



INDEPENDENT COMMUNITY
BANKERS of AMERICA®

July 20, 2016

The Honorable Sean Duffy
Chairman
Subcommittee on Oversight & Investigations
Committee on Financial Services
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Duffy:

On behalf of the more than 6,000 community banks represented by ICBA, I write to express our support for H.R. 5808 which would increase the frequency of the agency regulatory review under the Economic Growth and Regulatory Paperwork Reduction Act of 1996 (EGRPRA) from once every 10 years to once every 5 years and ensure that it includes rules issued by the Consumer Financial Protection Bureau (CFPB). Community bankers appreciate your effort to ensure the EGRPRA process results in significant regulatory relief.

Rules issued by the CFPB and other new rules under the Dodd-Frank Act have been repeatedly cited in surveys of community bankers as among the most burdensome and costly. More importantly, many of these rules deny community bankers the flexibility and discretion they need to serve consumers and small businesses. In order to reap the greatest benefit from the EGRPRA process, these rules must be included. By listing each agency that is a member of the Federal Financial Institutions Examination Council separately, including the CFPB, H.R. 5808 would ensure that result. Community bankers were disappointed in the results of the last EGRPRA review, completed in 2006. We are awaiting the results of current review, which began in 2014 and is due this year. H.R. 5808 would ensure that the EGRPRA process includes those rules that are most in need of review and reform. A 5-year review will make meaningful regulatory relief more likely.

One suggestion we have is that you clarify your intent to subject all rules that apply to insured depository institutions to the EGRPRA review. Section 3 of H.R. 5808 strikes the term "insured depository institutions" from the EGRPRA statute and replaces it with "covered persons" as defined by the Consumer Financial Protection Act of 2010, "any person that engages in offering or providing a consumer financial product or service." We are concerned that this substitution of terms may be construed as a narrowing of the EGRPRA review to rules that apply to consumer products or services, to the exclusion of other burdensome rules. Call report burden, for example, would be ineligible for review

REBECA ROMERO RAINEY
Chairman

R. SCOTT HEITKAMP
Chairman-Elect

TIMOTHY K. ZIMMERMAN
Vice Chairman

DEREK B. WILLIAMS
Treasurer

J. MICHAEL ELLENBURG
Secretary

JACK A. HARTINGS
Immediate Past Chairman

CAMDEN R. FINE
President and CEO

The Nation's Voice for Community Banks.®

WASHINGTON, DC ■ SAUK CENTRE, MN ■ IRVINE, CA ■ TAMPA, FL ■ MEMPHIS, TN

1615 L Street NW, Suite 900, Washington, DC 20036-5623 | 800-422-8439 | FAX: 202-659-1413 | Email: info@icba.org | Website: www.icba.org

under this interpretation. Moreover, bankers' banks, which play a vital role in helping community banks compete with larger bank and non-bank lenders, may not meet the definition of "covered persons." The term "insured depository institutions and other covered persons" would ensure that the EGRPRA review encompasses the full scope of regulatory burden that applies to community banks and other lenders.

Thank you again for sponsoring H.R. 5808. We look forward to working with you to advance this legislation and ensure the EGRPRA results in meaningful regulatory relief as intended by Congress.

Sincerely,

/s/

Camden R. Fine
President & CEO

The Nation's Voice for Community Banks.[®]

WASHINGTON, DC ■ SAUK CENTRE, MN ■ IRVINE, CA ■ TAMPA, FL ■ MEMPHIS, TN

1615 L Street NW, Suite 900, Washington, DC 20036-5623 | 800-422-8439 | FAX: 202-659-1413 | Email: info@icba.org | Website: www.icba.org