

# Preemption

## ***HOT TOPICS***

- [Press release: New OCC “Fintech” Charter Could Open the Floodgates to Predatory Lending](#), July 31, 2018
- Comments to OCC on special purpose national bank charters, Jan. 17, 2017: NCLC comments. Short coalition comments.
- Comments to FDIC opposing rent-a-bank arrangements, Oct. 27, 2016
- Press release: Supreme Court Decision (Michigan v Bay Mills Indian Community) Strikes Blow against Tribal Online Payday Lenders
- Restore the States’ Traditional Role as “First Responder”, White Paper and Press Release

In the last several years, banks have been able to ignore state consumer protection laws because those laws have been “preempted” - wiped out - by federal bank regulations and court interpretations of federal laws. Broad preemption of state law is a recent phenomenon. For most of the 150 years since national banks were created, they were expected to comply with state law. Preemption has harmed states’ ability to respond to financial abuses in both the banking and the non-bank world. NCLC works to restore the states’ role as “first responders” to consumer abuses.

## **Policy Analysis**

### **Policy Briefs, Reports & Press Releases**

- Amicus brief (Second District Court of Appeals) of the National Consumer Law Center, Center for Responsible Lending, and the National Community Reinvestment Corporation in *Lacewell v the Office of the Comptroller of the Currency* supporting the plaintiff New York State Department of Financial Services, July 30, 2020
- [Press release: New OCC “Fintech” Charter Could Open the Floodgates to Predatory Lending](#), July 31, 2018

### **Archive+**

### **Letters**

- Letter opposing H.R. 3299 (McHenry)/S. 1624 (Warner), Protecting Consumers’ Access to Credit Act of 2017, which reverses the Madden decision, Sept. 11, 2017

### **Archive+**

### **Comments**

- Comments opposing the application of Formative Bank to create a new bank charter for banking as a service, Sept. 23, 2020
- Comments re: Evaluating Charter Applications From Financial Technology Companies, April 14, 2017

### **Archive+**

### **Testimony**

### **Archive+**

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