



May 9, 2022

The Honorable Nancy Pelosi  
Speaker of the House  
US Capitol H-232  
Washington, DC 20515

The Honorable Kevin McCarthy  
Republican Leader  
US Capitol H-204  
Washington, DC 20515

The Honorable Maxine Waters  
Chair  
House Financial Services Committee  
2129 Rayburn House Office Building  
Washington, DC 20515

The Honorable Patrick McHenry  
Ranking Member  
House Financial Services Committee  
4340 O'Neill House Office Building  
Washington, DC 20515

Dear Speaker Pelosi, Chair Waters, Leader McCarthy and Ranking Member McHenry:

We are writing in support of HR 5911, the Fair Hiring in Banking Act, sponsored by Congresswoman Joyce Beatty, Congressman Jake Auchincloss and Congressman Pete Sessions. The legislation makes improvements to Section 19 of the Federal Deposit Insurance Act to allow banks to provide employment opportunities for rehabilitated job seekers with criminal records.

This legislation is an important measure that, if adopted, would increase economic opportunities for affected individuals. While the Federal Deposit Insurance Corporation made valuable changes in its 2020 rulemaking to expand the number of persons eligible for an "automatic" waiver from the statute's limitations on hiring individuals with criminal records, the bill would update the underlying statute to appropriately expand this process to include additional rehabilitated persons.

Most notably, the bill would exempt certain individuals with older offenses, certain persons whose transgressions occurred before they were 21 years of age, and those who had been convicted of *de minimis* or lesser offenses. Importantly, passage of this legislation would not compel banking organizations to employ individuals with any criminal background, however minor. It would simply allow banking organizations that have made the decision to employ individuals with certain criminal backgrounds the ability to do so without the additional burden of seeking the FDIC's approval, while allowing banks to continue to conduct their own risk assessments.

The statute's goal of ensuring a trustworthy, reliable banking workforce is important, particularly for an industry built on trust. However, safeguarding that trustworthiness should not come at the expense of offering hardworking people the chance to achieve meaningful employment opportunities in our nation's banks. The participation of rehabilitated individuals with prior offenses in the banking industry would drive socioeconomic mobility and excluding those individuals would harm them while doing little to nothing to protect banks or their customers.

We urge speedy adoption of the Fair Hiring in Banking Act.

Sincerely,

Bank Policy Institute  
Financial Services Forum

cc: Congresswoman Joyce Beatty  
Congressman Jake Auchincloss  
Congressman Pete Sessions