

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 2516
OFFERED BY MR. GREEN OF TEXAS**

**[Amendment to the Promoting Diversity and Inclusion in
Banking Act of 2021]**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Promoting Diversity
3 and Inclusion in Banking Act of 2021”.

4 SEC. 2. DIVERSITY AND INCLUSION RATINGS.

5 (a) IN GENERAL.—The Dodd-Frank Wall Street Re-
6 form and Consumer Protection Act (12 U.S.C. 5301 et
7 seq.) is amended by inserting after section 342 the fol-
8 lowing:

9 “SEC. 342A. DIVERSITY AND INCLUSION RATINGS.

10 “(a) IN GENERAL.—The Board of Governors, the
11 Comptroller of the Currency, the Corporation, and the Na-
12 tional Credit Union Administration Board, in assigning a
13 rating to a depository institution under the Uniform Fi-
14 nancial Institutions Rating System (or an equivalent rat-
15 ing by any such agency under a comparable rating system)

1 shall include a diversity and inclusion component that ex-
2 amines—

3 “(1) whether the depository institution has ef-
4 fective policies in place to encourage diversity and
5 inclusion in the hiring practices of the institution;

6 “(2) whether the depository institution provides
7 training to the employees of the institution, that is
8 appropriate to the size and resources of the institu-
9 tion, on diversity and inclusion; and

10 “(3)(A) with respect to a depository institution
11 with total consolidated assets of \$1,000,000,000 or
12 less, whether such depository institution has des-
13 ignated an individual to serve as a Diversity and In-
14 clusion Officer who reports to the Chief Executive
15 Officer of the institution on all diversity and inclu-
16 sion matters; or

17 “(B) with respect to a depository institution
18 with total consolidated assets of more than
19 \$1,000,000,000, whether such depository institu-
20 tion—

21 “(i) has designated an individual to serve
22 as a Diversity and Inclusion Officer; and

23 “(ii) has established a committee for diver-
24 sity and inclusion that holds meetings quarterly
25 and that includes in its membership the Diver-

1 sity and Inclusion Officer designated under
2 clause (i) and the Chief Executive Officer of the
3 institution.

4 “(b) APPLICATION TO MINORITY DEPOSITORY INSTI-
5 TUTIONS.—In carrying out subsection (a) with respect to
6 minority depository institutions, the Board of Governors,
7 the Comptroller of the Currency, the Corporation, and the
8 National Credit Union Administration Board shall—

9 “(1) assign such institutions the most favorable
10 rating with respect to the diversity and inclusion
11 component described under subsection (a); and

12 “(2) exempt such institutions from any exam-
13 ination procedures related to the diversity and inclu-
14 sion component described under subsection (a).

15 “(c) DEFINITIONS.—In this section:

16 “(1) DEPOSITORY INSTITUTION.—The term ‘de-
17 pository institution’ means a depository institution
18 or a credit union.

19 “(2) MINORITY DEPOSITORY INSTITUTION.—
20 The term ‘minority depository institution’ means an
21 entity that is—

22 “(A) a minority depository institution, as
23 defined in section 308 of the Financial Institu-
24 tions Reform, Recovery, and Enforcement Act
25 of 1989 (12 U.S.C. 1463 note); or

1 “(B) considered to be a minority deposi-
2 tory institution by—

3 “(i) the appropriate Federal banking
4 agency; or

5 “(ii) the National Credit Union Ad-
6 ministration, in the case of an insured
7 credit union.”.

8 (b) CLERICAL AMENDMENT.—The table of contents
9 for the Dodd-Frank Wall Street Reform and Consumer
10 Protection Act is amended by inserting after the item re-
11 lating to section 342 the following:

“Sec. 342A. Diversity and inclusion ratings.”.

