

Suspend the Rules and Pass the Bill, H.R. 4590, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

117TH CONGRESS
1ST SESSION

H. R. 4590

To require the Federal banking regulators to jointly conduct a study and develop a strategic plan to address challenges faced by proposed depository institutions seeking de novo depository institution charters; and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 21, 2021

Mr. AUCHINCLOSS introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require the Federal banking regulators to jointly conduct a study and develop a strategic plan to address challenges faced by proposed depository institutions seeking de novo depository institution charters; 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 “Promoting New and
5 Diverse Depository Institutions Act”.

1 **SEC. 2. STUDY AND STRATEGIC PLAN.**

2 (a) IN GENERAL.—The Federal banking regulators
3 shall jointly—

4 (1) conduct a study about the challenges faced
5 by proposed depository institutions, including pro-
6 posed minority depository institutions, seeking de
7 novo depository institution charters; and

8 (2) submit to the Committee on Financial Serv-
9 ices of the House of Representatives and the Com-
10 mittee on Banking, Housing, and Urban Affairs of
11 the Senate and publish publically, not later than 18
12 months after the date of the enactment of this sec-
13 tion—

14 (A) an analysis based on the study con-
15 ducted pursuant to paragraph (1);

16 (B) any findings from the study conducted
17 pursuant to paragraph (1); and

18 (C) any legislative recommendations that
19 the Federal banking regulators developed based
20 on the study conducted pursuant to paragraph
21 (1).

22 (b) STRATEGIC PLAN.—

23 (1) IN GENERAL.—Not later than 18 months
24 after the date of the enactment of this section, the
25 Federal banking regulators shall jointly submit to
26 the Committee on Financial Services of the House of

1 Representatives and the Committee on Banking,
2 Housing, and Urban Affairs of the Senate and pub-
3 lish publically a strategic plan based on the study
4 conducted pursuant to subsection (a) and designed
5 to help proposed depository institutions (including
6 proposed minority depository institutions) success-
7 fully apply for de novo depository institution char-
8 ters in a manner that promotes increased availability
9 of banking and financial services, safety and sound-
10 ness, consumer protection, community reinvestment,
11 financial stability, and a level playing field.

12 (2) CONTENTS OF STRATEGIC PLAN.—The stra-
13 tegic plan described in paragraph (1) shall—

14 (A) promote the chartering of de novo de-
15 pository institutions, including—

16 (i) proposed minority depository insti-
17 tutions; and

18 (ii) proposed depository institutions
19 that could be certified as community devel-
20 opment financial institutions; and

21 (B) describe actions the Federal banking
22 regulators may take that would increase the
23 number of depository institutions located in ge-
24 ographic areas where consumers lack access to
25 a branch of a depository institution.

1 (c) PUBLIC INVOLVEMENT.—When conducting the
2 study and developing the strategic plan required by this
3 Act, the Federal banking regulators shall invite comments
4 and other feedback from the public to inform the study
5 and strategic plan.

6 (d) DEFINITIONS.—In this Act:

7 (1) DEPOSITORY INSTITUTION.—The term “de-
8 pository institution” has the meaning given in sec-
9 tion 3 of the Federal Deposit Insurance Act, and in-
10 cludes a “Federal credit union” and a “State credit
11 union” as such terms are defined, respectively,
12 under section 101 of the Federal Credit Union Act.

13 (2) COMMUNITY DEVELOPMENT FINANCIAL IN-
14 STITUTION.—The term “community development fi-
15 nancial institution” has the meaning given in section
16 103 of the Riegle Community Development and Reg-
17 ulatory Improvement Act of 1994.

18 (3) FEDERAL BANKING REGULATORS.—The
19 term “Federal banking regulators” means the Board
20 of Governors of the Federal Reserve System, the
21 Comptroller of the Currency, the Federal Deposit
22 Insurance Corporation, the National Credit Union
23 Administration, and the Director of the Bureau of
24 Consumer Financial Protection.

1 (4) MINORITY DEPOSITORY INSTITUTION.—The
2 term “minority depository institution” has the
3 meaning given in section 308(b) of the Financial In-
4 stitutions Reform, Recovery, and Enforcement Act
5 of 1989.

6 (e) REDUCTION.—

7 (1) IN GENERAL.—Subparagraph (A) of section
8 7(a)(3) of the Federal Reserve Act (12 U.S.C.
9 289(a)(3)(A)) is amended by reducing the dollar fig-
10 ure described in such subparagraph by \$5,000,000.

11 (2) EFFECTIVE DATE.—The amendment made
12 by paragraph (1) shall take effect on September 30,
13 2022.

14 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

15 The budgetary effects of this Act, for the purpose of
16 complying with the Statutory Pay-As-You-Go Act of 2010,
17 shall be determined by reference to the latest statement
18 titled “Budgetary Effects of PAYGO Legislation” for this
19 Act, submitted for printing in the Congressional Record
20 by the Chairman of the House Budget Committee, pro-
21 vided that such statement has been submitted prior to the
22 vote on passage.