

[DISCUSSION DRAFT]

117TH CONGRESS
2D SESSION

H. R. _____

To amend the Equal Credit Opportunity Act to require the Bureau of Consumer Financial Protection to conduct an annual analysis on lending to minority-owned businesses and women-owned businesses by financial institutions, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

M. _____ introduced the following bill; which was referred to the
Committee on _____

A BILL

To amend the Equal Credit Opportunity Act to require the Bureau of Consumer Financial Protection to conduct an annual analysis on lending to minority-owned businesses and women-owned businesses by financial institutions, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Reporting for Equity
5 and Advancing Lending Act To be added Act of 2022”
6 and the “REAL Act”.

1 **SEC. 2. ANALYSIS OF LENDING TO MINORITY- AND WOMEN-**
2 **OWNED BUSINESSES.**

3 Section 704B of the Equal Credit Opportunity Act
4 (15 U.S.C. 1691c-2) is amended—

5 (1) by redesignating subsection (h) as sub-
6 section (i); and

7 (2) by inserting after subsection (g) the fol-
8 lowing:

9 “(h) ANALYSIS OF LENDING TO MINORITY- AND
10 WOMEN-OWNED BUSINESSES.—

11 “(1) ANNUAL REPORT.—The Director of the
12 Bureau shall issue an annual report to Congress
13 containing an analysis of lending to minority-owned
14 businesses and women-owned businesses by financial
15 institutions.

16 “(2) INCLUSION OF LENDING DATA.—In com-
17 piling each report required under this subsection,
18 the Director shall use the information collected
19 under this section.

20 “(3) CONTENTS.—Each report required under
21 subsection (a) shall—

22 “(A) contain—

23 “(i) the number of loans made to mi-
24 nority-owned businesses and women-owned
25 businesses in the previous year;

1 “(ii) the smallest, largest, and median
2 size of such loans;

3 “(iii) the reason for each loan, if
4 available, including whether such loan was
5 used for—

6 “(I) an equipment purchase;

7 “(II) staffing resources; or

8 “(III) professional service fees;

9 “(iv) if confidentiality can be retained,
10 data that is disaggregated such that loans
11 that were made to minority-owned busi-
12 nesses owned by Black Americans, Native
13 Americans, Hispanic Americans, or Asian
14 Americans, or some combination of such
15 individuals are described separately;

16 “(v) the number of such loans made
17 to a minority-owned business that is a new
18 client of the financial institution making
19 the loan compared to the number of such
20 loans made to a minority-owned business
21 that is a repeat client;

22 “(vi) the number of such loans made
23 to a minority-owned business that holds
24 multiple accounts with the financial insti-
25 tution making the loan;

1 “(vii) if the financial institution mak-
2 ing the loan is an insured depository insti-
3 tution (as defined in section 3 of the Fed-
4 eral Deposit Insurance Act), for each
5 loan—

6 “(I) whether the financial institu-
7 tion receives credit for the loan under
8 the assessment required under the
9 Community Reinvestment Act of
10 1977; and

11 “(II) whether small business
12 loans are reported on the financial in-
13 stitution’s Community Reinvestment
14 Act examination as required under the
15 Community Reinvestment Act of
16 1977;

17 “(viii) for each loan, whether the loan
18 is part of a larger commitment by the fi-
19 nancial institution—

20 “(I) to diversity and inclusion;
21 and

22 “(II) to racial justice; and

23 “(B) to the maximum degree possible,
24 disaggregate all data described in subparagraph
25 (A) by lender type, including minority deposi-

1 tory institutions, depository institutions, credit
2 unions, certified financial depository institu-
3 tions, and community development corpora-
4 tions.”.