

117TH CONGRESS
2D SESSION

H. R. 4590

IN THE SENATE OF THE UNITED STATES

JULY 27, 2022

Received; read twice and referred to the Committee on Banking, Housing, and
Urban Affairs

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Promoting New and
3 Diverse Depository Institutions Act”.

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

5 (a) IN GENERAL.—The Federal banking regulators
6 shall jointly—

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

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

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

19 (B) any findings from the study conducted
20 pursuant to paragraph (1); and

21 (C) any legislative recommendations that
22 the Federal banking regulators developed based
23 on the study conducted pursuant to paragraph
24 (1).

25 (b) STRATEGIC PLAN.—

1 (1) IN GENERAL.—Not later than 18 months
2 after the date of the enactment of this section, the
3 Federal banking regulators shall jointly submit to
4 the Committee on Financial Services of the House of
5 Representatives and the Committee on Banking,
6 Housing, and Urban Affairs of the Senate and pub-
7 lish publically a strategic plan based on the study
8 conducted pursuant to subsection (a) and designed
9 to help proposed depository institutions (including
10 proposed minority depository institutions) success-
11 fully apply for de novo depository institution char-
12 ters in a manner that promotes increased availability
13 of banking and financial services, safety and sound-
14 ness, consumer protection, community reinvestment,
15 financial stability, and a level playing field.

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

18 (A) promote the chartering of de novo de-
19 pository institutions, including—

20 (i) proposed minority depository insti-
21 tutions; and

22 (ii) proposed depository institutions
23 that could be certified as community devel-
24 opment financial institutions; and

1 (B) describe actions the Federal banking
2 regulators may take that would increase the
3 number of depository institutions located in ge-
4 ographic areas where consumers lack access to
5 a branch of a depository institution.

6 (c) PUBLIC INVOLVEMENT.—When conducting the
7 study and developing the strategic plan required by this
8 Act, the Federal banking regulators shall invite comments
9 and other feedback from the public to inform the study
10 and strategic plan.

11 (d) DEFINITIONS.—In this Act:

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

18 (2) COMMUNITY DEVELOPMENT FINANCIAL IN-
19 STITUTION.—The term “community development fi-
20 nancial institution” has the meaning given in section
21 103 of the Riegle Community Development and Reg-
22 ulatory Improvement Act of 1994.

23 (3) FEDERAL BANKING REGULATORS.—The
24 term “Federal banking regulators” means the Board
25 of Governors of the Federal Reserve System, the

1 Comptroller of the Currency, the Federal Deposit
2 Insurance Corporation, the National Credit Union
3 Administration, and the Director of the Bureau of
4 Consumer Financial Protection.

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

10 (e) REDUCTION.—

11 (1) IN GENERAL.—Subparagraph (A) of section
12 7(a)(3) of the Federal Reserve Act (12 U.S.C.
13 289(a)(3)(A)) is amended by reducing the dollar fig-
14 ure described in such subparagraph by \$5,000,000.

15 (2) EFFECTIVE DATE.—The amendment made
16 by paragraph (1) shall take effect on September 30,
17 2022.

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

19 The budgetary effects of this Act, for the purpose of
20 complying with the Statutory Pay-As-You-Go Act of 2010,
21 shall be determined by reference to the latest statement
22 titled “Budgetary Effects of PAYGO Legislation” for this
23 Act, submitted for printing in the Congressional Record
24 by the Chairman of the House Budget Committee, pro-

- 1 vided that such statement has been submitted prior to the
- 2 vote on passage.

Passed the House of Representatives July 26, 2022.

Attest: CHERYL L. JOHNSON,
Clerk.