

116TH CONGRESS
2D SESSION

S. 3774

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

IN THE SENATE OF THE UNITED STATES

MAY 20, 2020

Mr. PETERS introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. COMMUNITY CAPITAL INVESTMENT PROGRAM.**

4 Section 4003 of the CARES Act (Public Law 116–
5 136) is amended by adding at the end the following:

6 “(i) COMMUNITY CAPITAL INVESTMENT PROGRAM.—

7 “(1) IN GENERAL.—The Secretary shall estab-
8 lish a Community Capital Investment Program to
9 support the efforts of community investment institu-
10 tions to provide loans and forbearance for small

1 businesses, minority-owned businesses, and con-
2 sumers, especially in low-income and underserved
3 communities, by—

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

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

8 “(i) that are interest-free loans;

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

10 “(iii) with respect to which no loan
11 payment is required under at least the end
12 of the 180-day period beginning on the
13 date the loan is made, or such longer term
14 as the Secretary may determine appro-
15 priate.

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

21 “(3) DIVIDEND RATE.—Any preferred stock or
22 other financial instrument issued to the Secretary in
23 exchange for a capital investment under the Pro-
24 gram shall carry a dividend or interest rate that
25 does not exceed—

1 “(A) 1 percent, during the 3-year period
 2 following the date on which such instrument is
 3 issued; and

4 “(B) 3 percent, after the 3-year period de-
 5 scribed under subparagraph (A).

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

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

15 “(6) DEFINITIONS.—In this subsection:

16 “(A) COMMUNITY INVESTMENT INSTITU-
 17 TION.—The term ‘community investment insti-
 18 tution’ means—

19 “(i) a community development finan-
 20 cial institution, as defined in section 103 of
 21 the Community Development Banking and
 22 Financial Institutions Act of 1994 (12
 23 U.S.C. 4702);

24 “(ii) an impact credit union;

25 “(iii) an impact bank; and

1 “(iv) a minority depository institution,
2 as defined in section 308 of the Financial
3 Institutions Reform, Recovery, and En-
4 forcement Act of 1989 (12 U.S.C. 1463
5 note).

6 “(B) CREDIT UNION.—The term ‘credit
7 union’ means a State credit union and Federal
8 credit union, as defined in section 101 of the
9 Federal Credit Union Act (12 U.S.C. 1752).

10 “(C) IMPACT CREDIT UNION.—The term
11 ‘impact credit union’ means a credit union
12 that—

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

15 “(ii) extends at least 50 percent of the
16 loans extended by the credit union to bor-
17 rowers who are low-income borrowers, as
18 determined by the Secretary.

19 “(D) IMPACT BANK.—The term ‘impact
20 bank’ means a depository institution, as defined
21 in section 3 of the Federal Deposit Insurance
22 Act (12 U.S.C. 1813) that—

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

1 “(ii) extends at least 50 percent of the
2 loans extended by the institution to bor-
3 rowers who are low-income borrowers, as
4 determined by the Secretary.

5 “(E) PROGRAM.—The term ‘Program’
6 means the Community Capital Investment Pro-
7 gram.”.

○