

Bishop (UT)	Guthrie	Pearce	Heck	Maloney, Sean	Sarbanes
Black	Handel	Perry	Higgins (NY)	Matsui	Schakowsky
Blackburn	Harper	Peterson	Himes	McCollum	Schiff
Blum	Harris	Pittenger	Hoyer	McEachin	Schneider
Bost	Hartzler	Poe (TX)	Huffman	McGovern	Schrader
Brady (TX)	Hensarling	Poliquin	Jackson Lee	McNerney	Scott (VA)
Brat	Herrera Beutler	Posey	Jayapal	Meeks	Scott, David
Bridenstine	Hice, Jody B.	Ratcliffe	Jeffries	Meng	Serrano
Brooks (AL)	Higgins (LA)	Reed	Johnson (GA)	Moore	Sewell (AL)
Brooks (IN)	Hill	Reichert	Johnson, E. B.	Moulton	Shea-Porter
Buchanan	Holding	Renacci	Kaptur	Murphy (FL)	Sherman
Buck	Hollingsworth	Rice (SC)	Keating	Nadler	Sinema
Bucshon	Hudson	Roby	Kelly (IL)	Napolitano	Sires
Budd	Huizenga	Roe (TN)	Kennedy	Neal	Slaughter
Burgess	Hultgren	Rogers (AL)	Khanna	Nolan	Smith (WA)
Byrne	Hunter	Rogers (KY)	Kihuen	Norcross	Soto
Calvert	Hurd	Rohrabacher	Kildee	O'Halleran	Speier
Carter (GA)	Issa	Rokita	Kilmer	O'Rourke	Suozzi
Carter (TX)	Jenkins (KS)	Rooney, Francis	King (IA)	Pallone	Swalwell (CA)
Chabot	Jenkins (WV)	Rooney, Thomas	Krishnamoorthi	Panetta	Takano
Cheney	Johnson (LA)	J.	Kuster (NH)	Pascarella	Thompson (CA)
Coffman	Johnson (OH)	Ros-Lehtinen	Langevin	Payne	Thompson (MS)
Cole	Johnson, Sam	Roskam	Larsen (WA)	Pelosi	Titus
Collins (GA)	Jones	Ross	Larson (CT)	Perlmutter	Tonko
Collins (NY)	Jordan	Rouzer	Lawrence	Peters	Torres
Comer	Joyce (OH)	Royce (CA)	Lawson (FL)	Pingree	Tsongas
Comstock	Katko	Russell	Lee	Pocan	Vargas
Conaway	Kelly (MS)	Rutherford	Levin	Polis	Veasey
Cook	King (NY)	Sanford	Lewis (GA)	Price (NC)	Vela
Costello (PA)	Kinzing	Schweikert	Lieu, Ted	Quigley	Velázquez
Cramer	Knight	Scott, Austin	Loebsock	Raskin	Visclosky
Crawford	Kustoff (TN)	Sensenbrenner	Lofgren	Rice (NY)	Walz
Culberson	Labrador	Sessions	Lowenthal	Richmond	Wasserman
Curbelo (FL)	LaHood	Shimkus	Lowe	Rosen	Schultz
Curtis	LaMalfa	Simpson	Lujan Grisham,	Roybal-Allard	Waters, Maxine
Davidson	Lamborn	Smith (MO)	M.	Ruiz	Watson Coleman
Davis, Rodney	Lance	Smith (NE)	Lujan, Ben Ray	Ruppersberger	Welch
Denham	Latta	Smith (NJ)	Lynch	Rush	Wilson (FL)
Dent	Lewis (MN)	Smith (TX)	Maloney,	Ryan (OH)	Yarmuth
DeSantis	Lipinski	Smucker	Carolyn B.	Sánchez	
DesJarlais	LoBiondo	Stefanik			
Diaz-Balart	Long	Stewart			
Donovan	Loudermilk	Stivers			
Duffy	Love	Taylor			
Duncan (SC)	Lucas	Tenney			
Duncan (TN)	Luetkemeyer	Thornberry			
Dunn	MacArthur	Tipton			
Emmer	Marchant	Trott			
Estes (KS)	Marino	Turner			
Farenthold	Marshall	Upton			
Faso	Massie	Valadao			
Ferguson	Mast	Wagner			
Fitzpatrick	McCarthy	Walberg			
Fleischmann	McCaul	Walden			
Flores	McClintock	Walker			
Fortenberry	McHenry	Walorski			
Fox	McKinley	Walters, Mimi			
Frelinghuysen	McMorris	Weber (TX)			
Gaetz	Rodgers	Webster (FL)			
Gallagher	McSally	Wenstrup			
Garrett	Meadows	Westerman			
Gianforte	Messer	Williams			
Gibbs	Mitchell	Wilson (SC)			
Gohmert	Moolenaar	Wittman			
Goodlatte	Mooney (WV)	Womack			
Gowdy	Mullin	Woodall			
Granger	Newhouse	Yoder			
Graves (GA)	Nunes	Yoho			
Graves (LA)	Olson	Young (AK)			
Graves (MO)	Palazzo	Young (IA)			
Griffith	Palmer	Zeldin			
Grothman	Paulsen				

## NAYS—189

Adams	Cicilline	Dingell
Aguilar	Clark (MA)	Doggett
Barragán	Clarke (NY)	Doyle, Michael
Bass	F.	Ellison
Beatty	Cleaver	Engel
Bera	Clyburn	Eshoo
Beyer	Cohen	Espallat
Bishop (GA)	Connolly	Esty (CT)
Blumenauer	Cooper	Evans
Blunt Rochester	Correa	Foster
Boyle, Brendan	Costa	Frankel (FL)
F.	Courtney	Fudge
Brady (PA)	Crist	Gabbard
Brown (MD)	Crowley	Gallago
Brownley (CA)	Cuellar	Garamendi
Bustos	Davis (CA)	Gomez
Butterfield	Davis, Danny	Gonzalez (TX)
Capuano	DeFazio	Gottheimer
Carbajal	DeGette	Green, Al
Cardenas	Delaney	Green, Gene
Carson (IN)	DeLauro	Grijalva
Cartwright	DelBene	Gutiérrez
Castor (FL)	Demings	Hanabusa
Castro (TX)	DeSaulnier	Hastings
Chu, Judy	Deutch	

H.R. 2954

*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 “Home Mortgage Disclosure Adjustment Act”.

## SEC. 2. DEPOSITORY INSTITUTIONS SUBJECT TO MAINTENANCE OF RECORDS AND DISCLOSURE REQUIREMENTS.

(a) IN GENERAL.—Section 304 of the Home Mortgage Disclosure Act of 1975 (12 U.S.C. 2803) is amended—

(1) by redesignating subsection (i) as paragraph (3) and adjusting the margins accordingly; and

(2) by inserting before paragraph (3), as so redesignated, the following:

“(i) EXEMPTIONS.—

“(1) CLOSED-END MORTGAGE LOANS.—With respect to a depository institution, the requirements of paragraphs (5) and (6) of subsection (b) shall not apply with respect to closed-end mortgage loans if the depository institution originated less than 500 closed-end mortgage loans in each of the 2 preceding calendar years.

“(2) OPEN-END LINES OF CREDIT.—With respect to a depository institution, the requirements of paragraphs (5) and (6) of subsection (b) shall not apply with respect to open-end lines of credit if the depository institution originated less than 500 open-end lines of credit in each of the 2 preceding calendar years.”.

(b) TECHNICAL CORRECTION.—Section 304(i)(3) of the Home Mortgage Disclosure Act of 1975, as so redesignated by subsection (a)(1), is amended by striking “section 303(2)(A)” and inserting “section 303(3)(A)”.

## SEC. 3. SECURITIES AND EXCHANGE COMMISSION RESERVE FUND.

Notwithstanding section 4(i)(2)(B)(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78d(i)(2)(B)(i)), the amount deposited in the Securities and Exchange Commission Reserve Fund for fiscal year 2018 may not exceed \$48,000,000.

The SPEAKER pro tempore. The bill shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services.

The gentleman from Texas (Mr. HENSARLING) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

## GENERAL LEAVE

Mr. HENSARLING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. Speaker, I am very pleased to rise today in support of H.R. 2954, the Home Mortgage Disclosure Adjustment Act.

H.R. 2954, which was introduced by the gentleman from Minnesota (Mr. EMMER), a very hardworking member of the Financial Services Committee, is a very important piece of legislation

## NOT VOTING—13

Barletta	Kind	Scalise
Bonamici	Meehan	Shuster
Cummings	Noem	Thompson (PA)
Gosar	Norman	
Kelly (PA)	Rothfus	

□ 1522

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. MEEHAN. Mr. Speaker, I was not present for rollcall votes 27 through 30 because I was traveling to Pennsylvania with President Trump. Had I been present, I would have voted “Yea” on rollcall No. 27, “Yea” on rollcall No. 28, “Yea” on rollcall No. 29, and “Yea” on rollcall No. 30.

## HOME MORTGAGE DISCLOSURE ADJUSTMENT ACT

Mr. HENSARLING. Mr. Speaker, pursuant to House Resolution 693, I call up the bill (H.R. 2954) to amend the Home Mortgage Disclosure Act of 1975 to specify which depository institutions are subject to the maintenance of records and disclosure requirements of such Act, and for other purposes, 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 693, the amendment in the nature of a substitute recommended by the Committee on Financial Services, printed in the bill, modified by the amendment printed in part B of House Report 115-518, is adopted, and the bill, as amended, is considered read.

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

that will provide much-needed regulatory relief for our community banks and credit unions from onerous CFPB regulations that are impeding their ability to make home loans to our constituents.

On January 1 of this year, draconian changes went into effect related to the Home Mortgage Disclosure Act known as HMDA. These changes, which were mandated by Dodd-Frank and blindly implemented by the CFPB, radically expanded the information that lenders are required to collect, record, and report about mortgage applications and loans. But like many things the CFPB is involved in, the rule went far, far beyond what was originally intended by Congress, and effects have far-reaching and negative consequences on community financial institutions and home buyers.

To be more specific, the CFPB's updated HMDA rule now requires financial institutions to collect 48—48—unique, different data fields on each mortgage loan they make. This is more than double—double—the number, Mr. Speaker, of data fields lenders were required to collect before the rule went into effect.

Now, as if adding 25—two dozen—more data fields weren't enough, the CFPB rule also modified 20 of the 23 existing fields in this constant, constant changing of the regulatory scheme to fit the narrative of regulators rather than focus on the cost and benefits to our constituents of existing statutes.

□ 1530

Mr. Speaker, again, the constant changing of this regulatory scheme, the increased complexity and cost, we do not fully appreciate the impact on our community financial institutions, and we do not fully appreciate how this is impeding the success and growth of our community financial institutions in the communities we represent.

You don't have to take my word for it, Mr. Speaker. A community banker in Kansas has said that: "As crazy as it seems, our current HMDA process includes four people verifying HMDA data on each loan."

Mr. Speaker, that was before the changes we are discussing today.

According to that same community banker, who is trying to fund homes in his local community, doubling the number of data fields, as required in the CFPB's HMDA rule, "will almost be overwhelming for a bank such as ours."

As a community banker from Nebraska has stated: "All the new mortgage lending rules have made it almost impossible to provide timely service to our local customers."

So home buyers are feeling this effect, Mr. Speaker. As one community banker from Ohio explained, he was working with a woman who recently went through the tragedy of divorce. She was trying to refinance her home in order to make ends meet. But after filing mountains and mountains of pa-

perwork and wading through all the different forms, she looked up at the banker and said: "Jim, just tell me it will be okay."

As Jim put it: "At that point, I realized just how overwhelming all the forms and disclosures were to a customer."

Sadly, we all have—the lawmakers, the regulators, and the bankers—forgotten the most important item in this entire process: the customer.

This community banker is right, Mr. Speaker. Our local financial institutions, our community banks, our smallest financial institutions especially, they have to spend less time in resources meeting Washington's complex, burdensome, onerous paperwork requirements. Instead, we need to give them more freedom to do what they do best, and that is to help people in their communities get into homes they can actually afford to keep.

But doubling—doubling—HMDA data requirements needlessly—needlessly—makes home buying more expensive, more confusing, and more difficult for the very people that we should be trying to help.

Home buyers like April from Kentucky wrote that the process to get a home: "Is almost impossible and extremely frustrating."

Or a home buyer from Michigan by the name of Rob, who explained: "The very people this was supposed to be helpful to, lower income working Americans, have been the parties most devastated by the overreach."

And that is exactly what this is, Mr. Speaker, overreach. And it is not only these individuals, but even charities—great charities like Habitat for Humanity, who said: "Thanks to the CFPB's burdensome regulations and rules, charities such as Habitat that provide these loans have found it more difficult to do their important work."

H.R. 2954, from the gentleman from Minnesota, simply addresses the fact that in order to make home loans, small financial institutions should not and cannot afford to keep pace with the massive laws that disregard their businesses, their business models, and create an uneven playing field.

Mr. Speaker, for this reason and for the others I have stated, I urge all colleagues to help struggling would-be home buyers in our districts and to support H.R. 2954.

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

Ms. MAXINE WATERS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in opposition to H.R. 2954, the Home Mortgage Disclosure Adjustment Act, which would undermine efforts to monitor trends in mortgage lending, combat discriminatory and predatory lending, and ensure that consumers who reside in low- and moderate-income communities have fair access to mortgage credit.

In 1975, Congress enacted the Home Mortgage Disclosure Act, also known

as HMDA, in response to concerns that despite their responsibility to provide adequate home financing to qualified applicants on reasonable terms and conditions, some lenders' failure to do so had contributed to a decline in housing conditions in communities of color.

HMDA data provide the only comprehensive picture of the rates at which American consumers' requests for mortgages are approved and denied. As a result, it has many important uses.

HMDA data provide information on mortgage lending patterns and trends that allow regulators, lenders, researchers, and the public to better understand and address redlining concerns by identifying possible discriminatory lending patterns, and monitoring compliance with and enforcement of statutes, like the Community Reinvestment Act; and Federal anti-discrimination laws, like the Equal Credit Opportunity Act and the Fair Housing Act.

Local governments also use HMDA data to determine which financial institutions are meeting the needs of their communities and should receive important benefits funded by the taxpayers of those communities.

For example, in Antioch, California, the local government uses HMDA data when selecting banks for contracts and participation in local programs.

HMDA data are also used by government officials to determine areas of disinvestment that are in need of targeted assistance. Take Flint, Michigan, for example. There, HMDA data has been used to target funds to remediate blight.

Communities also use HMDA data to identify discriminatory lending patterns and enforce antidiscrimination statutes. HMDA data, for example, were used in Chicago to identify discrimination and lending patterns in its neighborhoods, leading to a large discriminatory lending settlement.

It was precisely because of HMDA data that Congress learned during the run-up to the financial crisis that African Americans were routinely steered into predatory subprime loans, even when they qualified for prime mortgages, and they received these loans at higher rates than White borrowers.

Following the financial crisis, Congress updated HMDA when it passed the Dodd-Frank Act, directing the Consumer Financial Protection Bureau to close information gaps about mortgage lending patterns and practices that contributed to the 2007–2008 financial crisis, as well as other data that could better identify discrimination.

Accordingly, in 2015, the Consumer Financial Protection Bureau finalized a rule that required sufficient information to shed light on predatory practices in the mortgage market, and it considered compliance costs and burdens imposed on institutions that collect, maintain, and report the data. Through this rule, the Consumer Financial Protection Bureau added and

implemented additional data fields that must be reported in order to further close information gaps about mortgage lending patterns and practices.

The new data fields include basic loan facts, such as the address of the property, interest rate of the mortgage, and the borrower's credit score.

The Consumer Financial Protection Bureau's rule only excluded truly small lenders; banks that originate fewer than 25 closed-end loans, like mortgages; and 100 open-end lines of credit, like home equity lines, because providing broader relief would negatively affect low- and moderate-income communities.

Specifically, the Consumer Financial Protection Bureau wrote: "The loss of data in communities at closed-end mortgage loan volume thresholds higher than 25 would substantially impede the public's and public officials' ability to understand access to credit in their communities."

Despite the harm posed to low- and moderate-income communities around the country, H.R. 2954 would permanently raise the threshold for new HMDA data for both mortgage loan-type data and lines of credit to 500 without a good understanding about the real impact of doing so.

At this level, 85 percent or 5,400 depository institutions and 48 percent of nonbanks or 497 institutions would be exempt. That is 6,000 financial institutions that would no longer report important lending data.

By prohibiting these important new data fields from being reported under HMDA, regulators would not be able to fully determine the extent of redlining, discrimination, and other harmful practices. This will make it harder for fair lending violations to be detected, as HMDA data are routinely used by the Department of Justice to identify and remedy discrimination in lending.

These new data fields are essential for shedding light on the kinds of discrimination, like age, that now flies under the radar. It is not surprising that over 170 civil rights, fair housing, consumer and community organizations across the country have come out strongly against this bill. These groups have stated that: "The updated HMDA data will provide critical information about whether similarly situated borrowers in underserved communities are receiving equitable access to mortgage credit, data that we lacked a decade ago when the crisis hit."

Mr. Speaker, I recognize the need for Congress to consider tailored and sensible regulatory relief to community financial institutions, but this bill is not that relief.

Financial institutions are already required to collect this data as part of existing mortgage regulations or as part of the mortgage underwriting process.

Mr. Speaker, I cannot support H.R. 2954 because it undermines effective fair lending enforcement by reducing

HMDA data. This bill will contribute to unequal access to affordable credit for people of color, low- to moderate-income families, and borrowers in rural areas.

History has repeatedly shown us that when financial institutions are merely trusted to operate in good faith, American consumers are left vulnerable to discriminatory and predatory lending, communities are stripped of wealth, and our economy is weakened.

Mr. Speaker, for these reasons, I urge my colleagues to reject this rollback of a key fair lending tool and to join me in opposing H.R. 2954.

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

Mr. HENSARLING. Mr. Speaker, I yield 5 minutes to the gentleman from Minnesota (Mr. EMMER), a very valuable member of our committee and the sponsor of the legislation.

Mr. EMMER. Mr. Speaker, every citizen in our Nation desires the chance to achieve their American Dream. For thousands across this country, their American Dream consists of owning a home or starting their own business.

Some laws have proven helpful in achieving this dream; others have created obstacles by codifying government overreach.

In 1975, the Home Mortgage Disclosure Act was enacted. This important law exposed and helped eliminate discriminatory lending practices, particularly against minorities. In short, this law helped more Americans realize their dream of owning a home.

Over the years, however, the disclosures required by the law have expanded away from the original intent and have actually become an obstacle, preventing small, medium, and local lenders from helping aspiring landowners and business entrepreneurs.

In 2015, the Dodd-Frank-created agency, the Consumer Financial Protection Bureau, CFPB, demanded from lenders more than double the amount of data originally required under the Home Mortgage Disclosure Act.

That double-the-data rule took effect on the 1st of this month. Larger lenders are able to adapt. In fact, most, if not all, continue to be in the home mortgage business today.

But for smaller lenders, for the family-owned bank on Main Street, the double-the-data rule means making fewer mortgages or none at all. This unintended result is something each of us has heard over and over again in our home districts.

Again, these are not the Wells Fargos, the Bank of Americas, or the J.P.Morgans. These are the small guys, the little guys on Main Street Minnesota and Main Streets all across this country.

We all remember the financial crisis of 2008 and the devastation it brought to this Nation. Our economy suffered greatly.

□ 1545

No one wants that again. Unfortunately, Congress reacted by demanding

that small banks and credit unions, quite literally, pay for a crisis they didn't cause. In the great State of Minnesota, the "Land of 10,000 Lakes," I consistently hear from small banks and credit unions that want to do what they do best: help Minnesotans achieve the American Dream.

Due to the increased cost of compliance with the CFPB's double-the-data rule—an estimated additional \$326 million—many small banks in Minnesota are reconsidering their ability to continue to make mortgages and other covered loans.

In 2014, Minnesota credit unions were on the hook for \$7.2 billion in compliance costs. That is before the double-the-data rule. Not only are the additional HMDA compliance burdens ill-suited and unnecessary for these institutions, the CFPB's rule does very little to provide additional protection, all while potentially exposing consumers to potential identity theft or fraud.

This information comes from those on the ground, the ones who are seeing this misguided rule in action. As a direct result of having fewer and fewer small, medium, and local lenders in the home mortgage business or offering capital for their neighbor's small business to get off the ground, the CFPB's rule has put the American Dream out of reach for thousands across the country.

Mr. Speaker, today we have to rightsize government regulation to create more opportunity. We have the opportunity to encourage small- and medium-sized financial institutions in our local communities to keep their doors open, to make mortgages again, to make loans to would-be entrepreneurs, in short, to fund the dreams of their neighbors and friends.

We have an opportunity to expand, not the law, but rather, and instead, the number of Americans who can own a home or start their own business.

I first introduced the Home Mortgage Disclosure Adjustment Act when I came to Congress in 2015. It is a bill that would keep the original intent of the 1975 law. Nothing will overwrite or exempt any financial institution, big or small, from reporting data related to race and gender. It is a bill that will put a stop to the loss of small- and medium-sized lenders by providing desperately needed regulatory relief for Main Street banks and credit unions.

I am pleased to say it is a bill that has been perfected with the input from both sides of the aisle, present company excluded, and in both Chambers. Our goal today shouldn't be to expand the law. Our goal today should be to expand the number of Americans who want to get one step closer to achieving their American Dream, whether it is owning a home or starting a business.

Mr. Speaker, that is our goal, and today we can take a big step forward in reaching that goal. If my fellow colleagues share this goal, then I urge you to vote "yes" on H.R. 2954, and pass the

Home Mortgage Disclosure Adjustment Act.

Ms. MAXINE WATERS of California. Mr. Speaker, the gentleman from Minnesota who described his district, he failed to mention that the China-Asia Economic Development Association and the Jewish Community Action group all oppose this bill.

Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. CRIST), a member of the Committee on Financial Services.

Mr. CRIST. Mr. Speaker, I would like to thank Ranking Member WATERS for her steadfast leadership.

While I have great respect for the gentleman from Minnesota, I rise in strong opposition to this bill before us today. I feel so lucky and fortunate to represent Florida's 13th Congressional District which includes my hometown of St. Petersburg, "The Sunshine City." It is a beautiful place to grow up, to visit, to live, to work, and to retire.

It is also a place that still bears some scars of segregation. The Fair Housing Act was signed 50 years ago this spring. Why then are so many neighborhoods still segregated? Why are so many of our constituents still victimized by redlining and unequal access to credit? Fair housing data is a critical tool to right the wrongs of the past, to see how well banks are serving all of our communities.

It helps root out the occasional bad apple and the occasional bad institution. This data is worth the effort. In a perfect world, we wouldn't need laws to protect the vulnerable, or data to enforce those laws. But having fought and won discrimination suits on behalf of the people as Florida's attorney general, I will tell you, this is not a perfect world.

While I share my colleagues' desire to make regulatory compliance less burdensome, let's not make it easier on banks by making it harder for fair housing.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Missouri (Mr. LUETKEMEYER), the chairman of our Financial Services' Subcommittee on Financial Institutions and Consumer Credit.

Mr. LUETKEMEYER. Mr. Speaker, I thank the chairman for his hard work on our committee and leadership as well.

Mr. Speaker, I want to start by thanking the gentleman from Minnesota (Mr. EMMER) for sponsoring this very important legislation. Banks and credit unions of all sizes are drowning in a sea of paperwork. We hear about it every day from lenders that appear before the Financial Services Committee. The reality is that, because of the regulatory environment, mortgage lending is simply too burdensome for some community banks and credit unions. Lenders have little choice but to limit the products and services made available to customers or, in some cases, exit the mortgage business all together, which some have actually done.

The changes we have seen on the Home Mortgage Disclosure Act requirements are a great example of regulation run amuck. On every loan, lenders must check a lengthy series of boxes. One mistake lands a bank or credit union out of compliance, in hot water with the field examiners, and potentially exposed to litigation.

In committee, I had a matrix. It is almost 300 boxes of things that they have to look at. Then if there is one box that is out of compliance, you could be exposed.

The Obama administration CFPB significantly expanded regulatory requirements associated with HMDA. Financial institutions now have to report a total of 48 different data fields for each individual borrower. In fact, today's HMDA requirements are more than double the statutory requirements established by Congress.

What do we get for all of this box checking? Not a lot, beyond a more burdensome process that, in the best case scenario, slows the borrowing process. These rules and regulations make it more and more difficult for small institutions to absorb costs and results in constricted credit and higher price for consumers' and customers' needs.

Compliance with HMDA requirements is one of the top concerns and frustrations I hear from community banks in Missouri. And, in fact, we had a hearing recently, where we had the president of an institution in there, and he had a file that was this thick, Mr. Speaker, over 3-inches thick. And I asked him: How many pages do you have in that file? And he said: Congressman, we don't measure it by the page anymore. We measure it by the pound.

This legislation aims to address some of those concerns. H.R. 2954 would exempt small community banks and credit unions from new HMDA reporting requirements. It is my understanding that this relief would apply to other mortgage lending institutions as well, including lenders who make loans on manufactured housing.

We have an opportunity today to put our vote where our mouth is and support legislation that will grant relief to the Nation's smallest financial institutions and enable more access to credit for our customers and members of our local communities.

Mr. Speaker, I want to thank, again, the gentleman from Minnesota for his outstanding work on this legislation and his work on behalf of our financial institutions and their customers.

Mr. Speaker, I ask for support of the Home Mortgage Disclosure Adjustment Act.

Ms. MAXINE WATERS of California. Mr. Speaker, I reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am now very pleased to yield 3 minutes to the gentleman from Oklahoma (Mr. LUCAS), a member of the Financial Services Committee.

Mr. LUCAS. Mr. Speaker, I am pleased to support Mr. EMMER's bill, H.R. 2954.

Dodd-Frank added unprecedented new regulations on industry. As has been said already by my colleagues, institutions now have to collect 25 additional fields of data. This is more than double what the banks and credit unions and other lenders had to report prior to passage of Dodd-Frank. Not only do these added requirements increase costs for all financial institutions, but it has taken lots of time for smaller community lenders to prepare for them.

This House should be well aware of two surveys of small financial institutions that reported an alarming inability of those entities to meet these new requirements.

In fact, in my meetings with small banks and credit unions from Oklahoma, all of them have raised these specific rules and requirements as being costly enough to affect their business decisions: such as how many mortgages they could feasibly originate.

All of this makes this bill not only timely, but immensely necessary. I represent a district that is full of institutions that originate fewer than 500 closed-end mortgages or open-end lines of credit in 2 years. While these new requirements were certainly well-intentioned, their impact on small institutions cannot be overstated and should not be lessened.

We as a body should continue to find ways to grow the ability of Americans to receive and to utilize financial instruments, such as mortgages. These requirements, if put on all institutions nationwide, will disproportionately affect those who are served by small financial entities.

Mr. Speaker, I urge my colleagues to support Mr. EMMER's bill.

Ms. MAXINE WATERS of California. Mr. Speaker, I continue to reserve the balance of my time.

Mr. HENSARLING. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Colorado (Mr. TIPTON), the vice chairman of our Subcommittee on Oversight and Investigations.

Mr. TIPTON. Mr. Speaker, I thank Chairman HENSARLING for his leadership on this issue as well.

Mr. Speaker, the Home Mortgage Disclosure Act continues to be an important resource for regulators to identify discriminatory lending activity. But the previous administration's interpretation of the act's reporting requirements has become overly burdensome for smaller financial institutions.

Community banks and credit unions are weighed down with the same compliance burdens as larger institutions, without the advantages of massive compliance departments. The Consumer Financial Protection Bureau's rulemaking of October 2015 on the Home Mortgage Disclosure Act would require financial institutions to report

33 new data fields for each borrower, more than double the statutory requirement laid out by Congress on top of an already detailed HMDA data collection requirement.

Fortunately, Mr. EMMER's bill, the Home Mortgage Disclosure Adjustment Act, would remove some of the compliance burdens placed on our Nation's smallest financial institutions by exempting depository institutions that have originated fewer than 500 closed-end mortgage loans and fewer than 500 open-end lines of credit from disclosure requirements and maintenance of mortgage loan records under the 2015 HMDA rule.

The CFPB's October 2015 rulemaking requires financial institutions to report on over 100 total data points for any loan application, regardless of whether the institution agrees to make the loan or not.

To put that in perspective, the time and resources required by a community financial institution to fill out all 100 of these data points for each application could be the difference between being able to make one more loan in a community or not. And in small communities across America, small communities like I represent, every single loan counts.

With Mr. EMMER's legislation, the community financial institutions least able to absorb compliance burdens would be able to turn their attention and resources back to providing loans for hardworking families, rather than meeting overly burdensome regulatory requirements.

Mr. Speaker, I would like to applaud Mr. EMMER for introducing this legislation and encourage my colleagues to be able to support this measure.

The SPEAKER pro tempore (Mr. HULTGREN). Without objection, the gentleman from Minnesota (Mr. ELLISON) will control the time for the minority.

There was no objection.

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

Mr. Speaker, this legislation that we are talking about today, the Home Mortgage Adjustment Act, has to be looked at in the light of the history that this country has had.

Our country has a HMDA bill, a home mortgage act, a Home Mortgage Disclosure Act, because of years, literally centuries, of discrimination and racism which has allowed for Americans to be excluded from the hope of homeownership.

When people say: Look, I believe I have been the victim of mortgage discrimination, they have been very difficult and hard-pressed to prove it because the people who issue mortgages say: Well, that wasn't the reason. Well, I know that your credit score and your downpayment and everything is just like other people, but that is not the reason.

Well, the truth is that it is the data that the Home Mortgage Disclosure Act provides for that puts people in a

position where they can say: Look, I have been discriminated against. How come there is this wide racial disparity?

□ 1600

As a result of it, justice has been yielded to people who have been victims of discrimination seeking nothing more than the American Dream of homeownership.

So along comes the bill today, the bill we are considering at this moment, which essentially says that we are going to backtrack on the Home Mortgage Disclosure Act. We are not going to enforce it, even though we know that it has yielded justice for people, equal protection under the law for people, but we think that the needs of businesses are just going to be so important that we are going to backslide on the issue of justice.

So, Mr. Speaker, today I have to urge a very strong "no" vote on this bill because this bill says that America's commitment to liberty and justice for all is not something that this House wants to live up to. We are going to say that we can't abide government regulations even if it means we are going to advance the cause of a civil and human equality for all Americans.

Now, of course, the folks might say: Well, it is not all HMDA that we are trying to change. What we are trying to do is just stop the implementation of HMDA data, and it is only going to be for institutions that are of a smaller size; and even then, it is only going to be certain data.

Yes, they will minimize the negative impact of this legislation. But there is no doubt that this is backing off of a commitment that this Nation has made so that all people in our country can freely participate in homeownership.

They will try to minimize and say: It is only credit unions and banks that only issue about 500 or fewer mortgages. When you add all those folks up, that adds up to being a whole lot of mortgages, Mr. Speaker. It is only certain kinds of data, and that data is critical to making sure that people are included in the American Dream. So I am urging a very powerful "no" vote.

Now, the people who advocate this legislation say: Well, it is just too much burden on business. We can't be bothered with having business fill out forms. It is quite inconvenient.

But the problem, Mr. Speaker, is that, if this were such a problem, we would all come together and figure out how to make it easier to meet the requirements of HMDA. But that is not what is going on. They just want to delay the implementation of collection of critical data which will lead to the furtherance of the American Dream, which is homeownership.

Mr. Speaker, it was only 8 years ago that we went through the largest foreclosure crisis in the history of our country other than the Great Depression, just 8 years ago. It wasn't decades

ago. It was really a few years ago, well within the memory of people who serve in this body right now. Many of us were serving in this body during that foreclosure crisis.

Mr. Speaker, all Americans were hurt. They were hurt when the value of their homes went down, and they were hurt when they saw unemployment go up. All Americans were hurt. But if we are perfectly honest, Mr. Speaker, not all Americans were hurt the same. African-American and Latino household wealth took the biggest hit of all. Because of this devastating blow, because of this shot, we saw the stripping away of African-American wealth to extreme degrees, not to mention people from Latino families.

We cannot say, on the one hand, "Pull yourself up by the bootstraps, work hard, save, and own a home," and, on the other hand, take away the tools by which people can get that home. But that is exactly what we are doing right here. We are saying that we are going to take the tools that you need to make for a fairer, more open and more just neighborhood, we are going to take those tools that you rely on, and we are going to say that you cannot have those tools because the demands of business require that we don't do that; it is just too expensive, it is too burdensome, and it is too inconvenient.

Let me tell you this: 250 years of slavery, 100 years of Jim Crow, and another 70 years of social discrimination are pretty doggone inconvenient, too. If HMDA is a tool that we use to make our society a more equal and more perfect Union, then why would we backtrack on it? Why would we backslide on it? Why would we do those things?

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

Mr. HENSARLING. Mr. Speaker, I yield myself 30 seconds to say that it was a most interesting and passionate speech that my colleague gave.

I have some good news for him. The 13th, 14th, and 15th Amendments to the Constitution are not repealed by this bill, and neither is HMDA. HMDA is not repealed. Even the new CFPB regulations that double the data of HMDA are not repeal.

I would urge the gentleman from Minnesota to actually read the bill, which happens to be four pages long, and he would find out that a current—a current—exemption that exists under current law for our smallest financial institutions that are trying to make loans to the very people he claims he wants to protect, that is slightly enlarged.

Mr. Speaker, I yield 3 minutes to the gentleman from Arkansas (Mr. HILL), who is the majority whip of the Financial Services Committee.

Mr. HILL. Mr. Speaker, I thank our distinguished chairman for yielding, and I appreciate my friend, Mr. EMMER, for introducing this bill to make this very modest change which does help community banks allocate capital and



make more mortgage loans out there in our country.

I would say to my friend from Minnesota, who knows I have great respect for him and his eloquence, that no one on this side of the aisle is any less interested in justice than he is.

I must say, Mr. Speaker, that, as the chairman noted, this bill does nothing about eliminating protections under the Fair Housing Act or protections under the fair lending act for discrimination in housing or lending for minorities in this Nation.

This is really, instead, about continuing the theme of the Home Mortgage Disclosure Act, which is to relieve some burden for the smallest financial institutions across the country. The act, for example, exempts institutions with less than \$50 million in assets that are in an MSA from requiring any reporting. The act, for example, exempts small banks under \$50 million that are not in an MSA from any reporting.

So Mr. EMMER's bill simply continues on that theme while protecting justice and while protecting the ability to have data to make sure that we, in fact, in this country, have fair lending.

If this requirement were enacted, community lenders would be required to collect more than double the amount of data points they do now. It is some 300,000 fields of data on a loan activity report, a LAR, which is how banks measure their compliance with HMDA—300,000 lines of activity. If you have a 10 percent error rate, Mr. Speaker, you are a bad actor and can submit many more challenges to maintain your independence as a bank.

I would also argue that, on the backs of other regulatory burdens on small banks like TILA-RESPA, which was supposed to be a big improvement for consumers, it has actually hurt lending, raised costs, and limited credit. This comes on the back of that.

So, Mr. Speaker, I believe H.R. 2954 provides needed relief for our smallest financial institutions and preserves more lending options for the markets that these banks serve.

Mr. Speaker, I thank my friend, Mr. EMMER, for his thoughtful work.

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

Mr. Speaker, as I mentioned before, the Home Mortgage Disclosure Act, the underlying bill, the bill that is being attempted to be amended today, didn't drop out of the sky. We have it because there was historic, provable, and demonstrable discrimination. That is why we had it.

This bill, the Home Mortgage Disclosure Adjustment Act—a completely different piece which, I argue, backslides on our commitment to fair housing—would undermine our ability to stop discrimination by exempting 85 percent of the Nation's banks and credit unions and 48 percent of the Nation's nonbank lenders from having to follow the updated reporting requirements.

What are these reporting requirements? They are things that banks col-

lect already. They are pieces of information being collected now. All they have to do is take one piece of paper that they have already prepared the documentation for and put it into another document. That is it.

Now, the application borrower's age, that is an important thing to combat age discrimination.

Credit score, name, and version of the credit scoring model, that is an important piece of information. That is already in the underwriting file and in FCRA.

The debt-to-income ratio is already in the underwriting file and is required by QM compliance.

Automated underwriting system name, that is in the underwriting file.

Other information about the property, securing the loan, and the value of the property to secure the loan, that is in the underwriting file and it is in TILA requirement.

Combined loan-to-value ratio, that is in there already because of underwriting.

Manufactured home property type, land or without land, that is in the underwriting of the file.

Let me tell you, Mr. Speaker, that information is critical because, in the manufactured housing industry, we know there is predatory lending and unfairness to borrowers a lot, so we need that kind of information to protect borrowers.

I reject the argument that somehow, if we don't have commonsense regulations and disclosure, that is going to result in more—more—loans being issued. There is no evidence to support that. What it will likely result in is more discrimination happening and perhaps people who own the banks and the credit unions just pocketing more money. But the fact that less regulation and oversight is going to yield more justice for people who have historically been excluded, there is no basis to believe that.

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

Mr. HENSARLING. Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. LOUDERMILK), who is another hardworking member of the Financial Services Committee.

Mr. LOUDERMILK. Mr. Speaker, I thank the chairman for yielding me time to speak in support of the Home Mortgage Disclosure Adjustment Act sponsored by my good friend and colleague, Mr. EMMER.

As I sit and I listen to the debates that we are having in here and I think of what people back home must be thinking, it is hard, quite often, for us here to actually see what it is like, the boots on the ground back home. So I tend to go back home, and I talk to the source. What is it that we do up here that can hurt you or help you in your business and your life?

Recently, I had a gathering of small-business owners, executives from larger businesses from across my district, and I posed a question to them: If we could

only do one thing to help your business, what would that be? Would you rather us lower taxes or reduce regulation?

Without exception, every person in that room said: Reduce regulation on my business.

That surprised me.

So I asked them why. They said: Because, by lowering our taxes, you can help our bottom line, but it is the regulation that hurts our ability to actually meet the needs of our customer.

Now, when I talk to the small banks who predominantly loan to the small guy, the small-business guy, they say: It is things such as this that actually get in the way of my helping the customer.

So it is not about inconvenience to the business. It is about serving the needs of the small guy, and it is about serving the needs and actually providing access to the capital that the small-business owner, the backbone of America, actually needs.

Now, this bill is a perfect example of how we are simply reducing the burden on these businesses so they can meet the needs of the consumer much better. It doesn't do away with the regulation. It just reduces some of the reporting requirements that are onerous and that are duplicative. Basically, it tailors this data toward the small bank and the small business.

The SPEAKER pro tempore (Mr. MITCHELL). The time of the gentleman has expired.

Mr. HENSARLING. Mr. Speaker, I yield the gentleman from Georgia an additional 30 seconds.

Mr. LOUDERMILK. Mr. Speaker, currently, only mortgage lenders that have made fewer than 25 loans a year are exempt from this onerous data reporting requirement. All this bill does is extend that to 500 because I want our small banks to be making more than 25 loans a year to the small guy. I want them to make many more loans. Especially as this economy is improving, we want to support the small guy.

With that, Mr. Speaker, I encourage my colleagues to support this commonsense piece of legislation.

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

Mr. Speaker, the gentleman made a point that I thought was definitely worth mentioning. He said that he wanted to know how the law plays out boots on the ground back at home. He talked about: Does it hurt you or does it help you? The gentleman made a specific point about getting real-life, tangible experience people have with the law.

I am glad he mentioned that, and the reason why is that I talked to a woman earlier this week as I prepared to be here today. She said she scrubbed floors in a hospital for 30 years. She scrubbed floors in a hospital for 30 years. She got up every day, and she saved her money. Her family never owned a home; they rented. That is all they could ever afford to do. She applied for a loan in a bank for a home once she got her money together.

□ 1615

She was hopeful. She was optimistic. She even had a home picked out that she wanted to own and have her grandchildren and kids live with her in that home. She was denied. She had a good credit score. She saved her money. She shared with me that she felt like it was because of her race.

Now, of course, nobody is going to admit that. When it comes to mortgage lending, Mr. Speaker, the people who make decisions that exclude one group of people and include another one don't use the nasty, ugly language that all of us condemn. They don't come in here and use the N word. They don't say ugly stuff.

These people wear suits. They wear ties. They have nice, pressed white shirts. Many of them have monograms on those shirts. These are the members of the country club. Yet this lady who worked so hard for so long to own a home was denied.

It was when statistical analysis was brought forth that people decided maybe they should just give her that loan after all. It was when she went to legal aid and complained.

I can tell you this, it is the kind of thing that is important.

How do people on the ground experience the Home Mortgage Disclosure Act?

They experience it as something that gives them a chance to have a good life, too. If you never felt the sting of discrimination, maybe it is just a business regulation to you. But if you have been looked in the eye and told "no," and you know that this is not right and you know it is probably because of who you are, then, and only then, will you understand why it is important not to weaken the Home Mortgage Disclosure Act.

I don't doubt that people who are offering this amendment to relieve the regulatory "burden" have animus in their heart. I really don't believe they do. But I will tell you this: they are listening to the folks in the country club. They are listening to the folks who are on the other side of the table. They are not listening to the people who need that mortgage, who work for that mortgage, who deserve that mortgage.

That is not who they are talking to. If they would sit down and listen to folks who just want to own a home, maybe they wouldn't see this as just some sort of a bothersome regulation. It is getting in the way of business.

How can we possibly ever allow that?

To the folks who would say that, discrimination is a theoretical concept. It might happen to some people, but none of the fine people they know in the banking industry would ever do that.

Mr. Speaker, the underlying bill came up because people were living with mortgage discrimination. It came up because people were being denied. It came up because people that were being told "no" should have been told "yes." That is what is going on right here. This is why this bill, this Home

Mortgage Disclosure Adjustment Act, needs to be defeated.

If you want to talk about ease of regulation, we can always talk about how to help people comply with the law. I am not against that. But what I am against is backsliding and backtracking on the progress that this country has made in favor of equal access to credit and mortgage lending. This bill is a threat to that.

There shouldn't be anyone who votes for this piece of legislation who seriously considers how damaging discrimination has been historically and who seriously considers how the lives of people who spent so much time simply trying to be part of this country have been told "no."

There are a lot of groups that agree. There are 173 national and State-based civil rights, fair housing, and consumer and community organizations that agree. There are 25 community labor and public interest groups that agree. They say this:

H.R. 2954 would nearly quadruple the number of banks exempted from the key mortgage disclosures designed to detect predatory and discriminatory lending, leading to 5,400 banks being exempted, as well as an additional 487 nonbanks.

This is not a small thing. I just say that I give everybody credit for good intentions. I really do. But I think that folks need to really think about what it means to be on the other side of that desk when you are applying for that mortgage, not just the businessmen and -women who deny mortgages or grant them as they see fit.

Public Citizen says:

This bill would eliminate race and gender home mortgage reporting requirements for lenders who make fewer than 500 closed-end mortgage loans and fewer than 500 open-end lines of credit. There is really no benefit to such an exemption, as the reporting requirements are negligible.

Lenders who write mortgages obtain significant data on their customers, as they should. Reporting a few items of this data is not cumbersome. The potential harm, on the other hand, is to subvert the basic intent of the Home Mortgage Disclosure Act, which is to publicize whether a bank is truly serving its geographic market on a race and gender blind basis.

What about CAP, the Center for American Progress?

They say:

While on its face this appears to be a simple regulatory relief bill, this provision would exempt the majority of mortgage lenders from new Home Mortgage Disclosure Act reporting requirements.

The Home Mortgage Disclosure Act reporting is the primary source of information on the availability and quality of mortgage lending and serves a vital function in fair lending assessments.

This bill would effectively paint an incomplete or inaccurate picture of lending activity in the communities across the country, making it vastly more difficult for regulators and researchers alike to assess the state of the mortgage market.

Mr. Speaker, I urge Members to vote "no" on this piece of legislation. It is wrong. It is not the right thing. There are other ways to do what the authors

want to do. But simply saying, "All these people are exempt and you don't have to comply," is not the right way to go. It will set us back as a nation. It will turn us back as a nation. I am urging a "no" vote.

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

Mr. HENSARLING. Mr. Speaker, I continue to reserve the balance of my time.

Mr. ELLISON. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. MAXINE WATERS), the ranking member.

Ms. MAXINE WATERS of California. Mr. Speaker, I thank Mr. ELLISON for the time he has spent with us today opposing this legislation. His history is such that everyone understands that he represents the least of these, that he represents working people, that he represents poor people. Whenever there is an opportunity to speak up for them, he always does.

Mr. Speaker, I think we need to remember what this is all about, so let me state the facts.

HMDA data allows us to monitor mortgage lending patterns to identify underserved communities and populations to combat discriminatory lending.

HMDA data was used to determine when many of us suspected during the subprime bubble that persons of color, particularly African Americans, received predatory subprime loans at higher rates than White borrowers. They received these loans even when they qualified for prime mortgages.

The Department of Justice and the Consumer Financial Protection Bureau have used HMDA data to bring fair lending cases against banks for redlining, steering, and other violations of the Fair Housing Act.

It might be true that H.R. 2954 could provide relief to some financial institutions by exempting lenders from the updated HMDA reporting requirements. What is true is that the bill would likely also have far-reaching adverse consequences for consumers, particularly those in low-income census tracts and rural areas.

Equally disconcerting is that the reduced HMDA data could stop regulators' ability to identify and stop any emerging predatory or discriminatory practices faced by those consumers.

Borrowers who take out home equity lines of credit, the HELOCs, are at risk of losing their homes to foreclosure when property values decline. In fact, the expansion of HELOCs in the mid-2000s contributed to the foreclosure crisis that many communities experienced in the last 2000s.

The Consumer Financial Protection Bureau noted that:

Had open-end line of credit data like HELOCs been reported in HMDA, the public officials could have had a much earlier warning and a better understanding of potential risk, and public and private mortgage relief programs could have better assisted distressed borrowers in the aftermath of the crisis.

While I am a longtime advocate for community banks, this bill does not reduce burdens. All of the HMDA data points being discussed today will continue to be collected by banks because they need this data to originate mortgages for their customers.

I also understand that personal banking does not mean that discriminatory lending does not occur in smaller-sized institutions. In fact, the Obama administration's Department of Justice sued a community bank located in Chaska, Minnesota, with assets of \$1.9 billion.

Mr. Speaker, you have heard the arguments. We are on the side of the people. I don't know who they represent over there. I simply ask for a "no" vote.

Mr. ELLISON. Mr. Speaker, I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, may I inquire how much time I have remaining?

The SPEAKER pro tempore (Mr. DIAZ-BALART). The gentleman from Texas has 6 minutes remaining.

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

Mr. Speaker, it is fascinating listening to my friends on the other side of the aisle. It is fascinating because they tell us they want to protect the single mothers. They tell us they want to protect the people of color. They tell us they want to help and protect the poor, but they are protecting them out of their home ownership opportunities.

Because of the increased HMDA compliance on our smallest community financial institutions, they are ceasing to make these loans. But they will sleep well tonight in their apartments and in their rental homes, knowing that my good friends on the other side of the aisle protect them out of their ability to finally realize their portion of the American Dream and have that shot at home ownership.

Mr. Speaker, how many people have to lose their home ownership opportunities due to the onslaught of the onerous Federal regulations?

What is fascinating about this debate is that what they would discover is that HMDA is still the law of the land. Again, I would encourage my friends to actually read the bill. I think it is 3 pages long; maybe 3½ pages long.

HMDA doesn't go away if we enact H.R. 2954. But what it says is that for our smallest financial institutions, the HMDA requirements, the doubling of HMDA requirements, the increased burden, will not be placed on our smallest financial institutions, as we are losing one every single day. As we lose them, we lose that credit opportunity for the least of these that my friends, I know in their heart, want to help, but they are not helping them.

Listen to those who are actually trying to make these loans. By the way, I don't know of a successful business model for any bank that says: You know what? I am going to make more money if I don't lend it to you. If I refuse to make loans, if I refuse to

serve my community, if I practice active racism, that will be good for my bottom line.

I am not seeing it in the Fifth District of Texas, and I highly suspect that it is difficult to find in the United States of America in the 21st century.

So I hear from the community banker in Nebraska, who says:

Go to any community bank reporting HMDA and have them sit down and watch bank staff review a loan file. Then document the data showing how difficult it is to prevent errors.

This bank got out of the business of loaning. They said:

We don't need the ulcers created by such stress from the fear of the regulators.

I heard from a community bank in Oklahoma that said:

Because of Dodd-Frank, we no longer offer-purchase house loans. We are servicing only the ones we have on the books.

Thank you Dodd-Frank and HMDA. May I have another.

I heard from a community bank in Nevada that said:

The mortgage regulations intended to help the consumer have been particularly harmful. My bank is a very small community bank servicing communities in rural Nevada. We used to do quite a bit of residential mortgage lending, but hardly any now, due to the restrictive regulations.

□ 1630

So, again, I would just ask that my friends on the other side of the aisle open up both their hearts and their heads and see how many people are being hurt by the cumulative impact of this regulatory tsunami hitting those who loan the money to the least of these to make sure that they can achieve their version of the American Dream.

And where was all the angst, Mr. Speaker? Where was all the angst? My friends on the other side of the aisle talk about statistics. Well, here is a statistic that comes from the Federal Reserve: When the qualified mortgage rule of the CFPB is fully implemented, 30 percent fewer Blacks and Hispanics, people of color, will be able to get mortgages versus 2010. There is a statistic.

And I would say, Mr. Speaker, perhaps that is even a more valuable statistic when it comes to looking at the increased HMDA burden placed by the CFPB on our community financial institutions. Maybe that is a more important statistic than even the 20-some-odd new fields of HMDA data that CFPB is requiring on the smallest banks and credit unions in America.

My friends on the other side of the aisle say: Oh, we care about the plight of these community banks. Well, why are we still losing one a day, and why do you tell us that you care about their plight and their ability to loan money but you don't vote with us?

Fortunately, some Members on the other side of the aisle in the other body over my shoulder, Mr. Speaker—there is actually a bipartisan bill in the Sen-

ate that does exactly what H.R. 2954 does. I am very happy to say that it was a bipartisan bill coming out of the Financial Services Committee, also enjoying some Democratic support.

But, again, I just don't think my friends who are debating now have read the bill. I encourage them to read the bill, and every Member ought to support H.R. 2954 and support the opportunity to buy a home in the American Dream.

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

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

Pursuant to House Resolution 693, 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.

#### MOTION TO RECOMMIT

Mr. ELLISON. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. ELLISON. Yes.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. ELLISON moves to recommit the bill H.R. 2954 to the Committee on Financial Services with instructions to report the same back to the House forthwith with the following amendment:

Page 3, beginning on line 11, strike "paragraph (3)" and insert "paragraph (4)".

Page 3, line 13, strike "paragraph (3)" and insert "paragraph (4)".

Page 4, line 4, strike the quotation mark and ending period and insert after such line the following:

"(3) ATTESTATION REQUIREMENT.—

"(A) IN GENERAL.—For each year with respect to which a depository institution is exempt from the requirements of paragraphs (5) and (6) of subsection (b) by reason of paragraph (1) or (2) of this subsection, the president and chief executive officer for such depository institution shall submit a written attestation to the Bureau and the appropriate Federal financial services regulator that—

"(i) the institution is in compliance with all relevant Federal fair lending laws and regulations;

"(ii) the institution has established adequate internal controls to detect whether the institution's business models and personnel policies and practices operate in a fair manner and provide equal opportunities for minorities and women in the institution's workplace; and

"(iii) the senior executives, managers, loan officers, and other employees of the institution who are substantially involved in the underwriting of residential mortgage loans for the institution have completed anti-discrimination and diversity training on an annual basis.

"(B) DEFINITION.—For purposes of this paragraph, the term 'appropriate Federal financial services regulator' means—

"(i) with respect to a bank or savings association, the appropriate Federal banking agency (as defined under section 3 of the Federal Deposit Insurance Act); and

"(ii) with respect to a credit union, the National Credit Union Administration."



Page 4, line 5, strike "Section 304(i)(3)" and insert "Section 304(i)(4)".

Mr. ELLISON (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading at this time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 5 minutes in support of his motion.

Mr. ELLISON. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to committee. If adopted, the bill will immediately proceed to final passage as amended.

As we have heard today, the Home Mortgage Disclosure Act is a critical civil rights bill. It is a civil rights bill designed to increase opportunity for all Americans. It is about liberty and justice for all. It is about the Equal Protection Clause. It is about those things that men and women laid their whole lives down for to make this country more fair, more equal.

The Home Mortgage Disclosure Act's intent was to ensure that equal opportunity was given to everyone with respect to mortgages. The law is necessary, given our country's long history of discrimination. Through slavery, we took away rights and freedoms of Black men and women for 250 years. We made them property rather than human beings. It was followed by nearly a century of segregation and disenfranchisement.

As a result of it, people stood up to say we have got to have laws to protect people. We might not be able to change hearts and minds, but we can change behavior. And HMDA helped change behavior.

We are still fighting to make sure we have a more equal society. The Home Mortgage Disclosure Act empowers the Department of Justice, State attorneys general, Consumer Bureau, and the public to fight back against discriminatory lending and monitor access to mortgage credit by traditionally underserved communities and populations.

If a financial institution denies a family a mortgage, they can provide a number of excuses for that denial. Only the data collected through the Home Mortgage Disclosure Act proves that there is a broader issue of discrimination at play.

This bill, the Home Mortgage Disclosure Adjustment Act, exempts institutions from certain HMDA reporting requirements if they originate 500 or fewer closed-end loans, which includes mortgages and car loans, and institutions that issue 500 or fewer open-ended loans. That is nearly 6,000 institutions across America that will stop reporting HMDA data if this bill goes into effect.

This opens the door for discrimination. It opens the door for red-lining, and it is not acceptable. That is why I am offering a motion to recommit that

would ensure that individual banks affected by this bill take steps to reduce discrimination in mortgage lending. If opening the door for discrimination is not the intent of the bill, there should be no issues why my amendment is not passed.

My amendment simply says that the CEO and the president of any financial institution now exempted from collecting and reporting important HMDA data fields must attest that, one, the institution is compliant with all relevant fair-lending laws; two, the institution has established adequate internal controls to detect whether the institution provides equal opportunity; and, three, the institution's senior executives, managers, and loan officers and other employees who are substantially involved in underwriting residential mortgage loans complete an anti-discrimination and diversity training.

Ultimately, my amendment is meant to ensure that each exempted institution is properly incentivized to do what they're supposed to do: lend to all qualified borrowers. By holding the CEO accountable, my amendment ensures that lenders will take the actions necessary to begin to overcome historic racism, sexism, and other discrimination just like HMDA was intended.

If it is a fact that the Home Mortgage Disclosure Adjustment Act is not designed to open the door and green-light discrimination, then this amendment is a commonsense proposal to make sure that that does not happen and that the leader of the institution maintains responsibility for that not happening.

Mr. Speaker, I urge every Member to vote for this motion to recommit, and I yield back the balance of my time.

Mr. HENSARLING. Mr. Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman from Texas is recognized for 5 minutes.

Mr. HENSARLING. Mr. Speaker, I appreciate my friend and colleague from Minnesota restating, in his motion to recommit, what is essentially already current law; but, unfortunately, he adds on yet one more form for community financial institutions to fill out on top of the 18.7 gazillion forms they already have to fill out, the cost of which ultimately is imposed upon those who are trying to find credit and find affordable credit.

And I would remind the gentleman from Minnesota again, every single financial institution impacted by H.R. 2954 still must submit HMDA data. They are still subject to HMDA. For the third time, they are still subject to HMDA. And I am sure that all will be glad to hear Federal regulators still have statutory authority to take any formal enforcement actions against entities for violations of the laws or rules.

But why, when we are trying to make it easier for the least of these to buy a home, are we trying to, instead, my

friends on the other side of the aisle, make it more difficult by adding yet more forms, forms that also say: Do you know what? Even though this is America, you are guilty until proven innocent.

That is a whole different argument, and I wish we had time to develop it here today, Mr. Speaker.

But here is what we need to do. We need to make sure that struggling, hardworking Americans have homeownership opportunities, and the regulatory burden that came out of the previous administration is making it more difficult. So, now, to think that we would double the HMDA requirement data—double—for our smallest financial institutions that are fighting for survival, that are trying to help our constituents buy homes is unthinkable; to add yet one more Federal law, one more Federal form on top of all the others that we have, is just unfathomable. It is unthinkable. It will only harm those whom we are trying to help, and I would urge all Members to reject the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### FEDERAL REGISTER PRINTING SAVINGS ACT OF 2017

##### GENERAL LEAVE

Mr. FRELINGHUYSEN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and include extraneous material on the further consideration of H.R. 195.

The SPEAKER pro tempore (Mr. HULTGREN). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, pursuant to House Resolution 696, I call up the bill (H.R. 195) to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, and for other purposes, with the Senate amendment thereto, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The Clerk will designate the Senate amendment.

Senate amendment: