



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

CATHERINE NOLAN
37th Assembly District
Queens County

CHAIRWOMAN
BANKS COMMITTEE

COMMITTEES
Rules
Veterans
Ways & Means
Corporations, Authorities & Commissions
MTA Capital Program Review Board

January 24, 2005

Regulation Comments
Chief Counsel's Office
Office of Thrift Supervision
1700 G Street, NW
Washington, DC 20552

VIA FACSIMILE: 202 906 6518

Attention: No.2004-53
RIN 1550-AB48
12 cfr Part 563e

Dear Sir or Madam:

As Chair of the New York State Assembly's Standing Committee on Banks, I wish to express my objection to the proposed rule changes to the Community Reinvestment Act.

The proposed rule change would harm areas of New York most in need of development. I urge you to act against any further weakening of the CRA.

I have introduced a resolution in the Assembly (K55), urging the Congressional delegation from New York State to act against the proposed rule changes by the Office of Thrift Supervision and the Federal Deposit Insurance Corporation that would undermine the CRA. I have attached a copy of this resolution and ask that it be included in the comments.

Sincerely,

Catherine Nolan

- Room 424, Legislative Office Building, Albany, New York 12248, (518) 455-4851, FAX (518) 455-3847
- District Office -- 45-25 47th Street, Woodside, New York 11377, (718) 764-3194
- District Office -- 61-08 Linden Street, Ridgewood, New York 11385, (718) 456-9492, FAX (718) 417-4982



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STATE OF NEW YORK



The Legislature

In Assembly

In Senate

LEGISLATIVE RESOLUTION urging Congress to act against rule changes by the Office of Thrift Supervision and the Federal Deposit Insurance Corporation that will undermine the Community Reinvestment Act

Introduced by

Sen. _____

The Senators whose names are circled below wish to join me in the sponsorship of this resolution:

- s55 Alast
- s20 Andrews
- s97 Balboni
- s42 Bonacic
- s46 Breslin
- s60 Brown
- s43 Bruno
- s25 Connor
- s60 DeFrancisco
- s32 Diaz
- s17 Dilan
- s29 Duane
- s44 Farley
- s02 Flanagan
- s08 Fuschilla
- s22 Golden
- s33 Gonzalez
- s08 Hannon
- s38 Hassell-Thompson
- s04 Johnson
- s34 Klein
- s28 Krueger
- s27 Kruger
- s39 Larkin
- s01 LaVallo
- s40 Leibell
- s52 Libbus
- s45 Little
- s15 Maltese
- s05 Mercellino
- s24 Marchi
- s62 Maziarz
- s57 McGee
- s47 Meier
- s18 Montgomery
- s38 Morshan
- s64 Nozzolio
- s12 Onorato
- s37 Oppenheimer
- s11 Padavan
- s21 Parker
- s30 Paterson
- s81 Rath
- s56 Robach
- s13 Sabini
- s41 Saland
- s19 Sampson
- s23 Savino
- s31 Schnelderman
- s28 Serrano
- s51 Seward
- s08 Skales
- s10 Smith, A.
- s14 Smith, M.
- s68 Stachowski
- s16 Stevisky
- s03 Trunzo
- s49 Valosky
- s59 Volker
- s53 Winner
- s48 Wright
- s36

Introduced by

M. of A. _____

Cashin Polan

The Members of the Assembly whose names are circled below wish to join me in the sponsorship of this resolution:

- | | | | | |
|------------------|------------------|-----------------|-----------------|-------------------|
| a048 Abbate | a010 Conte | a148 Hayes | a022 Meng | a080 Rivera, N. |
| a001 Acampora | a032 Cook | a083 Hoastle | a102 Miller | a078 Rivera, P. |
| a021 Alfano | a107 Crouch | a048 Hinkind | a052 Millman | a050 Robinson |
| a084 Arroyo | a083 Cusick | a127 Hooker | a060 Mirones | a012 Seledino |
| a118 Aubartine | a045 Cymbrowitz | a018 Hooper | a132 Moralle | a074 Sanders |
| a035 Aubry | a136 DeMonte | a144 Hoyt | a093 Mosiello | a113 Sayword |
| a136 Bacalles | a116 DeSisto | a092 Ignazio | a139 Nesbitt | a029 Scarborough |
| a124 Barclay | a088 Diaz, L. | a042 Jacobs | a037 Nolan | a140 Schimmlinger |
| a014 Barra | a085 Diaz, R. | a131 John | a043 Norman | a145 Schroeder |
| a008 Barraga | a016 DiNapoli | a098 Karban | a128 Oaks | a122 Scozzafava |
| a082 Benedetto | a081 Dinowitz | a100 Kirwan | a017 O'Connell | a058 Seddo |
| a078 Benjamin | a003 Eddington | a129 Kolb | a089 O'Donnell | a038 Seminerio |
| a073 Bing | a004 Englebright | a135 Koon | a157 O'Mara | a084 Silver |
| a055 Boyland | a130 Erigo | a034 Lafayette | a051 Ortiz | a098 Stephens |
| a089 Bradley | a072 Espallut | a091 Latimer | a114 Orloff | a087 Stringer |
| a044 Brennan | a071 Farrell | a081 Levelle | a150 Parment | a011 Sweeney |
| a092 Brodsky | a015 Ferrere | a013 Lavine | a088 Poulin | a110 Tedesco |
| a121 Brown | a005 Fields | a050 Lentol | a141 Peoples | a002 Thiele |
| a147 Burling | a123 Finch | a125 Lifton | a039 Peralta | a031 Titus |
| a117 Butler | a007 Fitzpatrick | a053 Lopez | a053 Perry | a143 Tokasz |
| a101 Cahill | a090 Galef | a128 Lupardo | a023 Pheffer | a105 Tonko |
| a088 Cuthoun | a133 Gann | a111 Magua | a068 Powell | a054 Towns |
| a108 Canestrali | a036 Gianeris | a120 Mangarelli | a087 Pretlow | a116 Townsend |
| a028 Carrozza | a086 Gilck | a103 Manning | a146 Quinn | a041 Weinstein |
| a108 Casale | a040 Gordon | a040 Markey | a097 Rabbitt | a020 Weisberg |
| a118 Christansen | a075 Gottfried | a027 Mayersohn | a009 Raia | a024 Waprin |
| a033 Clerk | a085 Grannis | a112 McDoneld | a008 Ramao | a142 Wirth |
| a048 Cohen, A. | a057 Green | a019 McDonough | a134 Reilich | a070 Wright |
| a028 Cohen, M. | a077 Greeno | a104 McEneny | a109 Reilly | a149 Young |
| a047 Colton | a098 Gunther | a025 McLaughlin | a078 Rivers, J. | a084 Zebrowski |

Senata introducer's signature

Assembly introducer's signature

INTRODUCTION OF ALL RESOLUTIONS

To introduce this resolution:

Sign one covered copy, file a co-sponsors and hand it up at the desk of the house with six other completed and signed copies

If the resolution is to be offered in the other house:

Sign the remaining covered copy and give that to the sponsoring member of the other house together with six other completed and signed copies

12/22/04

LBDC(P) 01-19-05

WHEREAS, The Community Reinvestment Act (CRA) was established by Congress in 1977 to ensure that depository institutions assist in meeting the credit needs of the communities in which they operate; and

WHEREAS, Low and moderate-income neighborhoods, which are most in need of community development assistance, are also the same areas that benefit the most from this act; and

WHEREAS, The Office of Thrift Supervision (OTS) has already changed the definition of a "small bank" to those institutions with less than one billion dollars in assets; and

WHEREAS, The Federal Deposit Insurance Corporation (FDIC) has proposed changing the definition of a "small bank" to those institutions with less than one billion dollars in assets; and

WHEREAS, As a result of these rule changes, only banks with assets over one billion dollars will have to conform to the CRA guidelines that evaluate banks' record of community service and community investment; and

WHEREAS, Furthermore, the OTS has proposed a second rule change to the CRA that would change the way "large banks" are evaluated; and

WHEREAS, The adoption of this proposed rule change would protect even "large banks" from having to invest in low and moderate-income communities; and

WHEREAS, The cumulative effect of the aforementioned rule changes will leave banks with less incentive to invest money in low and moderate-income communities; and

WHEREAS, As a result, such communities could be hurt by a decrease in affordable housing and the reduced availability of economic development loans; now, therefore, be it

RESOLVED, That this Legislative Body pause in its deliberations to urge Congress to act against proposed rule changes by the Office of Thrift Supervision and the Federal Deposit Insurance Corporation that would undermine the Community Reinvestment Act; and be it further

RESOLVED, That copies of this Resolution, suitably engrossed, be transmitted to each member of the Congress of the United States from the State of New York.

RESOLEG

SHORT TITLE: Urging Congress to act against rule changes by the OTS and the FDIC that will weaken the Community Reinvestment Act (CRA)

BLURB: Community Reinvestment Act