



February 20, 2026

Adam Cohen
Senior Deputy Comptroller and Chief Counsel
Chief Counsel's Office
Attention: Comment Processing
Office of the Comptroller of the Currency
400 7th Street SW, Suite 3E-218
Washington, DC 20219

Re: Response to Request for Information on the Community Reinvestment Act
Simplified Strategic Plan Process for Community Banks—OCC-2025-0669

Dear Mr. Cohen,

On behalf of the American Fintech Council (AFC),¹ I appreciate the opportunity to submit this comment letter in response to the Office of the Comptroller of the Currency's Request for Information regarding the proposed simplified strategic plan process under the Community Reinvestment Act for community banks (RFI).

AFC is a standards-based organization and the largest and most diverse trade association representing financial technology companies and innovative banks. Representing over 150 member companies and partners, AFC promotes a transparent, inclusive, and customer-centric financial system by supporting responsible innovation in financial services and encouraging sound public policy. In that spirit, this letter offers AFC's perspectives on the OCC's efforts to reduce unnecessary regulatory burden while preserving the flexibility and accountability necessary to ensure that Community Reinvestment Act (CRA) strategic plans remain a meaningful and accessible framework, particularly for innovative banks. The discussion below focuses on the importance of maintaining adaptability in measurable goal-setting, strengthening procedural clarity and predictability in plan development, and ensuring that modernization of the strategic plan option continues to support effective community reinvestment outcomes for low- and moderate-income (LMI) communities.

I. AFC Supports a Simplified Strategic Plan Framework That Expands Accessibility and Recognizes the Nuances of Innovative Bank Business Models

Due to the existing CRA regulations, innovative banks rely on strategic plans to ensure they meet CRA requirements. For innovative banks, including those that offer loans nationwide through responsible bank-fintech partnerships, strategic plans are often essential to aligning CRA

¹ American Fintech Council's (AFC) membership spans banks, non-bank lenders, payments providers, EWA providers, loan servicers, credit bureaus, and personal financial management companies.

performance commitments with the actual manner in which credit, investment, and services are delivered to LMI communities.² These institutions may not fit neatly within conventional branch-based retail lending frameworks with which the existing CRA assessments are tied. Specifically, due to the current CRA assessment tests, which are based upon the bank’s location or location of the bank’s branches, these loans do not count towards the bank’s CRA requirements, as the loans originated by the bank fall outside of the bank’s assessment area.³ In contrast, the strategic plan option often provides the flexibility necessary to ensure that CRA evaluations accurately capture their community development activities offered by these innovative banks through responsible bank-fintech partnerships.⁴ In turn, innovative banks that partner with fintech companies turn to the strategic plan option to ensure that their unique business model can meet CRA requirements while also serving LMI communities outside of their designated assessment area, thus meeting both the letter and the spirit of the CRA regulations.

Given this backdrop, the strategic plan option should remain a workable and accessible pathway for innovative banks to meet their CRA requirements and serve historically underserved communities across the country. However, the current development and approval process imposes administrative burdens that discourage institutions from electing this framework.⁵ Those burdens are not limited to drafting measurable goals. They also include the time and expense associated with satisfying public participation and publication requirements, assembling performance context, and navigating iterative supervisory feedback without well-articulated consistently applied expectations for what constitutes a complete submission.

In that environment, the strategic plan option can become disproportionately resource-intensive for banks—especially those with limited resources—even when the institution is otherwise well positioned to deliver credit and services that support low- and moderate-income communities across the country through their partnerships with fintech companies.⁶ The OCC’s proposal to streamline and clarify the strategic plan process is therefore an important step toward ensuring that this option remains meaningfully accessible rather than underutilized. In particular, the OCC can promote this flexibility by clarifying that measurable goals may account for lending and service delivery conducted through responsible bank-fintech partnerships, by confirming that strategic plans may include qualifying activities that benefit

² Federal Deposit Insurance Corporation, 2023 FDIC National Survey of Unbanked and Underbanked Households (Washington, D.C.: FDIC, November 2024), accessed January 28, 2026, <https://www.fdic.gov/household-survey/2023-fdic-national-survey-unbanked-and-underbanked-households-report>.

³ In August 2022, AFC responded to the joint notice of proposed rulemaking modernizing the Community Reinvestment Act’s regulatory framework. In this comment letter, AFC detailed the specific reasons that the existing CRA regulations were not well-suited for the modern banking system, particularly innovative banks operating through responsible bank-fintech partnerships. AFC maintains the recommendations called for in that comment letter. See, American Fintech Council, “Comment Letter to Banking Regulators on Joint Notice of Proposed Rulemaking on the Community Reinvestment Act,” August 5, 2022, available at, <https://www.fintechcouncil.org/advocacy/comment-on-the-interagency-joint-notice-of-proposed-rulemaking-on-the-community-reinvestment-act>.

⁴ U.S. Department of the Treasury, Community Reinvestment Act — Findings and Recommendations (memorandum to the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation, Washington, D.C., April 3, 2018), accessed January 28, 2026, <https://home.treasury.gov/system/files/136/4-3-18%20CRA%20memo.pdf>.

⁵ U.S. Department of the Treasury, Community Reinvestment Act – Findings and Recommendations (memorandum to the Office of the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation, Washington, D.C., April 3, 2018), accessed January 28, 2026, <https://home.treasury.gov/sites/default/files/2018-04/4-3-18%20CRA%20memo.pdf>.

⁶ Thomas Siems, Do Banking Regulations Disproportionately Impact Smaller Community Banks? (working paper, Conference of State Bank Supervisors, July 29, 2025), accessed January 28, 2026, <https://papers.ssrn.com/abstract=5783382>.

low- and moderate-income communities beyond a bank’s physical footprint, and by providing practical examples of custom goals that reflect modern delivery channels and community development strategies.

The OCC should also provide clear guidance to help banks determine whether a strategic plan is the appropriate evaluation framework for their business model. For deposits-focused banks, the 2024 Interagency Final Rule’s updated Retail Services and Products Test—combined with deposit-based assessment area designation options—may provide sufficient evaluation flexibility without the administrative complexity of strategic plan development.

AFC therefore supports the OCC’s efforts to reduce unnecessary procedural complexity and enhance clarity through a simplified strategic plan process, while ensuring that the framework continues to accommodate evolving delivery models, deposit-focused institutions, partnership-based lending activity, and CRA-eligible services that benefit underserved communities beyond traditional facility-based geographies.

II. AFC Supports Greater Clarity and Predictability in the Development of Measurable CRA Goals

Clear, measurable performance standards are essential to ensuring that the strategic plan option functions as a practical and predictable pathway for community banks seeking CRA evaluation as an alternative to the ordinary CRA examination methods. The introduction of elective benchmarks for satisfactory and outstanding performance has the potential to provide community banks with clearer expectations and reduce uncertainty in plan formulation.

At the same time, AFC encourages the OCC to ensure that goal-setting guidance remains sufficiently flexible to accommodate diverse business strategies. Banks that operate through digital channels or responsible bank-fintech partnerships may serve LMI communities in ways that are not fully reflected in examination approaches historically structured around one-dimensional or more traditional branch-based banking models. Strategic plans should therefore remain adaptable so that measurable goals can be structured in a manner that reflects both community credit needs and evolving delivery models.

The OCC should also consider clarifying whether strategic plans may include measurable goals focused on deposit product accessibility for low- and moderate-income communities. These metrics would function as deposit-focused equivalents to the lending-oriented goals, ensuring that banks whose primary CRA activities involve deposit-taking can structure strategic plans that accurately reflect their community reinvestment approach.

The OCC’s continued recognition of custom goals is especially important in this regard. Preserving the ability of banks to propose tailored metrics would ensure that strategic plans remain responsive rather than prescriptive, and that CRA compliance can reflect innovation alongside community development impact.

III. AFC Supports a Simplified Submission and Review Process That Reduces Regulatory Burden While Maintaining Accountability

The submission and review process for strategic plans should be sufficiently streamlined to ensure that community banks can pursue this option without incurring unnecessary administrative costs or procedural uncertainty. The development of a standardized Simplified Strategic Plan Form can promote greater consistency and reduce administrative burden by clearly identifying the core information the OCC requires, while still allowing banks to provide the substantive detail and performance context necessary for a complete and meaningful strategic plan submission.

Equally important is the OCC’s emphasis on predictable review timelines. Community banks should be able to engage in CRA planning with confidence that strategic plans will be evaluated within well-articulated and transparent timeframes. To promote greater predictability, the OCC should consider issuing more detailed procedural guidance regarding the stages of strategic plan review, including clear expectations for when a submission will be deemed complete, defined benchmarks for interim feedback during the consultation process, and transparent timeframes for agency action once required elements have been provided. Establishing a more structured review pathway would reduce the risk of protracted delays and would allow institutions to focus resources on meeting community credit needs rather than navigating prolonged procedural uncertainty.

In addition, the OCC should ensure that streamlining the strategic plan process does not diminish the substantive safeguards that support effective CRA accountability. Maintaining meaningful opportunities for public participation, providing clear standards for the treatment of confidential supervisory information, and preserving a workable amendment process are all important to ensuring that simplified procedures remain consistent with CRA’s transparency objectives and allow strategic plans to remain responsive to changing community needs and economic conditions.

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AFC appreciates the OCC’s leadership in proposing a simplified strategic plan process under the Community Reinvestment Act that has the potential to expand meaningful participation by community banks while preserving the flexibility that has long made the strategic plan option a valuable alternative framework. A streamlined and more predictable process can help ensure that community banks, including those with innovative and nontraditional business models, are able to align CRA commitments with the ways in which credit, investment, and services are delivered to LMI communities in today’s evolving financial system.

As the OCC considers finalizing this guidance, AFC respectfully encourages the agency to continue prioritizing clarity, procedural efficiency, and adaptability in measurable goal-setting, while maintaining sufficient room for custom approaches that reflect diverse business strategies and community development needs. Ensuring that the simplified framework remains accessible without becoming overly prescriptive will be essential to promoting responsible innovation,

reducing unnecessary compliance burdens, and supporting effective community reinvestment outcomes. We welcome continued engagement with the OCC on these important issues and look forward to remaining an active participant as the agency moves forward with its efforts in this policy area.

Sincerely,

A handwritten signature in black ink, appearing to read "Ian P. Moloney". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Ian P. Moloney
Chief Policy Officer
American Fintech Council