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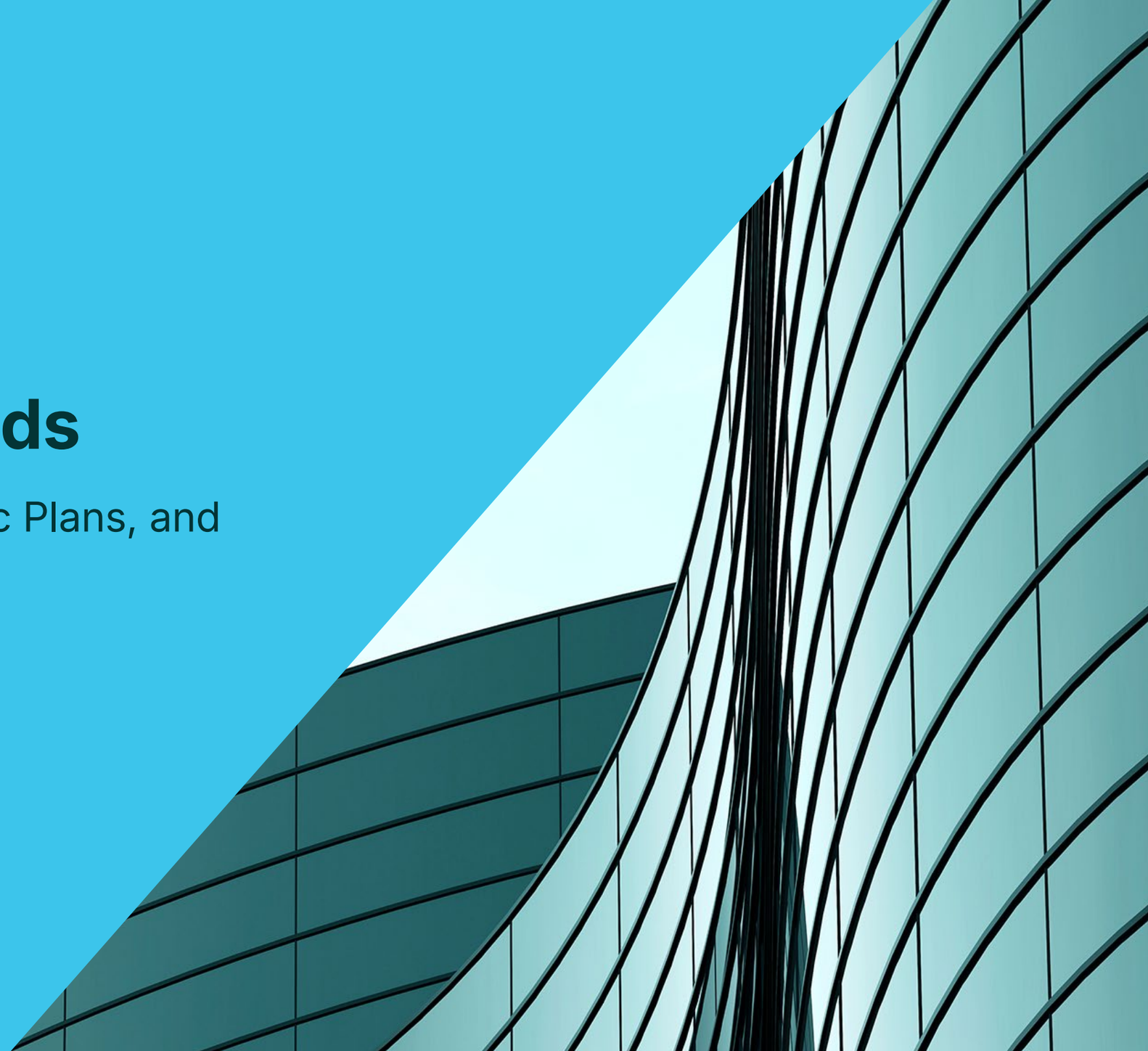
CRA at a Crossroads

Proposed Rulemaking, Strategic Plans, and Bank Readiness

Mid-Atlantic Regulatory Conference
October 29 2026



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What changed since the earlier draft

The core proposal is now public—and the timing is more concrete

1

RULE TEXT

OCC and FDIC published an extensive CRA proposal on August 12, 2026.

2

COMMENT CLOCK

Comments closed October 13

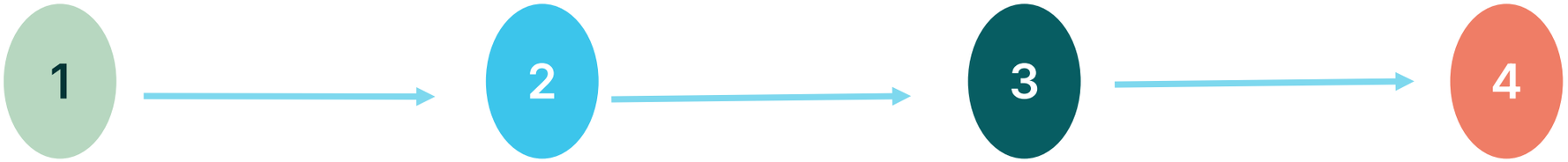
3

STRATEGIC PLANS

OCC’s simplified process remains proposed; the new CRA NPR adds broader plan mechanics.

Today’s roadmap

A 50-minute discussion, followed by questions



Where CRA stands

Current framework, agencies, litigation

What the NPR changes

Thresholds, lending, services, CD

Strategic plans

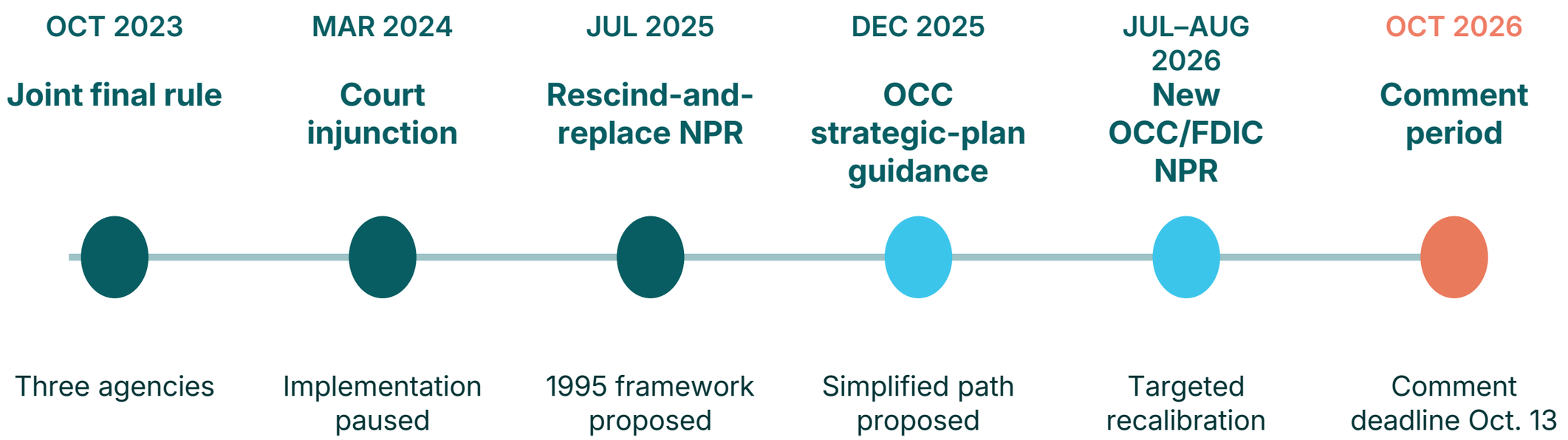
Simplified process and decision points

What to do now

Readiness without premature implementation

How we arrived here

A compact CRA timeline



The operating framework remains the pre-2023 CRA regime while rulemaking and litigation continue.

Three layers to keep separate

What governs, what is proposed, and what is merely possible

GOVERNS NOW

1995-based CRA framework

Current examination procedures and existing guidance

PROPOSED

2026 OCC/FDIC NPR

OCC simplified strategic-plan guidance

NOT YET KNOWN

Final text
Effective date
Transition period
Federal Reserve alignment

Do not rewrite the program around a proposal—but do identify where the proposal would change your operating model.

The agencies are not fully aligned

Regulator identity now changes the answer

OCC + FDIC

Joint sponsors of the 2026 NPR

Proposed thresholds, examination changes, CD rules, and strategic-plan mechanics

Federal Reserve

Did not join the 2026 NPR

Its rulemaking path and ultimate alignment remain separate questions

Same statute ≠ same near-term rulebook

The 2026 Proposal

A targeted recalibration built around thresholds, lending, community development, and process.

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Proposed asset thresholds would redraw the map

Current thresholds shown are the figures used in the 2026 NPR

SMALL BANK

Current: < $412M

↓

Proposed: < $1B

Lending test only

INTERMEDIATE

Current: $412M–$1.649B

↓

Proposed: $1B–$10B

Lending + CD test

LARGE BANK

Current: > $1.649B

↓

Proposed: > $10B

Lending + investment + service

Category is based on year-end assets for two consecutive calendar years; annual adjustments would continue.

The proposal puts lending back at the center

The agencies describe credit needs as the statutory anchor

LENDING

Major product lines

Borrower + geography

Responsiveness

What this means

- Product strategy becomes exam strategy
- Thin-file analysis still matters
- CD remains important, but lending has more rating leverage

Major product lines become the organizing principle

Applied to large, intermediate, and small banks

A product line is not “major” only because it is large nationally—it can be major in a particular assessment area.

1

VOLUME

How much lending occurs?

2

STRATEGY

What does the bank say it is in business to do?

3

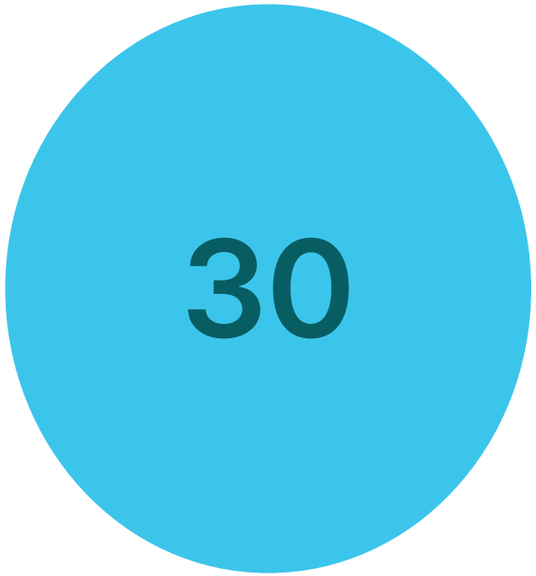
LOCAL ROLE

Does the product meaningfully meet needs in this market?

Expect product-by-product documentation and judgment

Thirty loans is a guideline—not a safe harbor

The proposal defines a presumptively meaningful sample



PRESUMPTION

30 loans in a product line are sufficient for meaningful analysis.

EXAMINER JUDGMENT

Fewer than 30 may still be analyzed when a smaller number supports a meaningful assessment.

Do not strategize to stay below 30; plan to explain the bank's actual lending footprint.

Retail services would narrow to credit services

Deposit products would no longer be evaluated as retail banking services

STAYS IN FOCUS

Credit availability
Credit-service delivery
Retail facilities
Responsiveness

MOVES OUT

Deposit products as a retail-service factor

Some deposit-access narratives may shift to performance context

Intermediate-bank ratings gain flexibility

Strong lending could offset a weaker community-development test

CURRENT APPROACH

Lending ≥ Satisfactory + **CD ≥ Satisfactory** → **Overall ≥ Satisfactory**

PROPOSED APPROACH

Lending ≥ Satisfactory → **Overall Satisfactory can remain possible**

Community development gets a more explicit taxonomy

The proposal organizes qualifying purpose into four categories

1

Affordable housing

LMI housing focus

2

Civic assistance

Essential support and community services

3

Economic development

Small business/farm productive capacity

4

Revitalization + stabilization

Targeted geographies and recovery

The “primary purpose” concept remains central; clearer labels do not eliminate documentation.

Grant eligibility would receive sharper scrutiny

Large-bank grants face a proposed indirect-cost condition

1

Recipient

Who receives the grant?

2

Use

What program or project uses it?

3

Purpose

Is community development primary?

4

Overhead

For large banks: indirect costs ≤ 15%?

Build the evidence before the grant is booked for CRA

Geography becomes more flexible—but remains anchored

Local needs first, with optional broader consideration

ASSESSMENT AREA

STATE / REGION

BROADER AREA

Optional confirmation path

Flexibility is not automatic credit: document the benefit, geography, and rationale.

Operational implications: less reporting, more judgment

Burden reduction does not eliminate the need for evidence

DATA RELIEF

Banks at $10B or less would avoid specified data collection, maintenance, and reporting requirements.

JUDGMENT

Major product lines, responsiveness, and performance context require a clear narrative.

PUBLIC FILE

More information could move online; branch access and notice mechanics would be modernized.

CONTROLS

Grant diligence, activity qualification, and goal tracking still need ownership and QA.

The burden moves—it does not simply disappear

Strategic Plans

A more usable option—
with measurable commitments.

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What a strategic plan actually changes

The bank proposes the yardstick before the examination

DEFAULT EXAM

Regulatory tests
+ examiner judgment
+ performance context

STRATEGIC-PLAN EXAM

Bank-specific assessment areas
+ approved measurable goals
+ public participation
+ agency approval

A strategic plan creates clarity by committing to approved goals.

OCC’s simplified process targets the friction points

Proposed guidance for OCC-supervised community banks

1

FORM

A structured Simplified Strategic Plan Form

2

CONSULT

Optional iterative engagement with OCC

3

CLARITY

More detail on measurable goals and required content

4

TECH

Potential electronic submission and prepopulation

Important: the guidance is optional and remains proposed; existing OCC Bulletin 2019-39 remains available.

The 2026 NPR adds broader plan architecture

Rules would be more explicit for OCC and FDIC institutions

CONTENT

Required plan elements and assessment-area descriptions

PUBLIC INPUT

Informal suggestions + at least 30 days of formal comment

COMPLETENESS

Missing elements identified within 14 days

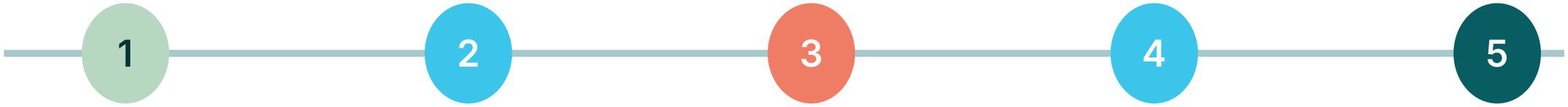
REVIEW

Agency action within 60 days after technical completeness

Submit at least 90 days before the proposed effective date

A practical strategic-plan pathway

Start with feasibility—not drafting



Business model, markets, exam history

Regulator + internal owners

Baselines, capacity, scenarios

Informal + formal public process

Approval, tracking, change controls

Plan backward from the desired effective date

Good measurable goals are specific—and resilient

A goal must be exam-ready before it is aspirational

SPECIFIC

One activity, geography, population, and unit

SUPPORTED

Baseline and capacity are documented

ANNUAL

Interim goals exist for each plan year

FLEXIBLE

Term goals and change assumptions absorb volatility

Pressure-test: recession • acquisition • branch change • product exit • data correction

Who may benefit most from a strategic plan?

A fit test—not a recommendation

STRONGER FIT

- Nontraditional or concentrated model
- Stable, measurable business plan
- Strong data and forecasting
- Need for clearer exam expectations

WEAKER FIT / HIGHER RISK

- Rapidly changing strategy or footprint
- Unreliable baselines
- Limited goal-tracking governance
- Desire to avoid public engagement

The comment record is likely to sharpen the fault lines

What to watch after October 13

Industry relief

Thresholds, data relief, examination clarity

Uniformity

Concern about different regulator rulebooks

Community impact

Concern about narrower services and grant treatment

Workability

Major product lines, 30-loan analysis, transitions

The final comment record may signal where the agencies are most likely to revise the proposal

Community groups submitted coordinated opposition

NCRC and 493 organizations filed a joint comment on October 13

493 groups

Signed the joint opposition letter

814 banks

NCRC estimates community-development requirements would end

417 banks

NCRC estimates separate branch evaluations would end

5,000+ branches

NCRC estimates lower scrutiny for branches in LMI communities

Coalition asks OCC and FDIC to reject the proposal

What banks can do now—without over-implementing

Five reversible readiness moves

1

MAP

Regulator + proposed asset category

2

INVENTORY

Major products, services, CD activities

3

VALIDATE

Data lineage and portfolio counts

4

SCENARIO

Tests, ratings, grants, and plan options

5

BRIEF

Board and management on decisions—not noise

Create a decision log: what changes only after a final rule, and what improves the program under any framework?

Three takeaways

CRA is changing—but disciplined sequencing matters

1

The proposal is targeted, not cosmetic

Thresholds and exam emphasis could materially change bank programs.

2

Strategic plans may become more usable

But measurable goals create real execution and governance risk.

3

Prepare now; implement later

Map, inventory, validate, and scenario-test while the rule remains proposed.

Selected primary sources

2026 OCC/FDIC CRA NPR	https://www.occ.gov/news-issuances/federal-register/2026/91fr252114.pdf
OCC Bulletin 2026-35	https://www.occ.gov/news-issuances/bulletins/2026/bulletin-2026-35.html
FDIC Financial Institution Letter	https://www.fdic.gov/news/financial-institution-letters/2026/fdic-and-occ-seek-public-comment-joint-notice-proposed
OCC simplified strategic-plan release	https://www.occ.gov/news-issuances/news-releases/2025/nr-occ-2025-129.html
OCC proposed strategic-plan guidance	https://www.occ.gov/news-issuances/federal-register/2025/90fr59744%20.pdf

About the Presenter

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Rebecca is a managing director at CrossCheck, a nationwide consulting firm providing fair lending, regulatory compliance analysis, internal audit, and loan review services to the financial services industry. Rebecca has over 25 years of experience consulting with banks, mortgage companies, credit unions, fintechs, and trust companies on consumer protection laws, regulations, and compliance issues.

Prior to joining CrossCheck, Rebecca was the Operating Officer at ADI Compliance Consulting, Inc., where she directed and conducted financial regulatory compliance projects across the areas of fair lending, CRA, HMDA, UDAAP, and AML/CFT, providing expert guidance on statistical performance analysis, compliance management system reviews, audits, risk assessments, and testing.

Rebecca has served as an instructor and presenter for banking and mortgage associations, national industry associations, as well banks, credit unions, fintechs, and mortgage companies across the country.