

116TH CONGRESS
2D SESSION

H. R. 6868

To amend the CARES Act to establish a Community Capital Investment Program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2020

Mr. GREEN of Texas introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To amend the CARES Act to establish a Community Capital Investment Program, 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. COMMUNITY CAPITAL INVESTMENT PROGRAM.**

4 Section 4003 of the CARES Act (15 U.S.C. 9042)
5 is amended by adding at the end the following:

6 “(i) COMMUNITY CAPITAL INVESTMENT PROGRAM.—

7 “(1) IN GENERAL.—The Secretary of the
8 Treasury shall establish a Community Capital In-

9 vestment Program (the ‘Program’) to support the ef-

10 fforts of community investment institutions to pro-

1 vide loans and forbearance for small businesses, mi-
2 nority-owned businesses, and consumers, especially
3 in low-income and underserved communities, by—

4 “(A) providing direct capital investments
5 in community investment institutions; and

6 “(B) providing loans to community invest-
7 ment institutions—

8 “(i) that are interest-free loans;

9 “(ii) that have a loan term of 5 years;

10 and

11 “(iii) with respect to which no loan
12 payment is required until at least the end
13 of the 6-month period beginning on the
14 date the loan is made, or such longer term
15 as the Secretary may determine appro-
16 priate.

17 “(2) APPLICATION DATE.—The Secretary shall
18 begin accepting applications for capital investments
19 and loans under the Program not later than the end
20 of the 10-day period beginning on the date of enact-
21 ment of this subsection.

22 “(3) DIVIDEND RATE.—Any preferred stock or
23 other financial instrument issued to the Secretary in
24 exchange for a capital investment under the Pro-

1 gram shall carry a dividend or interest rate that
2 does not exceed 1 percent.

3 “(4) RESTRICTIONS.—The restrictions de-
4 scribed under subsection (c)(3)(A)(ii) shall apply to
5 capital investments and loans made under this sub-
6 section.

7 “(5) AVAILABLE AMOUNTS.—In carrying out
8 the Program, the Secretary shall use amounts made
9 available under subsection (b), notwithstanding the
10 limitations on the use of such funds under para-
11 graphs (1) through (4) of such subsection (b).

12 “(6) MDI SET-ASIDE.—At least \$3,000,000,000
13 of the direct capital investments and loans made by
14 the Secretary under the Program shall be made to
15 minority depository institutions.

16 “(7) TREATMENT OF CAPITAL INVESTMENTS.—
17 In making any capital investment under the Pro-
18 gram, the Secretary shall ensure that the terms of
19 the investment are designed to ensure the invest-
20 ment receives Tier 1 capital treatment.

21 “(8) DEFINITIONS.—In this subsection:

22 “(A) COMMUNITY INVESTMENT INSTITU-
23 TION.—The term ‘community investment insti-
24 tution’ means—

1 “(i) a community development finan-
2 cial institution, as defined under section
3 103 of the Riegle Community Development
4 and Regulatory Improvement Act of 1994
5 (12 U.S.C. 4702);

6 “(ii) an impact credit union;

7 “(iii) an impact bank; and

8 “(iv) a minority depository institution,
9 as defined under section 308 of the Finan-
10 cial Institutions Reform, Recovery, and
11 Enforcement Act of 1989 (12 U.S.C. 1463
12 note).

13 “(B) CREDIT UNION.—The term ‘credit
14 union’ has the meaning given the terms State
15 credit union and Federal credit union under
16 section 101 of the Federal Credit Union Act
17 (12 U.S.C. 1752).

18 “(C) IMPACT CREDIT UNION.—The term
19 ‘impact credit union’ means a credit union
20 that—

21 “(i) has total consolidated assets of
22 less than \$10,000,000,000; and

23 “(ii) extends at least 50 percent of the
24 loans extended by the credit union to bor-

1 rowers who are low-income borrowers, as
2 determined by the Secretary.

3 “(D) IMPACT BANK.—The term ‘impact
4 bank’ means a depository institution (as defined
5 under section 3 of the Federal Deposit Insur-
6 ance Act) that—

7 “(i) has total consolidated assets of
8 less than \$10,000,000,000; and

9 “(ii) extends at least 50 percent of the
10 loans extended by the institution to bor-
11 rowers who are low-income borrowers, as
12 determined by the Secretary.”.

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