

## Union Calendar No. 679

114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 2769

[Report No. 114–869]

To require the National Credit Union Administration to conduct a study of the appropriate capital requirements for credit unions, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2015

Mr. FINCHER (for himself, Mr. HECK of Washington, and Mr. POSEY) introduced the following bill; which was referred to the Committee on Financial Services

DECEMBER 12, 2016

Additional sponsors: Mr. HILL, Mr. BARR, Mr. ROSS, Mr. BROOKS of Alabama, Mr. MURPHY of Florida, Ms. NORTON, Mrs. ROBY, Mr. DUFFY, Mr. ROTHFUS, Mr. BYRNE, Mr. COLLINS of New York, Mr. KING of New York, Mr. GARAMENDI, and Ms. JENKINS of Kansas

DECEMBER 12, 2016

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

# **A BILL**

To require the National Credit Union Administration to conduct a study of the appropriate capital requirements for credit unions, 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. SHORT TITLE.**

4       This Act may be cited as the “Risk-Based Capital  
5 Study Act of 2015”.

6 **SEC. 2. NCUA STUDY.**

7       (a) IN GENERAL.—The National Credit Union Ad-  
8 ministration shall conduct a study of the appropriate cap-  
9 ital requirements for Federal credit unions and State cred-  
10 it unions (as such terms are defined, respectively, under  
11 section 101 of the Federal Credit Union Act (12 U.S.C.  
12 1752) (hereinafter referred to as “credit unions”)).

13       (b) ISSUES TO BE STUDIED.—The study required  
14 under subsection (a) shall include—

15               (1) an analysis of whether or not the National  
16 Credit Union Administration has the clear legal au-  
17 thority to prescribe separate risk-based capital  
18 thresholds for both “adequately capitalized” and  
19 “well capitalized” credit unions;

20               (2) a discussion of the differences between cred-  
21 it unions and other types of depository institutions  
22 and reasons why they should have similar or dif-  
23 ferent risk-weights for their capital requirements;

24               (3) a discussion of the rationale behind the  
25 risk-weights assigned in the proposed rule of the Na-

1 tional Credit Union Administration titled “Risk-  
2 Based Capital” (80 Fed. Reg. 4340; January 27,  
3 2015); and

4 (4) an analysis of the impact the proposed rule  
5 described in paragraph (3) would have on excess  
6 capital above the minimum level for a credit union  
7 to be “well capitalized” (a credit union’s “capital  
8 cushion”) including the impact it could have on  
9 credit union lending and credit union examinations.

10 (c) VOLUNTARY PARTICIPATION.—Any credit union  
11 may voluntarily provide information for the study required  
12 under subsection (a) upon the request of the National  
13 Credit Union Administration, but may not be required to  
14 provide such information.

15 (d) REPORT TO CONGRESS.—Not later than 270 days  
16 after the date of the enactment of this Act, the National  
17 Credit Union Administration shall issue a report to the  
18 Committee on Banking, Housing, and Urban Affairs of  
19 the Senate and the Committee on Financial Services of  
20 the House of Representatives containing—

21 (1) all findings and determinations made in car-  
22 rying out the study required under subsection (a);  
23 and

24 (2) any legislative recommendations of the Na-  
25 tional Credit Union Administration to improve the

1 capital system for credit unions or establish a risk-  
2 based capital system for credit unions.

3 **SEC. 3. DELAY OF RULEMAKING.**

4 Notwithstanding any other provision of law, the Na-  
5 tional Credit Union Administration may not issue or im-  
6 plement any final rule or regulation with respect to risk-  
7 based capital for credit unions, including the proposed rule  
8 described under section 2(b)(3), before the end of the 120-  
9 day period beginning on the date the National Credit  
10 Union Administration issues the report required under  
11 section 2(d).

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