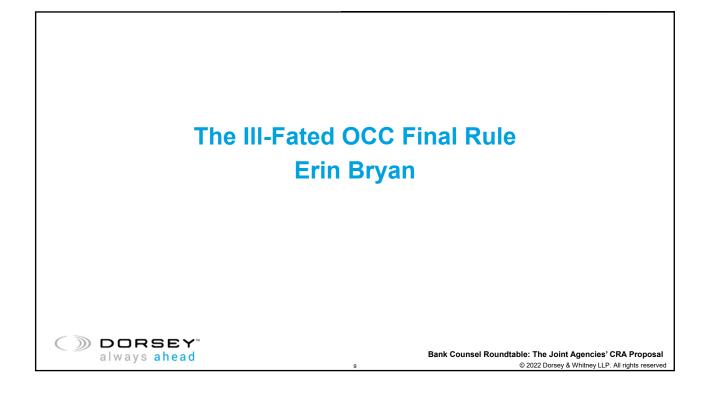


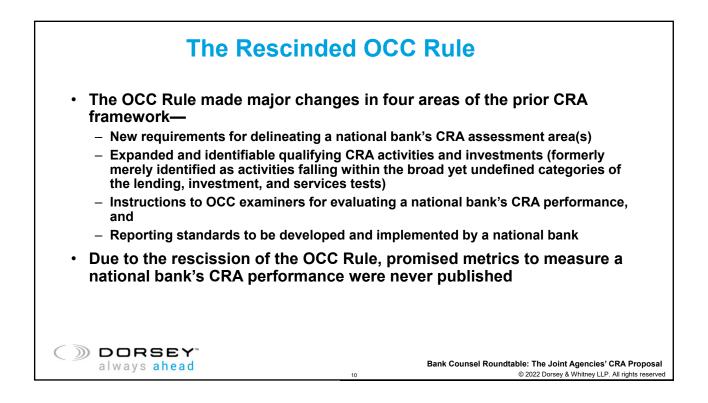


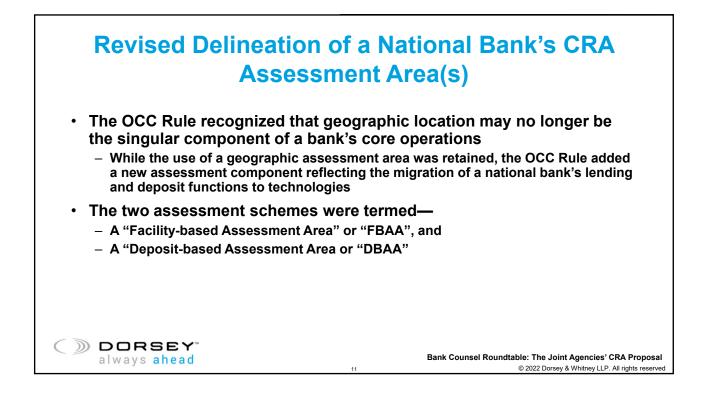
The CRA is OLD				
•	Adopted in 1977 Initial regulations issued in 1978 43 FR 47144 (Oct. 12, 1978). 			
•	Current version issued in 1995 under the Clinton Administration – 60 FR 22156 (May 4, 1995).			
•	12 CFR parts 25			
•	12 CFR 195			
•	12 CFR 228,			
•	 12 CFR 345. Adopted the current three primary tests for measuring CRA performance Lending test Deposit test Service test Small bank asset size created in 2005 Very small banks only examined every 5 years Limited purpose/Wholesale institutions category added Option created for use of a strategic plan CRA Sunshine Requirements added in the GLBA Act 			
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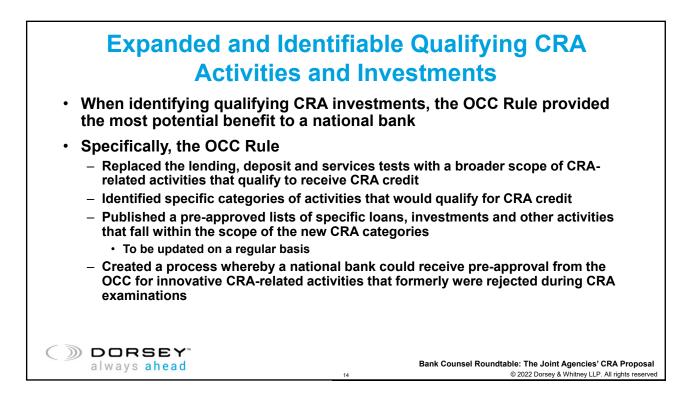


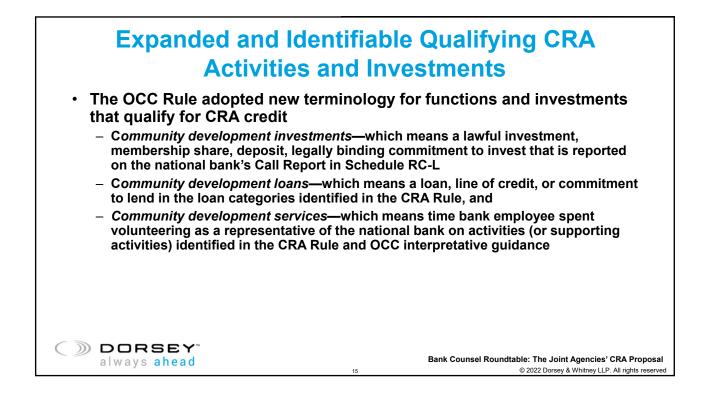


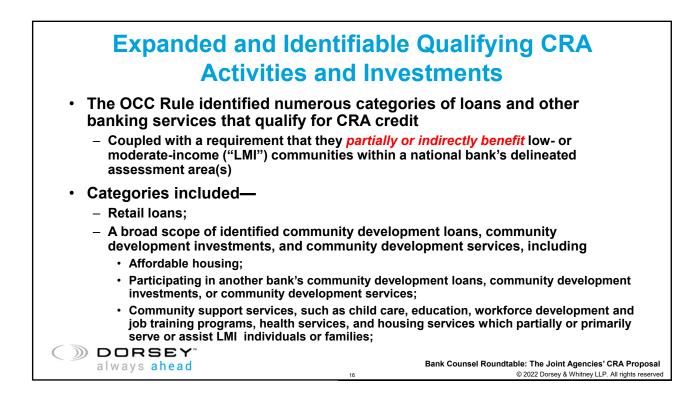


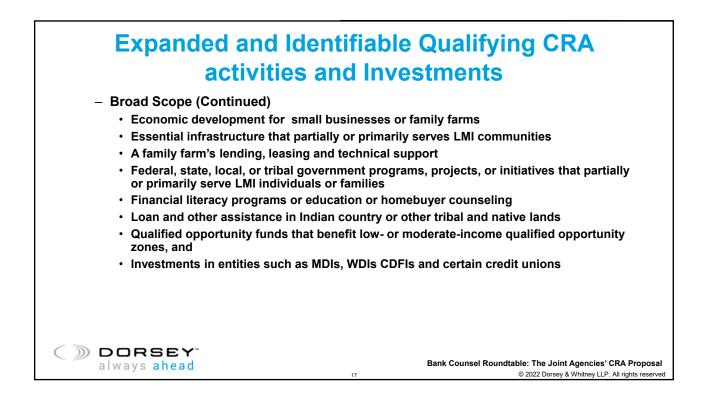
Facility-based	d Assessment Area
	lineate an assessment area here the bank maintains a main office, a it-taking facility (which need not include
 Including the surrounding location a substantial portion of its qualify 	ns in which the bank has originated or purchased ing retail loans
 When delineating a facility-bas consist of: 	ed assessment area, the area must
 One whole metropolitan statistica 	larea
 The whole nonmetropolitan area of 	
-	etropolitan divisions in a single metropolitan
metropolitan statistical area or no	ounties or county equivalents in a single nmetropolitan area
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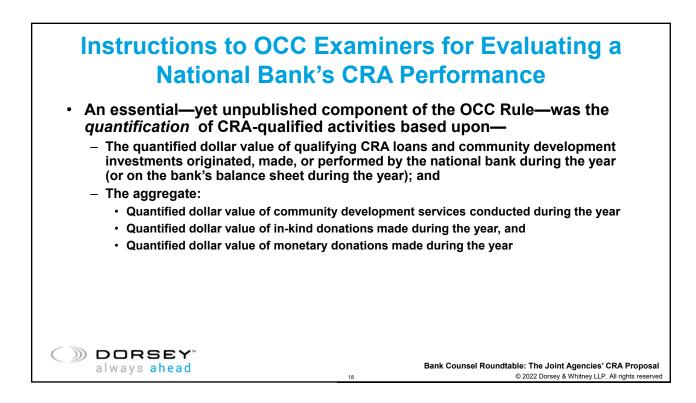
Deposit-B	Based Assessment Area
banks) that gather more than	ks and non-traditional national banks (e <i>.g.</i> , internet 50% of their deposits from outside of their facility-based delineate "deposit-based assessment areas" or
	ea where the national bank receives more than 5% of its side of its facility assessment areas—, and must be
 One whole state 	
 One whole metropolitan statis 	stical area
 The entire nonmetropolitan a 	irea of a state
 One or more whole, contiguo area 	ous metropolitan divisions in a single metropolitan statistical
	ea of a state, metropolitan statistical area, nonmetropolitan ו other than where it has a facility-based assessment area, or
 One or more whole, contiguo statistical or nonmetropolitar 	ous counties or county equivalents in a single metropolitan n area
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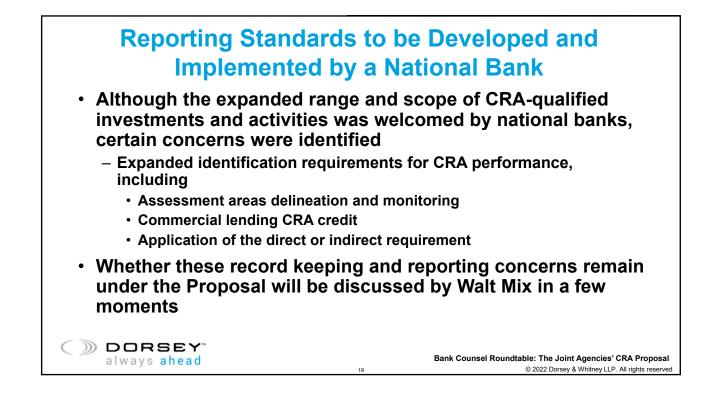


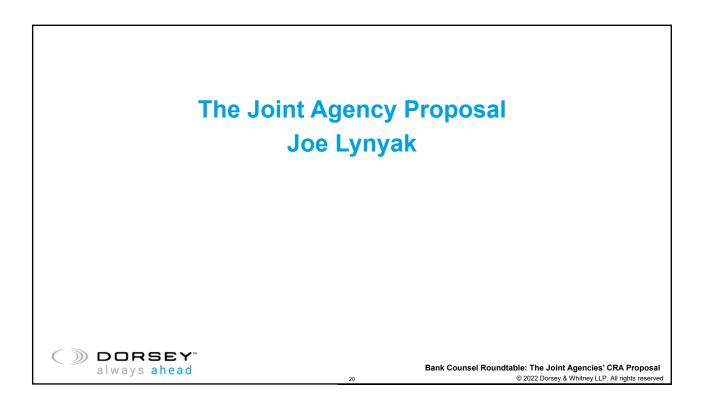


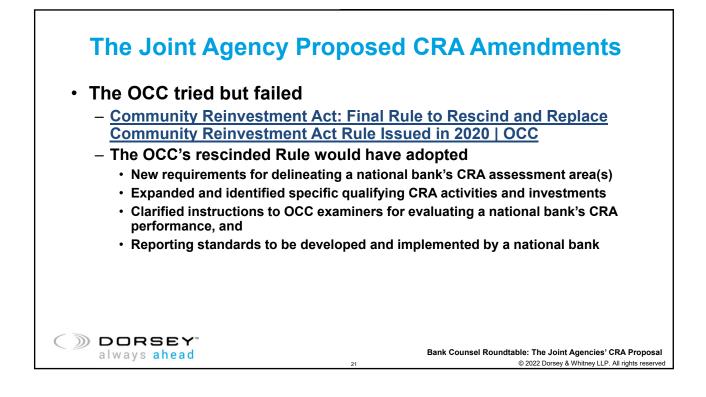


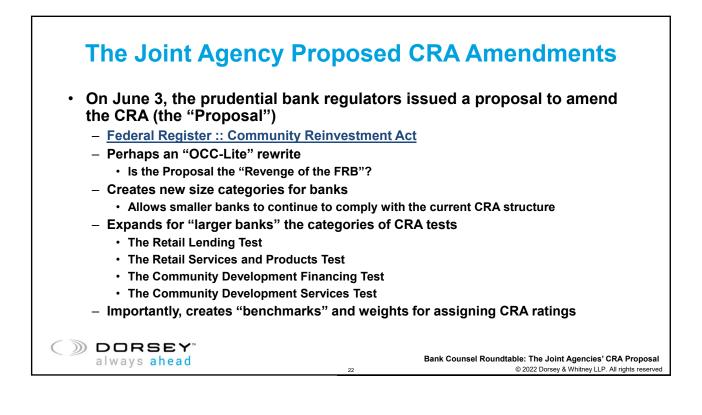


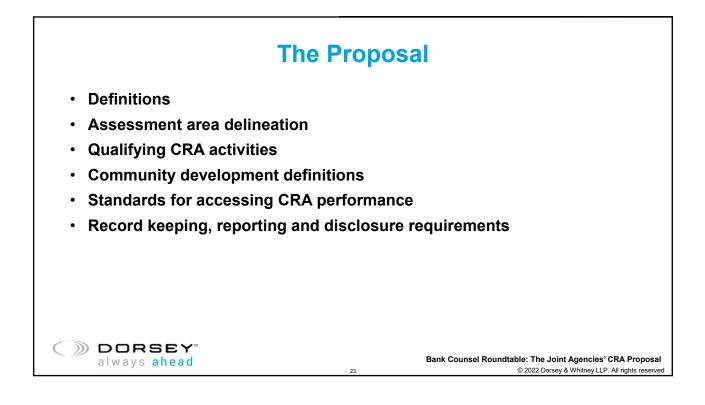


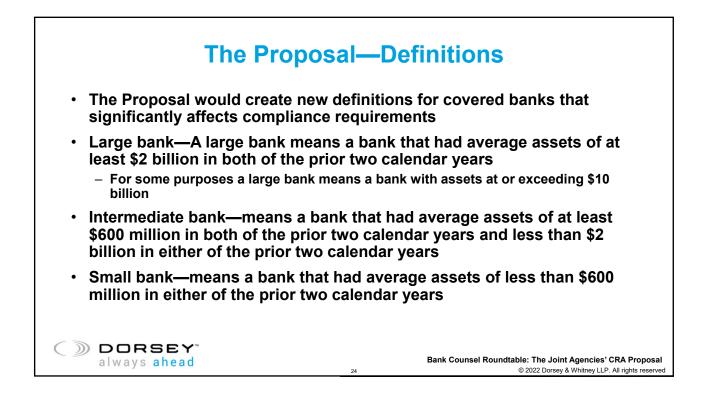


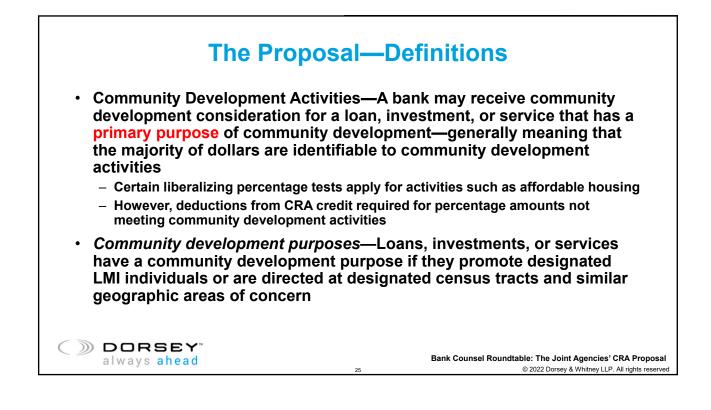


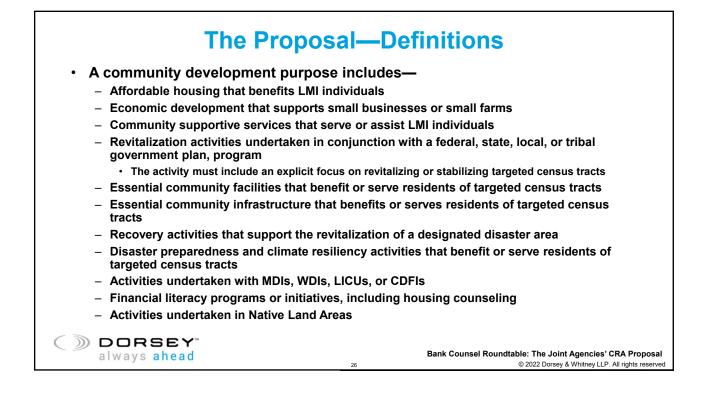


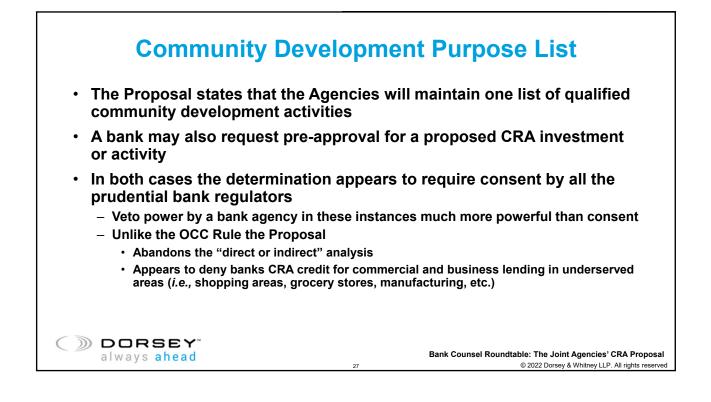




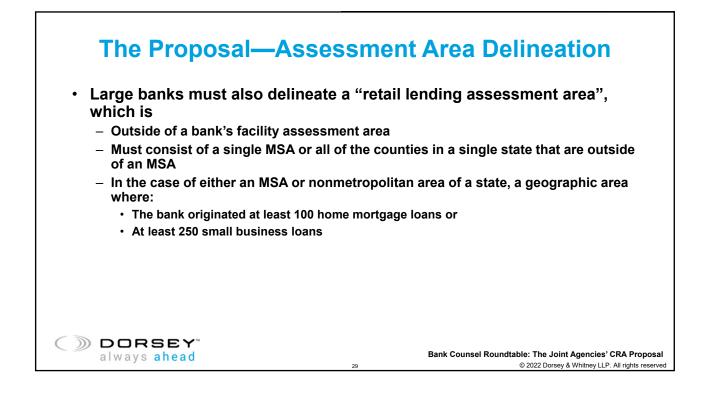




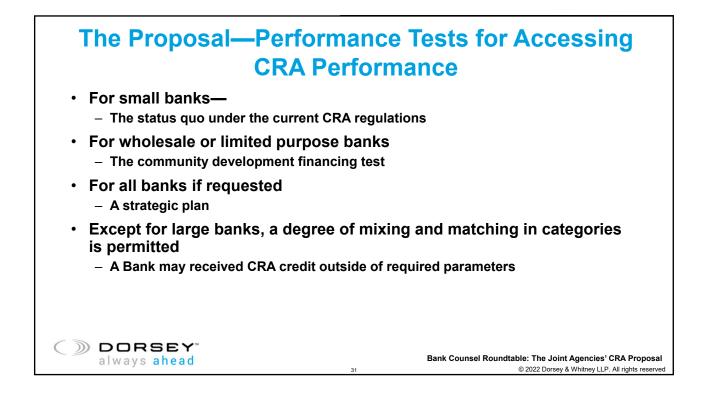


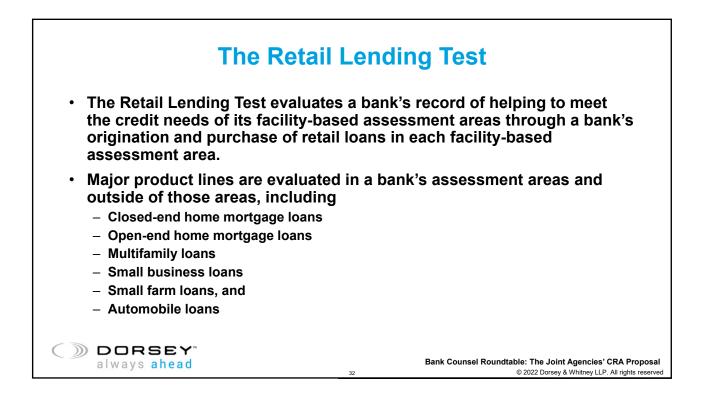


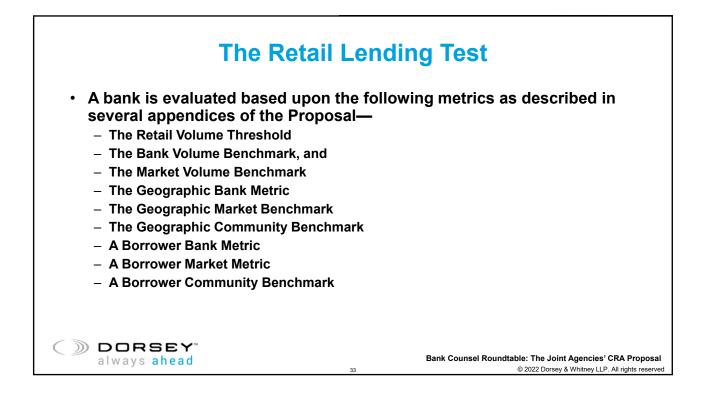
The Proposal—Assessment Area Delineation				
 For all banks the Proposal requires that a "facility assessment area" be delineated, which must include, "each county in which a bank has a main office, a branch, any other staffed bank facility that accept deposits, or a deposit-taking remote service facility, as well as the surrounding geographies in which the bank has originated or purchased a substantial portion of its loans (including home mortgage loans, small business loans, small farm loans, and automobile loans)." 				
 An intermediate bank may adjust its assessment area to include only those portions of a county in which it operates 				
 A small bank would continue to delineate its assessment area in accordance with the current CRA regulations 				
 Military banks may define their assessment area not by geographic area but by the customer base 				
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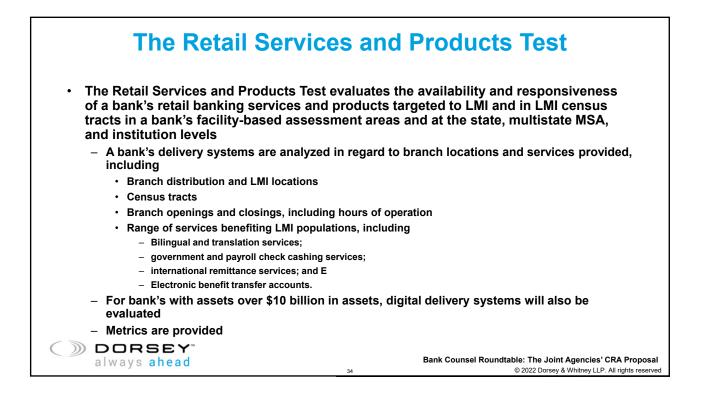


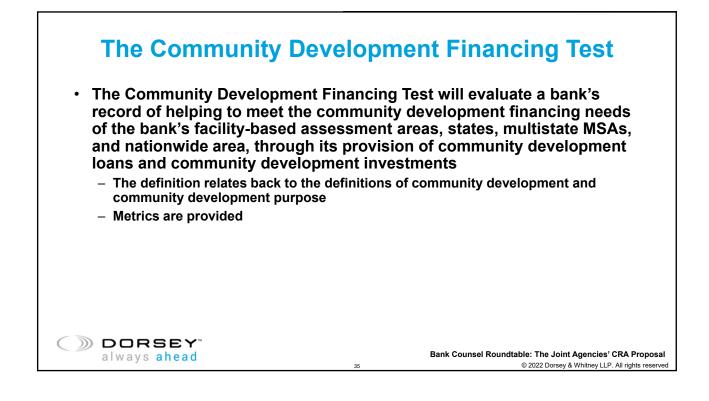
The Proposal—Performance Tests for Accessing **CRA** Performance Depending upon the category size for a bank, the Proposal creates ٠ several new categories of performance tests and standards to assess a bank's CRA performance: For larger banks— - The Lending Test - The Retail Services and Products Test - The Community Development Financing Test - The Community Development Services Test For intermediate banks— - The intermediate bank community development performance standards)) DORSEY" Bank Counsel Roundtable: The Joint Agencies' CRA Proposal always ahead © 2022 Dorsey & Whitney LLP. All rights reserved

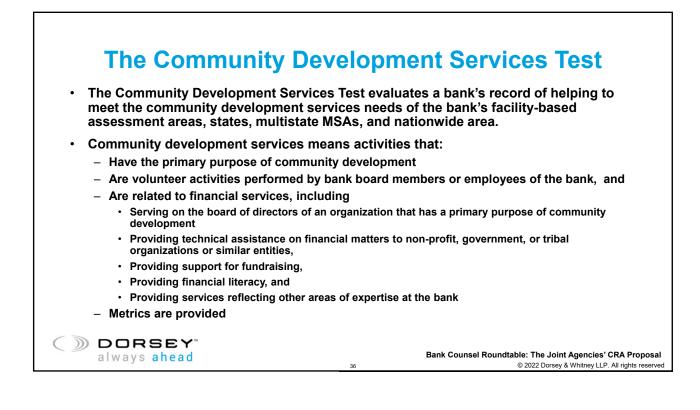


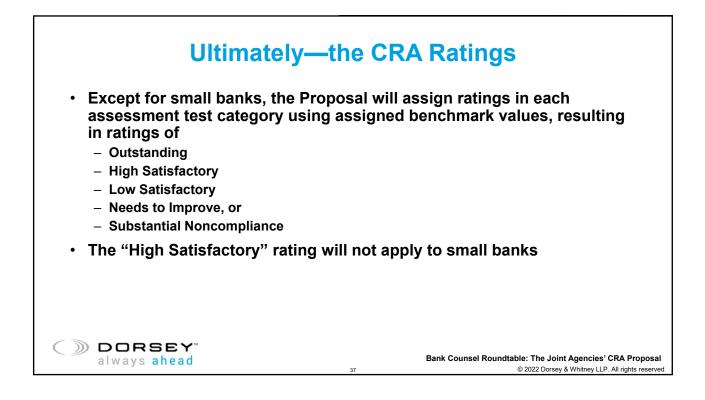


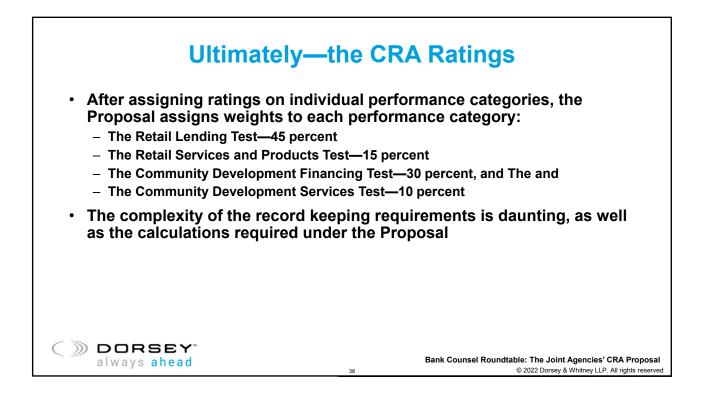


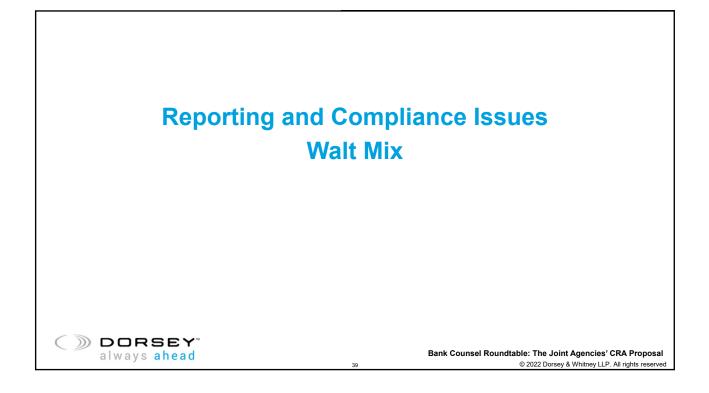


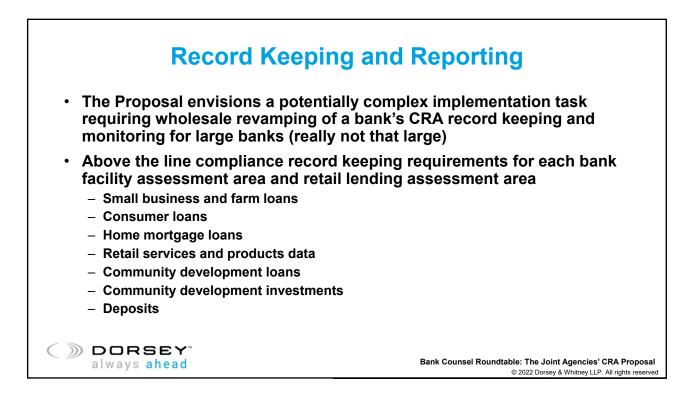


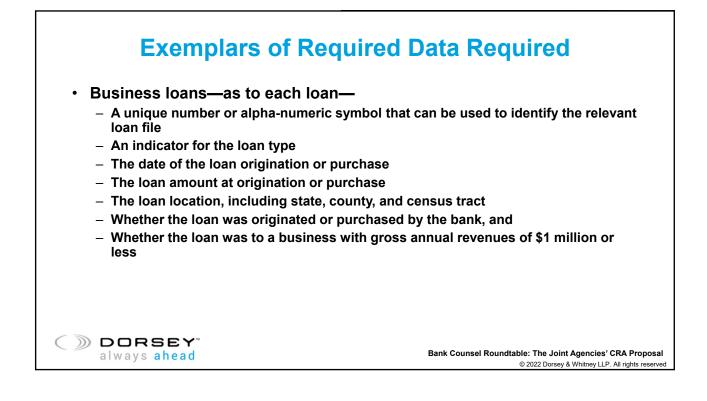


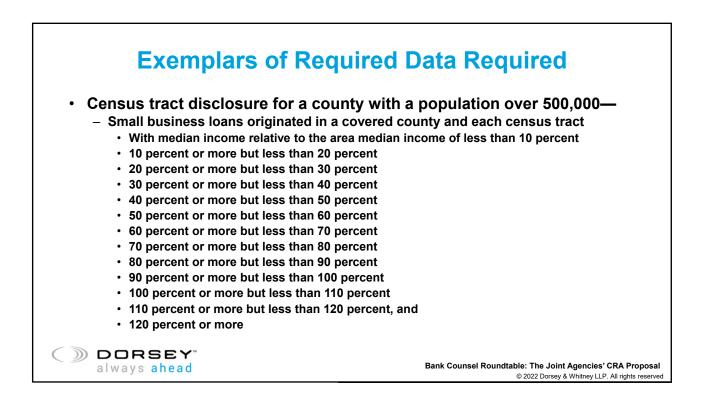


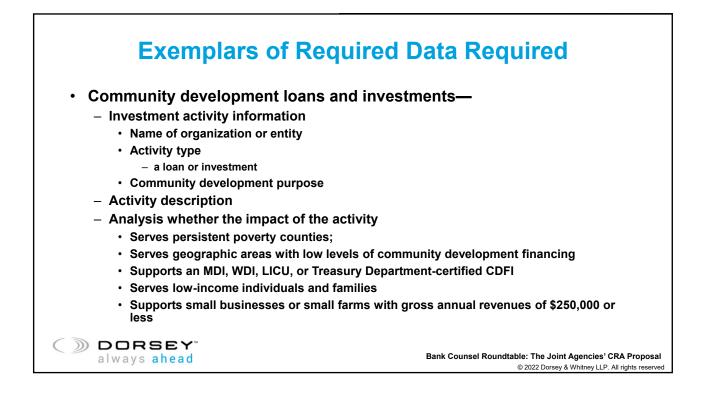


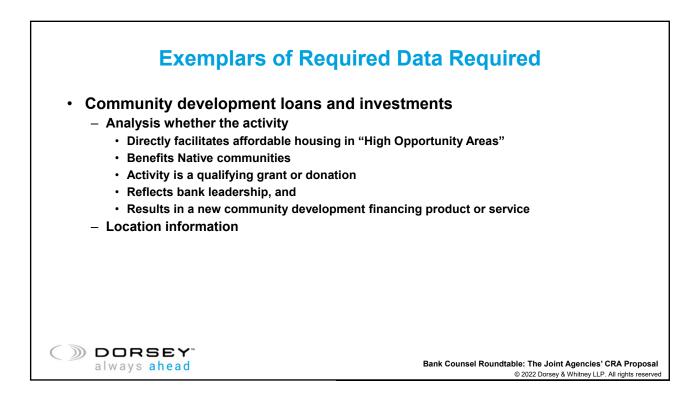


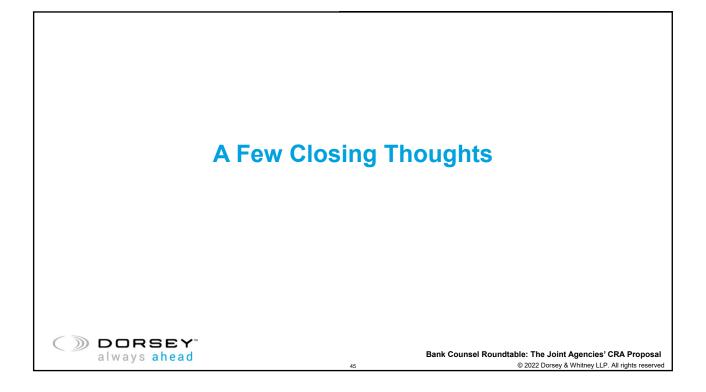
















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Speakers

Erin is a Co-Chair of the Firm's Consumer Financial Services Group. She is also a member of the Firm's Innovation Committee, Technology Industry Group, and Finance & Restructuring Practice Group. Erin is passionate about identifying innovative legal solutions for her clients. She draws on her prior in-house experience as a Senior Corporate Counsel for one of the largest banks in the United States in order to anticipate her clients' evolving business needs and tailor her legal services to their specific goals.

Erin's regulatory and compliance practice includes advising clients on antimoney laundering laws, the Bank Secrecy Act, cannabis regulations, collections, consumer lending, consumer loan servicing, credit reporting, default servicing, the Dodd-Frank Act, electronic banking, financial technology, government examination/supervision, licensure, mortgage (origination, servicing, and warehouse lending), and privacy. Her default and bankruptcy practice includes bankruptcy litigation, consumer bankruptcy compliance, lien enforcement, receiverships, and out-of-court commercial workouts.

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Speakers

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Joe Lynyak is a financial services Partner in Dorsey & Whitney's Financial Services Practice. Focusing his practice on the regulation and operation of financial service intermediaries, he provides counsel on strategic planning, application and licensing, legislative strategy, commercial and consumer lending, examination, supervision and enforcement and general corporate matters. He has extensive expertise across a comprehensive range of issues before federal and state regulatory agencies such as the Federal Reserve Board, OCC, FDIC, NCUA, CFPB, SEC, FTC and California and New York Banking Departments. Mr. Lynyak's representative clients include foreign and domestic banks, savings associations, credit unions, holding companies and mortgage banking companies.



California (310) 386-5554

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Speakers



Walter J. Mix III Managing Director Berkeley Research Group LLC Mr. Mix, who heads the Financial Services practice at BRG, advises domestic banks, international banks, and financial services companies on corporate governance, enterprise risk management, strategic planning, financial advisory, fintech, digital currency, payments, and credit risk management. He has significant experience with the Bank Secrecy Act/anti-money laundering, sanctions, cybersecurity, the Consumer Financial Protection Bureau, regulatory compliance, mergers and acquisitions, and capital planning. He has extensive experience serving as a monitor based on the approval of regulatory agencies and law enforcement. He also advises clients on reengineering and implementing technology to improve profitability, including artificial intelligence. In addition, he performs litigation and expert services based on his extensive expertise in financial services. He speaks frequently before bankers' groups and regulatory seminars.



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