

to the people who have to bear the burden of this invidious discrimination, it is not the same.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAKANO. Madam Speaker, I yield an additional 30 seconds to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Madam Speaker, I greatly appreciate it. I shall be terse and laconic and pithy and concise.

It is time for change to again come to the House of Representatives. I support this legislation, and I beg that my colleagues would do so. It is time for change.

Mr. BOST. Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield 1 minute to the gentlewoman from California (Ms. CHU), my good friend and the chair of the Congressional Asian Pacific American Caucus.

Ms. CHU. Madam Speaker, as the chair of the Pro-Choice Caucus' Contraception and Family Planning Task Force, I rise in strong support of Congresswoman BROWNLEY's Equal Access to Contraception for Veterans Act.

Every day, servicemembers are willing to sacrifice their lives for our constitutional rights. So we must ensure that those rights are available to them when they come home, and that includes the right to contraception.

That is what this bill does, by ensuring that veterans, just like their civilian neighbors, have access to the contraception that works best for them, without the burden of copays. And since we know that not every method of birth control works for every person, this bill requires the VA to cover all FDA-approved contraception, including emergency contraception, which is an especially important option in sexual assault.

Contraception helps people plan for their futures, for their families, and for themselves. This bill removes unnecessary barriers to care for our veterans who have already given this Nation so much.

Madam Speaker, I urge my colleagues to vote "yes" on this important legislation.

Mr. BOST. Madam Speaker, I reserve the balance of my time.

Mr. TAKANO. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, let me just say that this bill by Ms. BROWNLEY is about providing equal access to contraceptions for our Nation's veterans. To oppose this bill is to advocate for a situation where veterans are made second-class citizens.

This bill is about contraception. Nowhere in the bill's text or in the title does the word "abortion" even appear. I would ask my colleagues who are in opposition to the bill to read the one-page text very carefully. I think they will see that there is no reference to, in any way, the word "abortion."

Madam Speaker, I would also say, I think it was H.L. Mencken who said

that consistency is often the hobgoblin of little minds.

For those Members who voted against this bill, you know, in fear of the moment, they can reconsider their vote and, I think, get on the right side of the issue in terms of equality for our veterans.

Madam Speaker, I yield 1 minute to the gentlewoman from Illinois (Ms. SCHAKOWSKY), my colleague and very good friend, the chairwoman of the Energy and Commerce Subcommittee on Consumer Protection and Commerce.

Ms. SCHAKOWSKY. Madam Speaker, I thank the chair for his friendship and for letting me speak.

Madam Speaker, you know, I rise with great enthusiastic support for the Equal Access to Contraception for Veterans Act.

No veteran of the United States of America should be forced to pay out of pocket for basic preventative care. You know, this is 2021. Birth control should not be controversial. Veterans' access to healthcare should not be controversial.

And I really think, how dare Members on the other side even consider shutting down this bill on suspension.

Our veterans deserve access to all of the healthcare services that they need, and that would include every method of birth control.

Really? Are we still arguing this?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. TAKANO. Madam Speaker, I yield an additional 30 seconds to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I urge all Members to just say—this is something that is basic right now, we all believe that contraception should be available. And, you know, it can end up actually being quite expensive.

And why?

I don't understand. So I think this legislation is long overdue. Let's pass it today.

Mr. BOST. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, if I may, I just want to reiterate to my friends and colleagues that I am pro-life. Many of the people that have supported this and will support this are pro-life, even groups now that are saying and mentioning this is contraception. It is contraception. It is not abortion.

Let me also say that this includes no other drugs or expansion of drugs that are available. We want to be very, very clear on that. It does not change the position of VA on abortion in any way, shape, or form. This is only doing what is right for our veterans and allowing them the opportunity to receive exactly what someone in the private sector receives and/or someone on Active Duty receives.

I am hoping that my colleagues will understand this and understand those of us who support this and why.

Madam Speaker, I yield back the balance of my time.

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Mr. TAKANO. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I appreciate the honor and courage with which my counterpart, Ranking Member BOST, has defended and stood up for the truth. And the truth is, H.R. 239 by Chairwoman BROWNLEY is about providing equal access to contraception to America's veterans.

A "no" vote on this bill—and I will say it again—a "no" vote on this bill is a vote to make our veterans second-class citizens.

Every other American under every other plan in this country, whether it is in private healthcare, because we passed the Affordable Care Act and said that every American is entitled to preventative services, including contraception, since 2010, or Active Duty servicemembers under the Department of Defense who are able to access contraception without copays—Ms. BROWNLEY's bill simply makes veterans on equal footing with all other Americans.

A "no" vote on this bill is to make our veterans second-class citizens, and I say of those who make that vote: Shame on them.

Madam Speaker, I urge all of my colleagues to vote "yes," and I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 486, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ROSENDALE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

#### LGBTQ BUSINESS EQUAL CREDIT ENFORCEMENT AND INVESTMENT ACT

Ms. WATERS. Madam Speaker, pursuant to House Resolution 486, I call up the bill (H.R. 1443) to amend the Equal Credit Opportunity Act to require the collection of small business loan data related to LGBTQ-owned businesses, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 486, in lieu of the amendment in the nature of a substitute recommended by the Committee on Financial Services printed in



the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117-7 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 1443

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “LGBTQ Business Equal Credit Enforcement and Investment Act”.*

**SEC. 2. SMALL BUSINESS LOAN DATA COLLECTION.**

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

*(1) by inserting “LGBTQ-owned,” after “minority-owned,” each place such term appears;*

*(2) in subsection (e)(2)(G), by inserting “, sexual orientation, gender identity” after “sex”; and*

*(3) in subsection (h), by adding at the end the following:*

*“(7) LGBTQ-OWNED BUSINESS.—The term ‘LGBTQ-owned business’ means a business—*

*“(A) more than 50 percent of the ownership or control of which is held by 1 or more individuals self-identifying as lesbian, gay, bisexual, transgender, or queer; and*

*“(B) more than 50 percent of the net profit or loss of which accrues to 1 or more individuals self-identifying as lesbian, gay, bisexual, transgender, or queer.”.*

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

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

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees.

The gentlewoman from California (Ms. WATERS) and the gentleman from North Carolina (Mr. MCHENRY) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. WATERS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1443 and to insert extraneous material thereon.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. WATERS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I rise in support of H.R. 1443, the LGBTQ Business Equal Credit Enforcement and Investment Act, for the second time this month.

As we discussed on the floor last week, this bill, led by Representative RITCHIE TORRES, would provide much-needed transparency in lending to

LGBTQ-owned businesses by updating the Equal Credit Opportunity Act to ensure financial institutions report the sexual orientation and gender identity of applicants for business loans.

This legislation is needed because research shows that LGBTQ individuals have experienced discrimination when applying for a mortgage or other forms of credit. However, due to a lack of data collection, we do not know the extent of discrimination when it comes to business loans, who has been affected, and, more importantly, how it can be corrected.

According to one estimate, there are approximately 1.4 million LGBTQ-owned businesses across our country. These entrepreneurs should be treated fairly, and the data collected on small business owners by Mr. TORRES’ bill will help to identify and prevent discrimination and will enable communities, policymakers, and lenders to support the development and investment needs of LGBTQ-owned businesses.

I thank Representative TORRES for his leadership on this important bill.

But I also want to express my disappointment that so many of our Republican colleagues decided to vote down this bill last week when it was considered under suspension of the rules. This bill passed the committee on a voice vote, and we worked with the ranking member, Mr. MCHENRY, to address concerns he had.

I thank Ranking Member MCHENRY for working with us and for his support.

I hope my colleagues who voted “no” will reconsider their position and vote “yes” on H.R. 1443. Whether or not they do, let me assure our friends, neighbors, constituents, and colleagues in the LGBTQ community that, one way or the other, this House will pass this bill. After all, this is the people’s House, and we simply cannot let lending or other forms of discrimination against any of our people stand.

As we discussed last week, this is Pride Month and a time to celebrate all the wonderful contributions the LGBTQ community has given to our economy and our country.

So, Madam Speaker, I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. MCHENRY. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, we can all agree that data is important, but we need to recognize, particularly as it relates to obtaining data on companies, that each one is unique.

Mandatory reporting metrics do not accurately measure progress. Just look at the mandatory disclosure bills that we had on the floor last week. The only outcome we can expect to see is higher compliance costs on companies, leaving fewer resources to build our workforce and invest in research and technology to compete globally. Simply put, one size fits all does not work.

However, this bill, the bill we have before us today, does not impose a mandatory reporting regime. Data is collected on a voluntary basis. Any loan applicant who does not want to provide information can decline to provide it, meaning there are fewer concerns over privacy because it is voluntary and fewer concerns over one-size-fits-all data reporting.

I appreciate my Democratic colleagues having offered a solution to promoting diversity inclusion without imposing requirements on businesses or business owners that do not effectively measure their success.

Thus, Madam Speaker, I support the bill, and I reserve the balance of my time.

Ms. WATERS. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. GREEN).

Mr. GREEN of Texas. Madam Speaker, it has been a preeminent privilege to serve under Chair WATERS’ leadership on the Financial Services Committee. I think I can say without question, reservation, hesitation, or equivocation that, under the gentlewoman’s leadership, we have seen great change. But I also know this: that under her leadership, there is greater change to come. It is my honor to serve under the gentlewoman’s leadership.

And still I rise, Madam Speaker, and I rise today to support H.R. 1443, the LGBTQ Business Equal Credit Enforcement and Investment Act. And I rise to thank the ranking member for his support of this legislation. He has been steadfast, and he has been true to his word.

I am honored to support this legislation, and I think that it is appropriate for me to address, first, the question of whether invidious discrimination exists.

Madam Speaker, if you deny that invidious discrimination exists, then you have to deny the existence of the KKK. To deny the existence of invidious discrimination would necessitate a denial of those who were in Charlottesville screaming: “Blood and soil,” “Jews will not replace us.”

I believe the case is self-evident: invidious discrimination exists.

Currently, we have a system that allows us to collect the empirical evidence necessary to not only identify the invidious discrimination but also help us to prevent the invidious discrimination. This legislation is absolutely necessary to acquire the empirical intelligence so that we may go forward and prevent invidious discrimination.

By acquiring this intelligence, I might add, we will also deter some of the people who have good sense such that they won’t commit invidious discrimination because they will be aware of the intelligence acquisition.

How do we do this? Here is how it happens: Currently, when you make your application, Madam Speaker, there is a place for you to indicate whether you are a minority person. If I



am filling out the application, I would probably indicate that I am a minority person, although I don't like the term. I use it only to communicate. I do not like the term "minority." But for the purpose of communicating today, I would indicate that I am a minority person.

The only thing this bill will do, as it relates to acquiring the intelligence, is give us another space so that we can now indicate that, if you so choose, Madam Speaker, you are a member of the LGBTQ-plus community.

In filling out this form, if I chose not to indicate I was a minority person, I wouldn't have to. I would just sign it, completing the other aspects of it, and I would be done with it.

It only allows for the placement of additional language on the document so that persons who desire to—and it is important to note, Madam Speaker, that you must have the desire; it is with intentionality, and you voluntarily do this—would indicate, if you choose to, that you are a member of the LGBTQ-plus community.

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I must say, candidly, I really don't see how this can become the debate that it has become. At some point in this country, we have to understand that discriminating against people because of who they are is inappropriate. It is unlawful.

I am the son of a segregated South, where I was lawfully discriminated against. I know what it looks like. I know what it smells like. I know what it sounds like. I know what invidious discrimination tastes like. I drank from filthy colored water fountains in my lifetime.

I don't wish any of this type of behavior that I had to endure on anyone else, so I rise today in support of this legislation as a continuation of my mission to do all that I can to help others avoid the horrors of invidious discrimination.

I am so grateful to Chairwoman WATERS for all she has done. She has always been a friend, not only to me, but to those who are among the least, the last, and the lost. And I thank the gentlewoman for all that she has done.

Mr. MCHENRY. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, I think my colleague Mr. GREEN outlines this well. This is not a mandatory reporting bill, but data collection. Though the terms may not be perfect to Chairman GREEN's points and perhaps we need to look at the language of this reporting, for sure, but this is not a mandatory reporting bill. This is voluntary information that borrowers can offer up or not. Data is a good thing, especially if it is provided voluntarily.

For those reasons, I support this bill and I urge its adoption.

Madam Speaker, I yield back the balance of my time.

Ms. WATERS. Madam Speaker, I yield myself the balance of my time.

Madam Speaker, this bill takes necessary action to help ensure that LGBTQ-owned businesses are treated fairly by financial institutions and protected against lending discrimination. The bill passed unanimously out of the House Financial Services Committee with a voice vote. So I am pleased that the majority leader has worked with me to bring this bill back up for a vote quickly.

This bill is supported by the Human Rights Campaign, the National Center for Transgender Equality, Out Leadership, the National Gay and Lesbian Chamber of Commerce, and many others.

Although some of my colleagues did not support this bill last week, I urge them to reconsider, to support all small businesses this week, and vote "yes" on H.R. 1443.

I would like to thank the ranking member for his consideration, his support. In closing, I would just like to add that, as Mr. GREEN identified, I, too, am a victim of discrimination for most of my life, and all of my family and my dear friends and sometimes the entire neighborhood that I have lived in.

So we know what it feels like, and we know that there is, for example, today, a huge wealth gap because of discrimination, a lack of being able to borrow from the banks that were making credit available to so many others. It was not made to us. So oftentimes we were not able to buy a home. We were not able to get a loan for the basic kind of things that any family would need.

So we cannot, and I cannot be a part of public policy and systems and protocols that would exclude the LGBTQ community from being able to get loans in the ways that others are doing. It is pure discrimination. It must stop.

Madam Speaker, I urge all of my colleagues on both sides of the aisle to vote "yea" on H.R. 1443, and I yield back the balance of my time.

Mr. TORRES of New York. Madam Speaker, in the United States, there are 1.4 million LGBTQ businesses contributing more than \$1.7 trillion to the American economy. We have a vested interest in sustaining and strengthening these businesses with equal access to credit, which is the beating heart of the American economy.

As a former New York City Council Member, I partnered with the National LGBTQ Chamber of Commerce to establish the nation's largest municipal certification program for LGBTQ business enterprises, enabling those businesses to enjoy equal access to a \$25 billion pool of government procurement.

The legislation before us, H.R. 1443, builds on a foundation laid by several statutes and regulations. The Equal Credit Opportunity Act (ECOA) prohibits credit discrimination, including but not limited to sex discrimination. A new interpretive rule from the Consumer Financial Protection Bureau (CFPB) clarifies that the ECOA's prohibition against sex discrimination applies to sexual orientation and gender identity. Section 1071 of the Dodd-Frank Act, which exists to enable and enhance the en-

forcement of the ECOA, requires financial institutions to report information about the race, ethnicity, and sex of credit applicants who serve as principal owners of small businesses. My legislation would expand the 1071 reporting requirements to include not only sex but also sexual orientation and gender identity. It would enable anti-discrimination enforcement where none might exist.

Even though the United States has made substantial strides toward LGBTQ equality, the mission is far from accomplished. Seventy percent of the LGBTQ community remains unprotected by anti-discrimination laws. When it comes to credit, according to the Williams Institute, more than 7.7 million LGBTQ adults live in states that offer no protection against discrimination based on sexual orientation or gender identity.

It is often said that knowledge is power. Knowledge affords us the power to detect discrimination that might otherwise go undetected. Take, as an example, the Home Mortgage Disclosure Act, which is analogous to the legislation before us. Both the National Community Reinvestment Coalition and Iowa State University reviewed data from the HMDA and found that same-sex couples were denied loans at higher rates than heterosexual couples, despite having comparable creditworthiness. It also found those same-sex couples paid higher fees and interests. The lesson of the HMDA is that sunlight can be a powerful disinfectant against discrimination.

H.R. 1443 would make credit more accessible, credit laws more enforceable, and creditors more accountable. It would represent a triumph of transparency in the service of economic opportunity for all, regardless of who you are and whom you love.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 486, the previous question is ordered on the bill, as amended.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the bill.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

Mr. ROSENDALE. Madam Speaker, on that I demand the yeas and nays.

The SPEAKER pro tempore. Pursuant to section 3(s) of House Resolution 8, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF THE RULE SUBMITTED BY THE OFFICE OF THE COMPTROLLER OF CURRENCY RELATING TO "NATIONAL BANKS AND FEDERAL SAVINGS ASSOCIATIONS AS LENDERS"

Ms. WATERS. Madam Speaker, pursuant to House Resolution 486, I call up the joint resolution (S.J. Res. 15) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by