A Publication of the National Community Reinvestment Coalition - Summer 2016 Visit us at www.ncrc.org VCRC **Creating A**

NCRC and Partners Secure Over \$32B in Community Development Commitments as Part of Two Merger Agreements

By Ryan Conley and Kevin Hill

NCRC and local community advocacy groups achieved major community reinvestment victories in the first half of 2016, securing a total of \$32.6 billion in community development commitments from two banks as parts of separate proposed mergers. This spring, in agreements reached with NCRC and over 100 local members, KeyBank and Huntington Bancshares, Inc., both major regional banks, announced billion-dollar community development plans that would provide major benefits to low- and moderate-income (LMI) communities. These plans came as the result of collaborative negotiations between the CEOs and upper management of the banks and NCRC and its members.

The first major announcement came on March 18 at the NCRC Annual Conference. On a stage before hundreds of attendees, NCRC

Signing of KeyBank agreement at the 2016 NCRC Annual Conference

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and KeyBank signed a landmark \$16.5 billion community benefits agreement, the largest by a single bank in recent history. KeyCorp's Chairman and CEO Beth Mooney and NCRC's President and CEO John Taylor were joined at the signing by community leaders from New York, Pennsylvania, Ohio, Oregon, and Maine.

The commitment is an element of KeyCorp's acquisition of First Niagara Bank, and was arranged through negotiations between KeyCorp, NCRC, and other local community groups. NCRC and its members gave pivotal input and guidance to

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ensure the potential merger would include an adequate public benefit for the communities in the extended footprint.

After a meeting at NCRC's headquarters to establish the groundwork for the agreement, KeyBank and community groups held regional meetings to further develop the plan. NCRC and its network strongly supported the interests of LMI communities throughout the negotiations, and after talking through many initial proposals over the course of several months both sides reached an agreement ensuring generous public benefits. The final agreement includes mortgage, small business, and community development lending and philanthropy. It will be carried out over five years, beginning in 2017.

In July, the Federal Reserve Board gave its approval of the merger. The acquisition will be complete once approval is received from the Office of the Comptroller of the Currency.

In part, KeyBank's Community Benefits Agreement will:

- Fund \$5 billion in mortgage lending to low- and moderate-income (LMI) communities
- Fund \$2.5 billion in small business lending to LMI communities
- Fund \$8.8 billion in community development lending and investment
- Establish \$175 million in philanthropic commitments
- · Cease financing of payday lending activity
- Halt the closure of four LMI branches and open a new branch in an LMI census tract in East Buffalo

"This commitment is the result of a collaborative process with community members and bank leaders after months of give and take, resulting in a substantive and detailed commitment of resources and services to communities throughout the KeyBank and First Niagara Bank footprints," said NCRC President and CEO John Taylor. "This is in contrast to several banks' recent announcements of commitments that did not engage community leaders or have a system for evaluating the success of that commitment." "These community organizations are strong and effective advocates for the people and communities that they represent."

- Senator Sherrod Brown of Ohio

Senator Sherrod Brown of Ohio

In another agreement announced in May and reached with NCRC and its members and allies in several Midwest states, Huntington Bancshares Inc. pledged a commitment of \$16.1 billion for community development, including lending and investments, in LMI neighborhoods over a five-year period.

Huntington's Community Development Plan, set to begin in 2017, includes mortgage and small business lending in LMI communities, community development lending and investments, a

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KeyCorp Chairman and CEO Beth Mooney

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philanthropy program, and other services to increase access to financial services in LMI communities and communities of color, such as 10 new branch locations across its footprint.

"We commend Huntington for working with local community advocates to reach an agreement that will help many people in working class communities and communities of color build wealth," said John Taylor. "This plan lays out activities that will produce the kind of significant public benefit that needs to be created when banking institutions merge."

The hard work of NCRC and its members to secure the Huntington agreement was applauded by U.S. Senator Sherrod Brown of Ohio, the Ranking Member of the Senate Banking, Housing, and Urban Affairs Committee. "I commend NCRC and all of its members in Ohio for successfully working on a plan to invest in our state's cities and neighborhoods," said Senator Brown. "These community organizations are strong and effective advocates for the people and communities that they represent."

Huntington's Community Development Plan will:

- Fund \$5.7 billion in single-family mortgage lending in low- and moderate-income (LMI) areas
- Fund \$6.6 billion in small business lending including within LMI areas
- Fund \$3.7 billion in community development lending and investment targeting affordable housing access and community-based loan funds
- Fund \$25 million of additional grants and philanthropy primarily targeting housing and small business credit service access
- Create \$30 million in further economic impact through support including new branch locations within LMI areas and/or majority minority areas; the addition of dedicated community mortgage loan officers; and the formation of a dedicated mortgage processing team to handle unique underwriting opportunities

The commitment covers locations in Ohio, Illinois, Indiana, Kentucky, Michigan, Pennsylvania and West Virginia that will be part of Huntington's extended footprint as part of its merger with FirstMerit Corporation, and was reached following meetings in multiple locales with NCRC and over 100 community-based organizations, some of which were attended in person by the chairman, president and CEO of Huntington, Stephen D. Steinour. Many of the groups that participated in the KeyBank agreement also played a role in the negotiations with Huntington, and their previous experience enabled a smooth dialogue as the details of the plan were worked out.

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"This plan lays out activities that will produce the kind of significant public benefit that needs to be created when banking institutions merge."

— John Taylor, President and CEO, NCRC



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Public benefits agreements haven't been common since the 1990s, but through these commitments NCRC and its members are laying the foundation for a structural change in the role community groups and benefits agreements play in merger proposals. Already, federal regulators are giving greater consideration to plans developed with community groups. In their KeyCorp approval order, the Federal Reserve cited the agreement extensively, and made approval contingent on the goals in the agreement. And at the 2016 NCRC Annual Conference in March, Comptroller of the Currency Thomas Curry called these sorts of conditional approvals a "unique tool" and said that there is a "critical role" for community groups like NCRC in the benefit agreements development process.



These commitments from both banks show that the voice of community reinvestment groups is becoming a powerful force across the country. While these momentous agreements were unique in their own right and major wins for the community, NCRC is working to make them the standard for future community benefit agreements. NCRC and its members' reputations ensure that they have the strength to make this goal a reality, to the benefit of LMI communities and communities of color nationwide.

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Visit www.ncrc.org for the latest news, publications, and resources.

NCRC Celebrates its 25th Anniversary With Over 800 Attendees at 2016 Annual Conference

over 800 attendees

workshops, strategy sessions, plenaries,

Hill Day, the National Achievement Awards

Dinner, and other

"Every year, we see

the attendance and

enthusiasm level at our annual conference

grow by leaps

and bounds," said NCRC's President and CEO John

Taylor. "It shows

the energy and

events.

participating in

NCRC kicked off its 25th anniversary celebration this March with its annual conference, "Creating a Just Economy," held in Washington, DC. The conference was NCRC's largest ever, with





Gustavo Velasquez, Assistant Secretary for Fair Housing and Equal Opportunity, U.S. Department of Housing and Urban Development

commitment of our supporters, who have helped sustain NCRC in its mission over the last two and a half decades to create a fair and just economy. Together, we're successfully creating vibrant healthy communities in which all Americans have the chance to get ahead." Since NCRC's first campaign in 1990 to save the Community Reinvestment Act in Congress, it has grown into a strong coalition of over 600 members across the country. The annual conferences are an opportunity for members and other partners in economic justice to come together and share new developments, best practices, and innovative ideas for community reinvestment.

This year, NCRC expanded the conference workshop subject tracks; over 30 trainings were held on workforce and community development, organizing, policy advocacy, access to credit, capital, and banking services, housing, and business development. From the morning of the first day of the conference, attendance in some workshops was standing room only. NCRC staff also held three strategy sessions on responsible banking laws, CRA coalitions, and furthering fair housing.

As always, the conference hosted a wide variety of keynote addresses from government officials, politicians and civil rights leaders. The featured speakers this year were Cornell William Brooks, President and CEO of the NAACP; Tom Curry, Comptroller of the Currency; Gustavo Velasquez, Assistant Secretary for Fair Housing and Equal Opportunity at HUD; and economist, author, and commentator Dr. Julianne Malveaux, who was also presented with NCRC's Color of Money Award.

The list of keynote speakers also included Senator Jeff Merkley of Oregon and Congresswoman Maxine Waters of California, who spoke at the Hill Day

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> NAACP President and CEO Cornell William Brooks speaks on the first day of the 2016 NCRC Annual Conference

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Congressional Luncheon on Capitol Hill. Hill Day is an event held every year during the conference at which participants have the opportunity to meet with and advocate to members of Congress and their staff on behalf of their communities.

NCRC's National Achievement Awards Dinner and anniversary celebration took place this year at the Ronald Reagan International Trade Center, a larger venue to accommodate the overwhelming number of attendees commemorating the anniversary and award winners. Recollections about NCRC's history *Continued on page 7*



F. Barton Harvey III, NCRC's founding board chair, speaks at the 25th Anniversary National Achievement Awards Dinner

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NCRC

NCRC Celebrates its 25th Anniversary With Over 800 Attendees at 2016 Annual Conference

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and successes over the last 25 years came from F. Barton Harvey III, the founding board chair of NCRC, and, by video, former



Representative Joseph Kennedy II of Massachusetts, who was instrumental in starting NCRC. Senator Elizabeth Warren of Massachusetts also appeared by video. After the presentation of awards (see page 9 for a full list of winners), the dinner concluded with a compelling keynote

Senator Jeff Merkley of Oregon addresses Hill Day participants

speech from John Taylor calling for grassroots organizing to halt the influence of money in politics and giving a voice to those in poverty.

Other highlights of the conference included a special session and Q&A with Eric Belsky, Director of the Division of Consumer and Community Affairs at the Federal Reserve. NCRC's National Neighbors Silver initiative held their annual partners meeting and the Third Annual Age-Friendly Banking Convening. Also, NCRC's Housing Counseling Network hosted a luncheon for its members and the conference's housing counseling training attendees.



Conference attendees on Capitol Hill

As a new activity this year, NCRC worked with local Washington, DC members Manna, Inc. and CNHED to offer attendees a DC Urban Revitalization Bus Tour. Several conference participants were able to visit neighborhoods that are once again thriving through community development and successful affordable housing projects.

The tour emphasized the impact local community groups can make in bringing economic opportunity and revitalization to their communities.

Another unique moment was the special announcement by KeyBank of a \$16.5 billion community benefit plan as part of its proposed merger with First Niagara. The agreement was negotiated



Rep. Maxine Waters of California speaks at the Hill Day Congressional Luncheon

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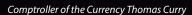
with the help of NCRC and 24 member groups, and will provide mortgage and small business lending, community development loans, and other benefits to low- and moderate-income communities within the bank's expanded footprint. For more on the agreement, see "NCRC and Partners Secure Over \$32B in Community Development Commitments" on the front page.

As NCRC looks ahead to its next quarter century, this year's conference was a reminder of the hard-won successes and the positive change both nationally and locally that came about as a result of dedicated, collaborative efforts.



Dr. Julianne Malveaux speaks at the Chairman's Reception

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NCRC

2016 NCRC National Achievement Award Winners



Dr. Julianne Malveaux,

Economist, Author, and Commentator

Color of Money Award

The Color of Money Award recognizes individuals whose documentary, newspaper reporting, book, or public information campaign have contributed to a better public understanding of the need for economic fairness.

Central Baptist CDC

James Rouse Award

The James Rouse Award recognizes the urban non-profit organization that best promotes fair and equal access to credit and/or contributes the most in its community toward promoting wealth building in traditionally underserved populations. Rev. Dr. Terrence S. Keeling, President and CEO of Central Baptist CDC, accepted the award on behalf of the organization.





Renaissance Rock Island

Representative James Leach Award

The Representative James Leach Award recognizes the rural non-profit organization that best promotes fair and equal access to credit and capital and contributes the most in its community toward promoting wealth building in traditionally underserved populations. Brian Hollenback, President and CEO of Renaissance Rock Island, accepted the award on behalf of the organization.

Ron Phillips, President and CEO, Coastal Enterprises, Inc.

Senator William Proxmire Award

The Senator William H. Proxmire Award recognizes the individual whose life's work exemplifies the spirit and work of Senator Proxmire's contributions to economic mobility. Senator Proxmire was the author and lead sponsor of the Community Reinvestment Act.



CRA Exams Aren't Cutting It For Communities in Need

By Josh Silver, NCRC Senior Advisor

In 1977, Congress passed the Community Reinvestment Act (CRA) and required the federal banking agencies to assess a bank's record of helping to meet the credit needs of the local communities, including low- and moderate-income neighborhoods, in which the institution is chartered, consistent with the safe and sound operation of the institution.



Today, the agencies do an unsatisfactory job in

determining what the credit needs are and also do not carefully solicit the views of community-based organizations and community residents about what their needs are and how well the banks meet those needs. As a result, CRA exams produce inflated ratings with more than 98 percent of banks passing their exams. If the agencies did a better job uncovering needs, ratings would be more rigorous and more effective in holding banks accountable.

Three federal agencies – the Federal Reserve Board, the Office of the Comptroller of the Currency, and the Federal Deposit Insurance Corporation – conduct CRA exams and rate banks on their level of loans, investments, and services in low- and moderate-income communities. Banks receive one of four ratings: Outstanding, Satisfactory, Needs-to-Improve, and Substantial Noncompliance. The ratings should depend on how well the banks respond to credit and community needs, but alas, these needs are really not identified on CRA exams.

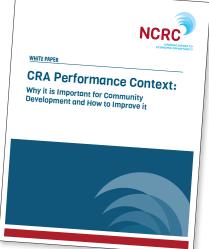
CRA examiners conduct "performance context analysis." What this jargon means is that they are supposed to analyze housing and economic conditions and develop a needs analysis. For example, are vacancy rates low for rental or homeowner housing and does a high percentage of renters and/or owners experience a cost burden (paying more than 30 percent of their monthly income for housing)? If so, what is the bank doing to address this need? What is the state of small business lending in the community and what obstacles do small businesses experience in accessing loans?

Other questions involve priority needs and the perspectives of nonprofit organizations. Within a state or metropolitan area, what are the counties or cities with greater relative need as measured by differences in housing cost burden, foreclosure rates, or percentage of residents that are underbanked or unbanked? What are community and nonprofit community-based organizations saying about these conditions and needs?

Alarmingly, CRA exam performance context analysis seldom clearly illuminates or identifies needs. CRA exams also provide very general narratives regarding conversations with community groups, citing observations like the need for more affordable housing or financial education. In addition, CRA performance context analysis is often a blur of census statistics with

unimaginative and uninformative analysis focused on data such as the number and percentages of households in low- and moderateincome census tracts.

In a recent white paper, CRA Performance Context: Why it is Important for Community Development and How to Improve it, NCRC proposed several recommendations for CRA examiners, banks, and community groups on how to improve CRA performance context analysis. One recommendation is the development of a set of performance context measures like housing



cost burdens and vacancy rates that illuminate relative need across geographical areas. Another recommendation is much more robust conversations between CRA examiners and community groups so that more insight about unmet needs can be developed. Currently, some banks make efforts to engage community organizations in performance context analysis, including establishing advisory committees consisting of community stakeholders. These efforts as well as more frequent communication between banks and community groups should occur.

Ultimately, CRA must be about dialogue to identify community needs and how well banks respond to them. The current implementation of performance context analysis and engagement with communities falls far short of the goals of the CRA statute and regulations.

NCRC Chief of Civil Rights Stella Adams Wins I AM L.E.E. Award

On May 9, NCRC's Chief of Civil Rights Stella Adams was presented with the I AM L.E.E. (I Am Living Education Everyday) Award in the field of fair housing by Forest of the Rain Productions. Ms. Adams was selected as an Award Laureate for her "passion for expanding voices of the seldom heard among those discriminated in their desire to live where they choose has help to keep the fight for fair housing strong," said Forest of the Rain Productions' CEO Michael A. Robinson.

Forest of the Rain Productions is a Maryland-based "educational affairs organization" that works to confront the challenges facing education, fair housing, parental engagement, and academic research. The I AM L.E.E. Awards are presented "as a way to identify and highlight education and community leaders."

"I am overwhelmed and completely honored by this recognition," said Ms. Adams.

NCRC is proud of Stella Adams' recognition for her hard work and dedication to furthering the causes of fair housing and economic justice, and for all the support she has given to NCRC both previously as a board member and now as an employee.



NCRC's Chief of Civil Rights Stella Adams receives the I AM L.E.E. Award from Forest of the Rain Productions' CEO Michael A. Robinson

NCRC Appoints Jesse Van Tol as New COO



NCRC is pleased to announce the promotion of Jesse Van Tol to be its new Chief Operating Officer. As COO, Mr. Van Tol will direct and supervise NCRC's overall business operations.

Mr. Van Tol has been with NCRC for a decade and has held a variety of leadership positions, most recently as Chief of Membership and Policy. His leadership experience at NCRC also

includes senior positions in the organizing and membership, communications, policy, and research departments. He is also responsible for the NCRC annual conference, which has experienced 40 percent growth under his leadership. He has played a principal role in some of the organization's most successful community reinvestment campaigns, resulting in over \$43 billion in investments in low- and moderate-income communities, including serving as lead negotiator for community benefits agreements signed recently with KeyBank and Huntington National Bank. He has also been integral to NCRC's ongoing efforts for housing finance reform. "I couldn't be more excited to deepen my commitment to NCRC by taking on this position as COO," said Mr. Van Tol. "While my duties have changed, I'm very fortunate to continue working with NCRC's talented staff and dedicated members."

"We are thrilled that Jesse Van Tol has agreed to become COO," said NCRC President and CEO John Taylor. "He is a passionate leader, with a strong record of producing results at NCRC. Jesse has a wealth of knowledge and experience with the organization, which I am confident will serve him well. His demonstrated commitment to low- and moderate-income communities and communities of color is invaluable to NCRC's mission of economic justice."

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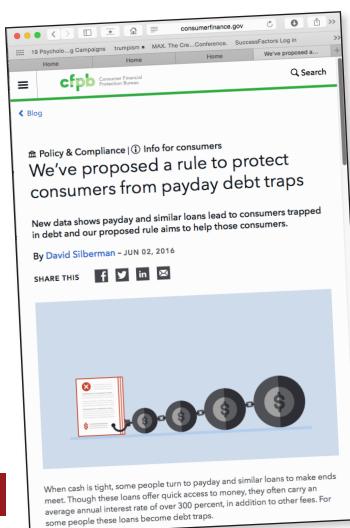
CFPB Issues Proposed Rule on Payday Lending, Reaches its Fifth Anniversary

By Ryan Conley

The Consumer Financial Protection Bureau (CFPB) continued its mission of protecting consumers this June with the announcement of a new proposed rulemaking on abusive payday and car title loans.

After spending several years researching and investigating payday lending, the CFPB found that many borrowers are unable to pay off their loans when they are due and often roll the loans into new ones with higher interest rates, creating a snowball effect of growing debt. Some of the unfortunate effects this can have on borrowers include not having enough money to pay for essentials like rent, food, or medicine, or losing their car, which may be their only reliable means of transportation to work.

Acting to end this debt cycle, the CFPB proposes to take several actions to reign in certain predatory tactics used by lenders. One major step is the inclusion of an ability-to-repay standard; this would require lenders to determine if borrowers will be able to



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Richard Cordray, Director of the Consumer Financial Protection Bureau, speaks at the 2013 NCRC Annual Conference

cover loans when they come due. The rules would also limit repeated attempts by lenders to debit a borrower's account for repayment, and restrict the number of times a loan can be rolled over into costlier loans.

In response to the rule, NCRC's President and CEO John Taylor said, "We applaud the CFPB for proposing a rule that sensibly includes consideration of a borrower's ability to repay in the provision of payday and car title loans. Very often, these highcost loans are designed to trap consumers in a spiral of debt. The proposed rule is an important first step for putting a stop to those harmful and predatory practices."

Comments on the proposed rule are due October 14, 2016.

The proposed rulemaking was released as the CFPB reached its fifth anniversary in July. The CFPB was established as part of 2010's Dodd-Frank Wall Street Reform and Consumer Protection Act, and officially opened in 2011. The CFPB was given primary rulemaking authority over consumer financial protection laws, stripping that duty from the prudential regulators. The scope of its enforcement includes mortgage lending and servicing, payday loans, credit reporting, debt collection, and other financial services, among other areas. It also provides educational material and programs to inform consumers on issues such as purchasing a home, student loans, planning for retirement, and meeting other financial goals.

NCRC was a champion of the agency during the debates surrounding financial reform. Stella Adams, NCRC's Chief of

CFPB Issues Proposed Rule on Payday Lending, Reaches its Fifth Anniversary

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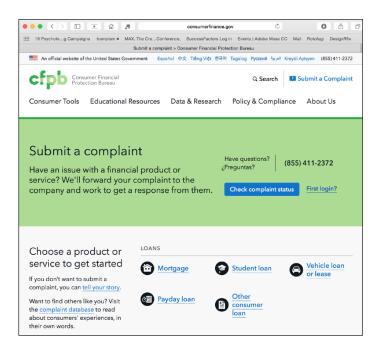
Civil Rights and a member of NCRC's board of directors at the time the Dodd-Frank Act was negotiated, sees this as one of the most significant victories of the legislation. "The development of the Consumer Financial Protection Bureau was a big land," she says.

Senator Elizabeth Warren (a Harvard University law professor at the time) was one of the major architects of the Bureau, having called for such an agency years before, and assisted the Obama Administration with its creation. Although Warren was initially considered by President Obama for nomination as the first director of the Bureau, the president nominated former Ohio Attorney General and State Treasurer Richard Cordray. During the battle over Cordray's confirmation, NCRC praised his nomination and called on the Senate to confirm him, supported his recess appointment, and applauded his eventual Senate confirmation in 2013. In his first day on the job, Cordray called NCRC to offer thanks for its work getting the Bureau created, and in getting the Bureau a director.

Since it began operations, the CFPB has taken numerous steps protect consumers from financial abuses. By its own calculation, since its creation the CFPB has returned \$11.2 billion in consumer relief. In its first public enforcement action, the Bureau uncovered Capital One's deceptive marketing tactics that led its credit card customers to pay for unnecessary add-on products. As a result, it required Capital One to refund \$140 million to consumers. Another major accomplishment was expanding the Home Mortgage Disclosure Act's (HMDA) data reporting, making updates to the 1975 law requiring mortgage lenders to collect information about borrowers in part to end discrimination in lending. It released a qualified mortgage rule limiting or outlawing many of the mortgage lending practices that led to the Great Recession. It also issued rules for the mortgage servicing market to protect homeowners by ending abusive practices, mandating better payment processing and accurate recordkeeping, and better handling of late payments. These rules allow better homeowner assistance to prevent or mitigate foreclosures.

The CFPB is currently assembling a team to study rulemaking on requirements for collecting specific data on small business loans, similar to HMDA requirements, which is mandated by the Dodd-Frank Act; last year, NCRC and several members of Congress pushed the Bureau to act on that mandate.

In addition to their regulation, guidance, and consumer education, to increase their effectiveness as an enforcer of consumer rights the



CFPB established a consumer complaint portal on the front page of their website. Here, individuals can easily submit a complaint about a variety of loans, products, and services, allowing the Bureau to investigate further and attempt to resolve the situation. According to the most recent quarterly update, the portal has received over 800,000 complaints. It has also been effective in allowing the CFPB to target specific abusive practices—thanks to their work protecting homeowners and homebuyers, in April of this year the CFPB announced that issues related to mortgages and mortgage servicing no long topped the list of complaints for the first time since the portal went live in 2011.

NCRC continues to support the CFPB's work and mission. Both Cordray and Steven Antonakes, the former Deputy Director of the CFPB, have delivered keynote addresses at the NCRC Annual Conference in recent years, and other CFPB officials have participated in conference workshop panels. Throughout the past half decade, the CFPB has ably established financial safeguards and actively pursued restitution for millions of Americans.

"Had we had the CFPB in place a decade ago, we would not have had the predatory lending debacle that led to the financial crisis," said NCRC President and CEO John Taylor on the occasion of the CFPB's fifth anniversary. "From their enforcement actions and their work to fight redlining to the work now in progress to begin to implement the collection and release of stronger small business lending data, the CFPB is of enormous value for communities across the country."

2017 NCRC ANNUAL CONFERENCE

Please join us next year at the Capital Hilton hotel in Washington, DC for our 2017 Annual Conference.

March 28-30, 2017

We look forward to seeing you there.

www.ncrc.org/conference/ • 202-628-8866 • #justeconomy

Reinvestment

Reinvestment Works is published by the National Community Reinvestment Coalition. NCRC welcomes your questions and member article comments. Contact us at: NCRC, 727 15th Street, NW, Suite 900, Washington, DC 20005 Phone: (202) 628-8866 Fax: (202) 628-9800 [Email: communications@ncr.org

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NCRC's members are community organizations across the country dedicated to promoting fair and equal access to credit, capital and banking services for all communities and populations.

Membership benefits include:

- Data analyses that help members understand bank investment patterns in their communities,
- · Access to the members-only listserv,
- Subscriptions to Shelterforce Magazine and GrantStation, a weekly fundraising newsletter,
- Discounted rates for NCRC's Annual Conference, and
- · Assistance engaging with federal officials.

Membership Eligibility:

Non-profit organizations and local and state governments/government agencies are eligible for membership.

How to Become a Member:

Becoming a member is easy! Visit us online at www.ncrc.org, call our Membership Department at 202.628.8866, or email membership@ncrc.org.

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NCRC is always looking for talented and self-motivated individuals. To see the latest career opportunities, please visit ncrc.applicantpro.com.

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