

116TH CONGRESS
2D SESSION

H. R. 8028

To amend the Equal Credit Opportunity Act to prohibit discrimination based on an applicant's institution of higher education, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 11, 2020

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

A BILL

To amend the Equal Credit Opportunity Act to prohibit discrimination based on an applicant's institution of higher education, 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 “Protect Minority Stu-
5 dent Borrowers Act”.

6 **SEC. 2. SCOPE OF PROHIBITION.**

7 (a) PROHIBITED DISCRIMINATION.—Section 701 of
8 the Equal Credit Opportunity Act (15 U.S.C. 1691) is
9 amended—

1 (1) by redesignating subsections (b) through (e)
2 as subsections (c) through (f), respectively; and

3 (2) by inserting after subsection (a) the fol-
4 lowing:

5 “(b)(1) It shall be unlawful for any private education
6 lender to discriminate against any applicant, with respect
7 to any aspect of a credit transaction, on the basis of the
8 institution of higher education an applicant intends to at-
9 tend, presently attends, or previously attended, including
10 whether such institution is a minority-serving institution.

11 “(2) In this subsection:

12 “(A) The term ‘institution of higher education’
13 has the meaning given such term in section 101(a)
14 of the Higher Education Act of 1965 (20 U.S.C.
15 1001(a)).

16 “(B) The term ‘minority-serving institution’
17 means an institution of higher education described
18 in section 371(a) of the Higher Education Act of
19 1965 (20 U.S.C. 1067q(a)).

20 “(C) The term ‘private education lender’ has
21 the meaning given such term in section 140(a) of
22 the Truth In Lending Act (15 U.S.C. 1650(a)).”.

23 (b) CIVIL LIABILITY.—Section 706(g) of the Equal
24 Credit Opportunity Act (15 U.S.C. 1691e(g)) is amended

1 by striking “section 701(a)” each place it appears and in-
2 serting “subsection (a) or (b) of section 701”.

3 (c) CONFORMING AMENDMENT.—Section 603(k) of
4 the Fair Credit Reporting Act (15 U.S.C. 1681a(k)) is
5 amended by striking “701(d)(6)” each place it appears
6 and inserting “701(e)(6)”.

7 **SEC. 3. STUDY AND REPORT ON LENDING DISCRIMINATION.**

8 (a) STUDY.—The Comptroller General of the United
9 States shall conduct a study on—

10 (1) whether private education lenders (as de-
11 fined in section 140(a) of the Truth in Lending Act
12 (15 U.S.C. 1650(a))) discriminate against applicants
13 who intend to attend, currently attend, or previously
14 attended minority-serving institutions of higher edu-
15 cation (as described in section 371(a) of the Higher
16 Education Act of 1965 (20 U.S.C. 1067q(a))); and

17 (2) the extent of such discrimination, if any.

18 (b) REPORT.—Not later than 1 year after the date
19 of enactment of this Act, the Comptroller General of the
20 United States shall submit to Congress a report that con-
21 tains the results of the study conducted under subsection
22 (a).

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