

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 1443  
OFFERED BY MR. TORRES OF NEW YORK**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

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

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

5 (a) IN GENERAL.—Section 704B of the Equal Credit  
6 Opportunity Act (15 U.S.C. 1691c–2) is amended—

7 (1) by inserting “LGBTQ-owned,” after “mi-  
8 nority-owned,” each place such term appears;

9 (2) in subsection (e)(2)(G), by inserting “, sex-  
10 ual orientation, gender identity” after “sex”; and

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

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

15 “(A) more than 50 percent of the owner-  
16 ship or control of which is held by 1 or more  
17 individuals self-identifying as lesbian, gay, bi-  
18 sexual, transgender, or queer; and

1                   “(B) more than 50 percent of the net prof-  
2                   it or loss of which accrues to 1 or more individ-  
3                   uals self-identifying as lesbian, gay, bisexual,  
4                   transgender, or queer.”.

5           (b) SENSE OF CONGRESS.—It is the sense of the  
6 Congress that the term “sex”, as used within the Equal  
7 Credit Opportunity Act, includes an individual’s sexual  
8 orientation and gender identity, and that this Act, in part,  
9 clarifies that the sex, sexual orientation, and gender iden-  
10 tity of the principal owners of a business should be col-  
11 lected under section 704B of the Equal Credit Oppor-  
12 tunity Act as three separate forms of information.

