

Durbin-Marshall Amendment Expansion Legislation.

ICBA opposes legislation to create new credit card routing mandates, expanding on the Durbin Amendment's interchange restrictions. While the Credit Card Competition Act (S. 1838 and H.R. 3881) is designed to apply to banks with over \$100 billion in assets, community banks would be forced to subsidize costly systemwide changes that would put customer data at risk.

- ICBA released polling which shows that a substantial bipartisan majority of voters oppose the Durbin proposal, which could end credit card reward programs.

Strong Support for ILC Loophole Bill. The industrial loan company (ILC) loophole allows big tech and commercial companies to own essentially full-service FDIC-insured banks while evading holding company supervision. ICBA is promoting bipartisan legislation that would close the ILC loophole, grandfather existing ILCs, and address pending applications.

- The Close the Shadow Banking Loophole Act (S. 3538) was advanced in the Senate in December by a bipartisan group of Senators, led by Chairman Brown (D-OH) and Senator Kennedy (R-LA). Chairman Brown designated S. 3538 as "priority legislation" for 2024.
- Last Congress, bipartisan legislation to close the ILC Loophole (H.R. 5912) passed out of the House Financial Services Committee.

Farm Bill and Support for Agriculture. ICBA is aggressively advocating for rural community bank priorities, recommending six key principles for a new Farm Bill, which is now in development. These priorities include ample funding for commodity programs, rural broadband, and crop insurance. ICBA also advocates for higher USDA guaranteed loan limits, a USDA Express program (loan approval within three days of submission), and other program enhancements. ICBA strongly opposes expansion of the Farm Credit System into non-farm lending activities.

Tax Incentives for Community Bank Agriculture and Home Loans. ICBA supports the ACRE Act (H.R. 3139, S. 2371), the successor to the ECORA Act of the last Congress. The Act, which enjoys bipartisan support, would create a tax exclusion for interest on loans secured by agricultural land and residential mortgages in rural communities.

ICBA Launches Check Fraud Task Force. The task force, composed of more than 30 community banks and state bankers' associations, was created to explore solutions to prevent, detect, and mitigate check fraud. The task force is just one component of ICBA's broader strategy to work with stakeholders in Congress, the agencies, law enforcement, and industry to reduce the burden of check fraud.

Real Results For Your Bank

FDIC Special Assessment Relief. The FDIC finalized a special assessment triggered by the failures of Silicon Valley Bank and Signature Bank. In response to ICBA's advocacy, the assessment exempts community banks with uninsured deposits of less than \$5 billion, meaning these community banks will not pay a penny of the \$16.3 billion in special assessments collected by the FDIC.

Congress Rejects 1071 Rule. With strong bipartisan support, both the House and the Senate passed a resolution (S.J.Res.32) in the fall to nullify the CFPB's final rule under Dodd-Frank Section 1071. Though the President vetoed S.J.Res.32, its passage by Congress

from enforcing the rule against community banks. ICBA, the Independent Bankers Association of Texas, and Texas First Bank intervened in a lawsuit filed in the U.S. District Court for the Southern District of Texas and secured expanded injunctive relief from the 1071 rule for all community banks across the country.

Challenging Reckless “Junk Fee” Rhetoric. ICBA is aggressively challenging the mischaracterization of legitimate overdraft fees and credit card fees for late payments. These clearly disclosed fees make possible services that consumers seek and rely on. The CFPB’s proposal on overdraft and its final rule on credit card late fees will have negative, unintended consequences for consumers.

Injunction Granted Against CRA Rule. ICBA joined other national and state trade associations in a lawsuit filed in the Northern District of Texas against the Federal Reserve, FDIC and OCC for exceeding their statutory authority and acting arbitrarily and capriciously in their revision to the Community Reinvestment Act rule. The lawsuit asks the court to vacate the rule. The Court has granted ICBA’s motion for a preliminary injunction, concluding that the plaintiffs have a “substantial likelihood of success on the merits” of the case. All implementation dates of the final rule are to be extended, day for day, as long as the injunction remains in place.

Cannabis Banking. ICBA supports legislation that would create a safe harbor from federal sanctions for financial institutions that serve cannabis-related businesses in states where cannabis is legal.

- The SAFE Banking Act has passed the US House of Representatives seven times in previous Congresses. In September, the Senate Banking Committee passed similar legislation, the SAFER Banking