CALIFORNIA BANKERS ASSOCIATION

California Banker

ISSUE 6 2025

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The lobbying team has been historically successful at defeating or mitigating harmful legislation despite incredible headwinds and an increasingly challenging and hostile political environment.

Busy Year Ahead as the CBA Team Advocates for You

Your team at the California Bankers Association is enthusiastically launching into the new year with a sharp focus on delivering value to our members. We are pleased to share several important updates regarding our plans for 2026, including greater investments into advocacy (our core competency), increased member engagement to listen intently and deepen connections, amplified storytelling, and elevated forums and gatherings where we can be updated on the latest issues, learn from each other and network.

The California Legislature reconvened on January 5 for the second year of a two-year session. Expect another year of conflict between the state and federal government with the toxicity spilling over to bystanders, including our industry. We anticipate another active state legislative year where we will engage on myriad public policy issues such as, financial fraud and elder financial abuse, a state-level CRA, interchange fees, artificial intelligence and automated decision-making, and mortgage and foreclosure reform.

The lobbying team has been historically successful at defeating or mitigating harmful legislation despite incredible headwinds and an increasingly challenging and hostile political environment. We are bolstering the resources we dedicate to advocacy expanding on the public affairs campaign from last year and bringing on a contract lobbyist as an additive to our in-house team to ensure that our voices and perspectives are heard.

At the federal level, our first visit to Washington, D.C., takes place March 8-10. Priority issues will include follow-on market structure legislation for stablecoin and continued discussions on deposit insurance reform. The midterm elections will determine control of Congress and could impact the balance of President Trump's agenda in his remaining two years in office.

Building on the momentum from last year, we look forward to meeting with more bankers across the state to understand the issues, challenges and opportunities impacting your institutions. These visits, spanning both

long-time CBA members and banks not yet engaged with the association, remain essential to ensuring that our advocacy, professional development offerings, and storytelling are responsive to the needs of California's diverse banking community. We're scheduling a combination of individual in-bank visits and small regional roundtables.

Candid conversations with bankers give us valuable insights into the challenges facing institutions of all sizes. These meetings are energizing, inform our work, and guide our priorities. We appreciate the time you give us and am proud of all you are doing to support your customers and communities.

We crafted an outstanding Bank Presidents Seminar. This flagship program consistently brings together senior bank leaders from across the state to engage in timely discussions. This year's seminar featured an exceptional lineup of speakers, including Federal Reserve Board Governor Michelle Bowman, business leader and developer Rick Caruso, and several other distinguished presenters who shard insights on the economic outlook, policy developments, leadership strategy, and the future of financial services. We were honored to host an energizing and forward-looking program that supports the leadership of our member institutions and strengthens the broader banking community.

We are privileged to be trusted with articulating the important role of California's banks with policymakers, media, and the public. Our team will actively pursue publication of opinion editorials highlighting the vital role banks play in strengthening communities, supporting small businesses, protecting consumers, and powering local economies. These communications are a critical component of our advocacy strategy, ensuring that the voice of the banking industry is represented accurately and effectively in public dialogue, particularly at a time when consumer expectations, regulatory scrutiny, and political narratives continue to evolve.

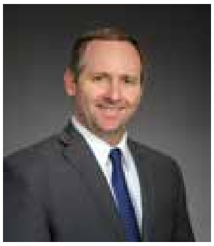
Please join us in welcoming three new premier associate members to the CBA family: Klaravis, ModernFI, and CRS Data. Our premier associate members play an important role in supporting the association's mission and enhancing the resources available to our banks. Klaravis, a data-driven solutions provider; ModernFI, a firm specializing in deposit growth, retention, and liquidity management solutions; and CRS Data, a trusted partner delivering robust property-data tools, will each bring added value and expertise to our member institutions. We appreciate their partnership and look forward to the contributions they will make to our shared work.

We are truly grateful for your support and engagement with our association. We are a member-driven organization that only succeeds with the involvement of our members. We look forward to continuing to advance the interests of the California banking industry and working with each of you in the year ahead. Please let us know what more we can do to support you and your team. »

Bringing members together. Making our banks better.

Kevin Gould
President & CEO, California Bankers Association

Meet Your CBA Team!



Kevin Gould
President & CEO
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Kevin Gould is president and CEO of the California Bankers Association. In his role, he is responsible for executing the association's mission and vision. Kevin works closely with CBA's executive committee and board of directors to develop and implement strategic plans to serve our members and the banking industry.

He joined CBA in 2004 and is involved in all aspects of the association's operations. Before being named president and CEO, Kevin led the association's state and federal government relations department. He continues to serve as one of CBA's registered lobbyists.

Kevin is a Pacific Coast Banking School graduate and the 2016 recipient of the Almon McCallum Award for distinguished and meritorious service to the California banking industry.

Yvette Ernst
Senior Vice President, Chief Operating Officer & Corporate Secretary
yernst@calbankers.com

As CBA's senior vice president, chief operating officer, and corporate secretary, Yvette Ernst oversees the management of the organization's day-to-day operations. In collaboration with the executive management team, she creates and implements policies, practices, and strategies that foster and promote the operational success of the association for its members and staff.

Yvette also oversees the areas of member services, conferences and events, partnerships, educational offerings, association strategic goals, corporate governance, legal compliance, human resources, and communications.

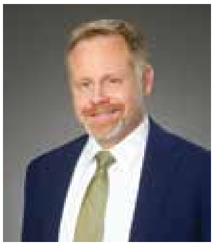
Before moving into the executive side of the association, Yvette served as part of CBA's state government relations team.

Tina Cota
Chief Financial Officer
tcota@calbankers.com

Tina Cota serves as Chief Financial Officer. She is a seasoned finance executive with over 30 years of experience in nonprofits and business financial management. She is a CPA and a Chartered Global Management Accountant.

Tina has held various leadership roles, including CFO and VP positions, where she effectively managed finances for organizations with diverse revenue streams and local and national footprints. Tina's background includes experience at a Big 4 accounting firm where she audited financial institutions and developed a strong foundation in financial systems, workflows, compliance, and controls.

Tina graduated from Stanislaus State University with honors. She earned a degree in Business Administration with a concentration in accounting. She is a member of the American Institute of Certified Public Accountants.



Jason Lane
Senior Vice President, Director of Government Relations
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Jason Lane is senior vice president, director of government relations for the California Bankers Association and leads the advocacy efforts for CBA, which involves analyzing legislation and regulatory activity, and the development of policy positions. Lane is one of four lobbyists at CBA, and he also lobbies on behalf of the association on issues related to the state budget, privacy, bank operations and consumer lending legislation.

Before joining CBA in May 2006, Jason Lane served as director of government affairs for Providian Financial and managed the bank's financial privacy compliance program, as well as tracked and analyzed the impact of federal legislation and rulemaking for the company.

Elizabeth Clayberger
PAC Administrator and Government relations assistant
eclayberger@calbankers.com

Elizabeth Clayberger joined the California Bankers Association in 2022 and serves as the PAC administrator and government relations assistant. She oversees CBA's State and Federal PACs, including managing fundraising requests, building relationships with campaign staff and fundraisers, and PAC donor management and engagement. She also provides direct administrative support to the CBA government relations team.

Elizabeth has always been passionate about the legislative process and non-profit work. She graduated from UC Davis in 2022 with a B.A. in Political Science Public Service. This passion is reflected not only through her position at CBA but also through more than five years of experience in management and executive-level support.

Ana Helman
Director, Membership Communications
ahelman@calbankers.com

Ana Helman joined the California Bankers Association in 2020 as director of membership communications. In her role, she serves as the primary media contact and manages the association's social media profiles, CaliforniaBanker magazine, weekly newsletter, and other member-related publications and communications.

Ana has two decades of experience as a media and community liaison. Before joining CBA, she worked at a public affairs firm where she developed diverse coalitions as well as community education and outreach campaigns. Her public sector work included serving as an assistant appointment secretary for boards and commissions and as a California State Assembly Fellow.

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Janae Kimpel
Events Coordinator & Database Specialist
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Janae Kimpel joined the California Bankers Association in 2023 and serves as events coordinator and database specialist. In this role, she supports the professional development team by managing event registrations, and member communications, while ensuring smooth operations for conferences and on-site events. Janae also oversees the association's CRM database, maintaining data integrity, optimizing processes, and organizing information for efficient access and analysis.

Vanessa Lugo
Senior Legislative Advocate
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Vanessa Lugo serves as senior legislative advocate for the California Bankers Association. Her advocacy portfolio includes housing, economic development, labor and employment, trust and estate, public contracts, and corporate governance.

Before joining CBA, Vanessa worked for the California State Legislature, representing the most competitive district in the state and the Majority Leader of the California State Assembly. During her tenure in the legislature, her portfolio included agriculture, government and organization, banking and finance, economic development, insurance, and other issues.

Most recently she spent 12 years in government relations, working for Check Into Cash and Equifax. Vanessa graduated from CSU Sacramento with a degree in English and a minor in Political Science.

Nikki Patel
Controller
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Nikki Patel joined the California Bankers Association in 2017 and serves as the controller. In this role, she oversees the accounting for CBA, Banker Benefits, and the ERISA Trust. Nikki works closely with the CFO, maintaining accounting records, creating financial reports for all entities, and collaborating with other managers during the budgeting season. She leads the team during the audit process and works closely with the auditors. Nikki also processes payroll for CBA.

She has more than 25 years of accounting experience within the non-profit sector. Prior to joining CBA, Nikki served as an accountant at the Crocker Art Museum for 10 years.

Dee Peach
Senior Legislative Assistant
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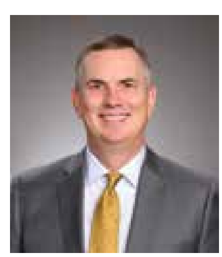
Dee Peach joined the California Bankers Association in May of 2014 and brings more than 20 years of experience in the administrative field.

As the senior legislative assistant, she manages the policies and procedures for the state government relations department, and manages the federal and state government relations committees. In addition, she tracks legislation and coordinates the annual State Government Relations Committee strategic planning session and the Washington D.C. visits. Dee has a degree in business administration.



Chris Shultz
Vice President, Government Relations
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Chris Shultz lobbies the legislature and administrative agencies on issues impacting the banking industry.

Chris has expertise in financial regulation, insurance, consumer financial protection, cannabis regulation, affordable housing, and California's rulemaking process. Before joining CBA, Chris served as chief deputy commissioner and acting commissioner at the Department of Financial Protection and Innovation. He also served in leadership roles at California's housing finance, consumer protection, and insurance departments. Earlier in his career, he was a contract lobbyist in Oregon, advocated for a technology trade association in California, and was a chief of staff and legislative director in the state capitol. He earned a BA from University of the Pacific and an MBA from California State University, Sacramento.

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Gina Titus
Assistant Vice President, Conferences
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Gina Titus joined the California Bankers Association in 2021 as a professional development coordinator and now serves as assistant vice president of conferences. In this role, she partners closely with the Professional Development team to design and deliver engaging, high-impact programs for bank employees, executive officers, and industry leaders across California. Gina is passionate about creating thoughtful, well-executed experiences that meet the evolving needs of the banking community.

Bringing over a decade of hospitality and event management experience, Gina previously specialized in corporate event planning in the South Bay before joining CBA.

Glenn Younger
Senior Events Manager
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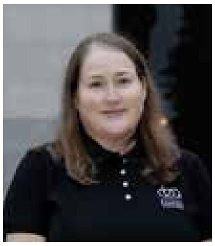
Glenn Younger joined the California Bankers Association in 2015 and serves as the senior events manager. In his role, he is responsible for overseeing technology for CBA conferences, including virtual programming. In addition, Glenn provides on-site support for the association's conferences including event planning, and audio-visual coordination.

Glenn holds a BA in Economics with a minor in Managerial Economics from the University of California, Davis. Before joining CBA, Glenn worked as a Senior Associate at State Street Corporation.

Shaica Espina
Staff Accountant
sespina@calbankers.com

Shaica Espina joined the California Bankers Association (CBA) in 2025 and serves as a Staff Accountant, supporting the association's Controller and CFO with financial reporting, tax compliance, and day-to-day accounting operations. She began her professional career as an auditor with Ernst & Young in Guam and later in Sacramento, where she contributed to audits across a wide range of industries including hospitality, property management, petroleum distribution, retail, insurance, and health care.

Shaica holds a Bachelor of Business Administration in Accounting degree from the University of Guam. She continues to broaden her expertise in accounting and financial management while supporting the association's mission and financial stewardship.



Amy Mundell
Part-Time Senior Administrative Assistant to the CEO and executive office
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Amy Mundell joins California Bankers Association as a part-time Senior Administrative Assistant to the CEO and executive office. Her role includes managing complex calendars, scheduling meetings, and organizing travel and events. Amy also processes our Associate Memberships and arranges bank visits for our CEO. Her role includes assisting in the management of the office facilities, functions, and procedures.

Amy's Office Management and Administrative Support developed through diverse roles in construction, medical, and educational fields, along with Individual Owner/Operator companies. She also was a small business owner for 15 years and has 30 plus years in the Ranching Industry. »

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- **FINANCIAL MANAGERS SCHOOL** - September 21-25, 2026
- **BANK CYBERSECURITY SCHOOL** - October 12-16, 2026

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New laws take effect for 2026

Changes for mortgage servicing, service of process, auto lending, trust administration, data breaches, arbitration and digital assets

By Chris Shultz, Vice President, Government Relations

California's 2025 legislative session was marked by resistance to President Donald Trump's return, a purported focus on affordability, and budget shortfalls persisting through Governor Gavin Newsom's 2026 departure.

Major legislation enacted includes mid-decade redistricting projected to give Democrats five new Congressional seats, extension of California's Cap-and-Trade (now Cap-and-Invest) program, and a law overriding local restrictions to allow seven-story apartments near transit stops.

Most new laws took effect January 1. Banks offering trust administration should update policies for beneficiaries lacking legal capacity. Bankers co-sponsored Assembly Bill 565 (Dixon), establishing a new "virtual representation" scheme.

Banks considering stablecoins or custody of digital assets should account for Senate Bill 822 (Becker), which updates unclaimed property and escheatment law governing cryptocurrency assets.

Arbitration provisions in consumer contracts merit review to ensure they cover only goods, services, money, or credit provided. Senate Bill 82 (Umberg) limits "infinite arbitration clauses." The measure was inspired by a wrongful death lawsuit where a husband seeking to sue Disney for wrongful death was initially forced into arbitration due to video streaming trial subscription arbitration clause.

Senate Bill 446 (Hurtado) amends California's data breach notification law, adding deadlines for consumer (30-day) and Attorney General (45-day) notifications. Banks may want to update procedures.

Three new laws already took effect. Banks offering or servicing residential mortgages should already be implementing Assembly Bill 130 (Budget committee) altering foreclosure for junior liens, AB 493 (Harabedian) requiring lenders pay 2 percent interest on insurance proceeds held, and AB 238 (Harabedian) providing mortgage forbearance for Los Angeles wildfire victims.

Two laws requiring planning feature delayed implementation. Senate Bill 766 (Allen) extends the vehicle purchase cancellation period from two to three days and raises the covered vehicle value to $50,000. Implementation is delayed until October 1, 2026, to allow auto dealers and lenders to update forms and software. AB 747 (Kalra) amends civil procedure rules, redefining service of process and expanding defendants' ability to challenge default judgments. Many provisions are delayed until January 1, 2027. Banks should update procedures accordingly.

One new law not requiring planning is Senate Bill 825 (Limón), expanding the state financial regulator's authority to bring enforcement actions for unfair, deceptive, or abusive acts and practices (UDAAP) against traditional licensees, including banks, credit unions, and other regulated institutions. When the California Consumer Financial Protection Law was enacted in 2020, its purpose was to fill oversight gaps in unregulated products, not increase penalties on existing licensees. Supporters argued expanded state authority was necessary to protect Californians from gaps in federal enforcement under Trump Administration CFPB leadership. The law took effect January 1. No new compliance activities are necessary because other regulators could already bring similar UDAAP actions. »

Chris Shultz is Vice President, Government Relations for the California Bankers Association. He formerly served as chief deputy at the California Department of Financial Protection and Innovation and the California Housing Finance Agency.

Call Me "The Snow Globe" — Leading Change with Purpose, Culture and Clarity

By Tina Cota, Senior Vice President & Chief Financial Officer, California Bankers Association

Shortly after I joined the California Bankers Association, someone gave me a nickname that has stuck: The Snow Globe.

The reason? I tend to gently shake things up. Not to create disorder — but to help long-settled routines lift into the air, move around, and resettle into a clearer, better arrangement.

And in today's banking environment — marked by rising stakeholder expectations, regulatory shifts, and rapid technological change — learning how to "shake" thoughtfully and intentionally is more important than ever.

Banks are operating in a time of accelerated change. Yet one theme emerges consistently from transformation research — change succeeds not because of tools or technology, but because of culture. Matt Newman of Huntington Bank put it succinctly: a strong, values-led culture provides the trust, continuity, and shared purpose that allows change to take root. When employees believe in the "why," they support the "what."

Why Change is No Longer Optional

Finance and operations teams across the banking sector are being asked to:

- Improve efficiency
- Use data more strategically
- Support real-time decision-making
- Adopt automation and AI tools responsibly

This shift mirrors themes from leadership discussions: finance leaders are no longer guardians of the ledger alone. They are architects of value creation.

Yet adopting new tools — especially AI — does not guarantee improved outcomes. Successful change depends on readiness, governance, and skills — not just software.

In my own organization, we've navigated that journey by starting with targeted, practical improvements:

- Automated expense management integrated into our corporate card program.
- Competitive RFP reviews that reduced vendor spend and improved service levels.
- Streamlined system providers to eliminate redundancy and reduce support overhead.
- AI-enabled reconciliation in a key accounting workflow, reducing hours and errors.

Each of these steps required more than implementation — it required engagement, explanation and iteration.

The Human Side of Change: Start with Culture

Cultural alignment is the anchor of any transformation. Employees need to know:

- What's changing.
- Why it matters.
- How success will be supported.

Values are the stabilizing force in uncertainty — an idea strongly supported by transformation research. When organizations lead change through shared values — trust, service, curiosity, stewardship — leaders don't impose change. They invite people into it.

One practical framework we used comes from the CGMA Competency Framework, which suggests guiding questions leaders should ask when shaping change:

1. Making the Case

- What strategic priorities must this change support?
- What competencies do we need to build to get there?

2. Development

- Do our people understand the business model and where value is created?
- Are we clear about which behaviors need to evolve?

3. Implementation

- Have we engaged key stakeholders early and often?
- Are we investing in both training and communication?

4. Review & Improve

- What's working? What friction remains?
- How are we measuring progress and reinforcing success?

Stakeholder Buy-In: Where Change Lives or Dies

No initiative — no matter how well designed — succeeds without early champions. In my experience, the most successful implementations come from:

- Listening before proposing.
- Piloting before scaling.
- Demonstrating value before requesting more change.

This is where the "snow globe" approach works best: shake just enough to reveal opportunity — not to overwhelm.

The Role of Finance Leaders Going Forward

The finance function is evolving from reporting the past to shaping the future.

That requires:

- Digital literacy.
- Strategic communication.
- Cross-functional collaboration.
- Comfort with experimentation.

Leaders who bring ideas, test them, refine them, and implement them with empathy are the ones who guide their organizations forward.

That's where the "snow globe" mindset matters — not as disruption for disruption's sake, but as purposeful renewal.

Tina Cota is Senior Vice President & Chief Financial Officer of the California Bankers Association. She is a seasoned finance executive with over 30 years of experience in nonprofits and business financial management. She is a CPA and a Chartered Global Management Accountant (CGMA).

Debanking Debunked

Erin Busse, JD, Vice President and Deputy General Counsel, Compliance Alliance

On August 7, 2025, the Trump Administration issued the "Guaranteeing Fair Banking for All Americans" Executive Order. The EO asserts that certain Americans have faced discrimination in banking due to their "political affiliation, religious beliefs, or lawful business activity." The Order further states that these practices are prohibited under the Equal Credit Opportunity Act (ECOA) and constitute "politicized or unlawful debanking," which must be addressed. The language of the Order has already sparked debate among regulators and lenders about how far its reach extends.

To grasp the rule's scope, financial institutions must understand the meaning of "politicized or unlawful debanking." The Order defines the term as:

"[…] an act by a bank, savings association, credit union, or other financial services provider to directly or indirectly adversely restrict access to, or adversely modify the conditions of, accounts, loans, or other banking products or financial services of any customer or potential customer on the basis of the customer's or potential customer's political or religious beliefs, or on the basis

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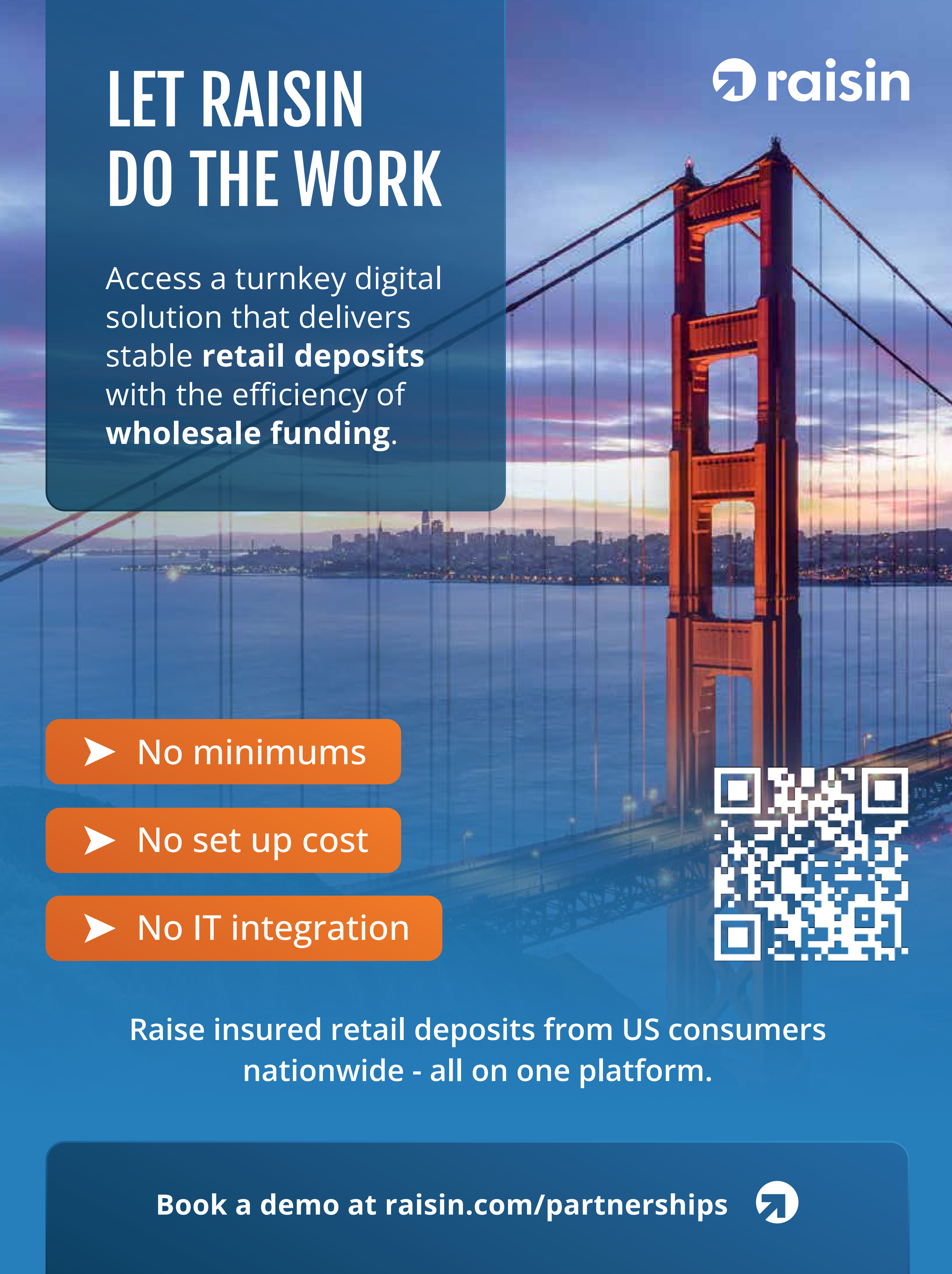

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If the regulators determine that a bank unlawfully debanked a customer based on religion, then the regulators should refer the matter to the applicable state's Attorney General within 180 days of the Order.

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of the customer's or potential customer's lawful business activities that the financial service provider disagrees with or disfavors for political reasons."

In combatting debanking, the Order places the burden on the regulators. This refers to all "Federal member agencies of the Financial Stability Oversight Council." The Council includes most financial regulators, namely, the Office of the Comptroller of the Currency (OCC), the Federal Reserve Board (FRB), the Federal Deposit Insurance Corporation (FDIC), the Consumer Financial Protection Bureau (CFPB), and the Department of the Treasury (Treasury). Although not part of the Council, the Order includes the Small Business Administration (SBA) as a defined regulator. As part of facilitating the Order, the Administration chose to specifically utilize the SBA and the Treasury.

For the prudential regulators, such as the OCC, FDIC, FRB, etc., the Order requires the removal of "reputational risk or equivalent concepts" from any materials that could result in politicized or unlawful debanking within 180 days of the Order. This includes guidance, manuals, and other materials used to evaluate or regulate financial institutions. Further, regulators must review banks' policies to determine whether the institution encouraged or facilitated unlawful debanking, and issue fines, consent orders, or other disciplinary actions, as appropriate, if the regulators determined that a bank was in violation of the Order within the 120 days prior to its issuance. Lastly, if the regulators determine that a:

- bank unlawfully debanked a customer based on religion, then the regulators should refer the matter to the applicable state's Attorney General within 180 days of the Order.

Further, the Order requires the SBA to issue notice within 60 days to all SBA lenders regarding the debanking requirements. The Order also requires the Treasury to consult with the Assistant to the President for Economic Policy to develop a comprehensive strategy to "combat" unlawful debanking by the regulators within 180 days of the Order.

In response to the issuance of the EO, the SBA, OCC, and FDIC have issued statements or changes in compliance with the Order. The SBA's Office of General Counsel issued a letter outlining four steps for lenders to ensure compliance with SBA requirements. First, banks must identify any current policies or practices that furthered "unlawful debanking." Next, institutions must make reasonable efforts to reinstate any customers that were denied access to banking due to these policies. Further, the letter requires banks to notify any applicants qualified under the SBA program who were denied access to the option to renew engagement. Lastly, the bank should identify all clients denied access to payment processing services under SBA programs and send notification to each customer, providing them with the option to renew. Lenders would have had to submit the report to the SBA by January 5, 2026, to remain in good standing and avoid punitive damages.

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How Sound Community Bank **Makes a Difference** and Earns CRA Credit

By Diane Ellis | Senior Managing Director, IntraFi

Sound Community Bank in Seattle tapped a new program—the Advancing Communities Together® Deposit Program—to place $1 million in Mission National Bank, a community development financial institution (CDFI) in San Francisco.

The process was seamless, because the ACT® Deposit Program uses IntraFi's ICS® network, which provides access to millions in aggregate FDIC insurance across network banks. The deposit also can qualify for credit under the Community Reinvestment Act's investment test.

"This is easier than any other CRA investment a bank could make," said Laurie Stewart, president and CEO of Sound Community Bank. "If the rate is even close, it's worth a second look."

Stewart also cited how Mission National may use the funds from Sound Community Bank to finance affordable housing, fuel small business growth, and help individuals achieve their dreams.

"This is a triple win: We get an easy investment; it is eligible for FDIC insurance; and we can empower a mission-driven bank that is meeting the needs of the underserved," Stewart said. "We have an obligation to banks that are serving people we can't serve."

Ming Chow, Mission National's president and CFO, expressed deep appreciation for the deposit.

"For Sound to trust us with their deposit and make a difference in the communities we serve is heartwarming," he said. "This deposit is going to do good things. Advancing communities is what we do!"

As a board member of a local CDFI, Stewart understands the liquidity challenges institutions such as Mission National face. She encourages other bankers to consider the long-term impact of helping CDFIs and minority depository institutions (MDIs). Mission National is both.

"These institutions bring individuals and businesses into the banking system," she explained. "Eventually, these customers graduate to mainstream banks, which helps the entire industry."

Sound Community may use the ACT Deposit Program to place more funds, either into Mission National or other CDFIs or MDIs. "It's one of our top choices from a CRA investment perspective," Stewart said.

Asked if she would recommend the ACT Deposit Program to other community bankers, Stewart didn't hesitate. "Absolutely. Bankers have an obligation to support the unbanked—not just because we're regulated, but because it's good for business, our communities, and the economy. This is a noble profession." ♦

Author Bio: Diane Ellis is Senior Managing Director at IntraFi. She leads the Advancing Communities Together, or ACT, Deposit Program for IntraFi.

Previously, she was the Director of the Division of Insurance and Research at the Federal Deposit Insurance Corporation (FDIC).

Have Any Questions? Get in Touch. www.intrafi.com/act-deposit-program | Diane Ellis | dellis@intrafi.com

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On September 8, 2025, the OCC issued a statement, as well as two bulletins, discussing plans to comply with the EO. Bulletin 2025-22 focuses on the Community Reinvestment Act (CRA), stating the OCC will review licensing filings to evaluate whether institutions debanked customers based on Order-defined factors. The OCC will use the evaluation to consider CRA ratings. The second bulletin, Bulletin 2025-23, relates to privacy and suggests that some banks participated in "government-directed surveillance programs" and targeted individuals associated with the January 6, 2021, activities. Additionally, the OCC clarifies within the bulletin that it was issued to "remind" banks of their obligations to protect customers' financial information under the Right to Financial Privacy Act ("RFPA"). The bulletin further states that there are limited situations in which a bank is required to file a Suspicious Activity Report ("SAR"), suggesting that banks should be careful to avoid improperly disseminating private customer information within a SAR, and requires banks to evaluate their policies and procedures in light of the EO.

Lastly, the FDIC released a very short statement affirming the Order and confirming that the FDIC has plans to comply with it. However, these plans have not yet been released.

As with many Executive Orders and legal actions, there are arguments that the Debanking Executive Order lacks the legal authority to compel action. As of the date of publication, there are no pending lawsuits opposing the Order; however, banks must now wait and see how regulators enforce the Order, and how Treasury chooses to combat "unlawful debanking." »

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