

The Community Lending Enhancement and Regulatory Relief Act (the CLEAR Relief Act, H.R. 2133) was introduced on April 25, 2017 by Rep. Blaine Luetkemeyer (R-Mo.), a former community banker and Chairman of the House Financial Services Subcommittee on Financial Institutions and Consumer Credit.

Embodying more than a dozen key provisions of ICBA's Plan for Prosperity, the CLEAR Relief Act will promote local economic growth and job creation.

Key Provisions of the CLEAR Relief Act

- **Preserving Community Bank Mortgage Lending:** H.R. 2133 would provide automatic "qualified mortgage" (QM) status for mortgages held in portfolio; exempt from escrow requirements mortgages held in portfolio by a creditor with assets of \$50 billion or less; increase the small servicer exemption threshold from 5,000 loans to 30,000 loans serviced annually; exempt from independent appraisal requirements "high-priced" mortgages of \$250,000 or less held in portfolio; exempt banks originating 1,000 or fewer closed-end mortgages annually from reporting closed-end mortgages under HMDA and exempt banks originating 2,000 or fewer open-end mortgages annually from reporting open-end mortgages; and repeal punitive new capital requirements for mortgage servicing assets under Basel III.
- **Cutting the Red Tape in Small Business Lending:** H.R. 2133 would repeal onerous Dodd-Frank small business loan application data collection requirements (which are not yet implemented).
- **Supporting Additional Capital Opportunities for Small Bank Holding Companies:** H.R. 2133 would raise the eligibility threshold for the Federal Reserve's Small Bank Holding Company Policy Statement from assets of \$1 billion or less to assets of \$10 billion or less.
- **Eliminate Arbitrary "Disparate Impact" Fair Lending Lawsuits:** H.R. 2133 would amend the Equal Credit Opportunity Act and the Fair Housing Act to bar "disparate impact" causes of action and to require discriminatory intent for fair lending violations.
- **CFPB Exam Threshold:** H.R. 2133 would exempt all banks with assets of \$50 billion or less from examination and enforcement by the CFPB. These banks would be examined and supervised by their prudential regulators for compliance with consumer protection regulations.
- **Operation Choke Point:** H.R. 2133 would bar banking regulators from ordering or pressuring a bank to close a customer account based solely on "reputational risk."
- **TRID Waiting Period:** H.R. 2133 would create a waiver from the mandatory waiting period prior to closure under the TRID rule.
- **Stable Funding to Support Community Lending:** H.R. 2133 would facilitate the use of reciprocal deposits, which allow community banks to serve large local depositors and keep their funds in the community.

PLEASE COSPONSOR THE CLEAR RELIEF ACT (H.R. 2133)