[DISCUSSION DRAFT]

117TH CONGRESS
2D SESSION

H. R. ______

To amend the Community Development Banking and Financial Institutions Act of 1994 to require the CDFI to consult with the appropriate regulatory authority before selecting community development financial institution applicants, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

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

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A BILL

To amend the Community Development Banking and Financial Institutions Act of 1994 to require the CDFI to consult with the appropriate regulatory authority before selecting community development financial institution applicants, 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,
SECTION 1. CONSULTATION REQUIREMENT FOR SELECTION OF COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION APPLICANTS.

(a) IN GENERAL.—Section 107 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4706) is amended by adding at the end the following:

“(c) CONSULTATION REQUIRED.—

“(1) IN GENERAL.—Before selecting an applicant under this section, the Fund shall consult with the applicable Federal regulator for the applicant.

“(2) APPLICABLE FEDERAL REGULATOR DEFINED.—In this subsection, the term ‘applicable Federal regulator’ means—

“(A) with respect to an applicant that is regulated by both an appropriate Federal banking agency and the Bureau of Consumer Financial Protection, the Bureau of Consumer Financial Protection;

“(B) with respect to an applicant that is not regulated by the Bureau of Consumer Financial Protection, the appropriate Federal banking agency for such applicant; or

“(C) the Bureau of Consumer Financial Protection, with respect to an applicant—
“(i) that is not regulated by an appropriate Federal banking agency; and

“(ii) that offers or provides consumer financial products or services (as defined in section 1002 of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5481)).”.

(b) CDFI and Community Partner Co-applicants.—Section 106 of the Community Development Banking and Financial Institutions Act of 1994 (12 U.S.C. 4705) is amended—

(1) by redesignating subsections (d) and (e) as subsections (e) and (f), respectively; and

(2) by inserting after subsection (e) the following:

“(d) Consultation Required.—Before selecting an application under subsection (c), the Fund shall consult with each applicable Federal regulator (as defined in section 107(c)(2)) for the coapplicants of such application.”.