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118TH CONGRESS
2D SESSION

H. R. 3556

[Report No. 118–793, Part I]

To amend the Federal financial laws to increase financial regulatory accountability and transparency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2023

Mr. BARR (for himself, Mr. LOUDERMILK, Mr. FITZGERALD, Ms. DE LA CRUZ, and Mrs. KIM of California) introduced the following bill; which was referred to the Committee on Financial Services, and in addition to the Committees on Oversight and Accountability, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

DECEMBER 4, 2024

Reported from the Committee on Financial Services with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

DECEMBER 4, 2024

Committee on Rules discharged

DECEMBER 4, 2024

Referral to the Committee on Oversight and Accountability extended for a period ending not later than December 19, 2024

DECEMBER 19, 2024

Committee on Oversight and Accountability discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed

[For text of introduced bill, see copy of bill as introduced on May 22, 2023]

A BILL

To amend the Federal financial laws to increase financial regulatory accountability and transparency, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Increasing Financial Regulatory Accountability and Transparency Act".

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

TITLE I—ENHANCING FDIC TRANSPARENCY

SEC. 101. FEDERAL DEPOSIT INSURANCE CORPORATION TRANSPARENCY.

Section 13(c) of the Federal Deposit Insurance Act (12 U.S.C. 1823) is amended—

(1) in paragraph (1)(C), by inserting after "taken" the following: "after notification to the Com-

mittee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate and";

(2) in paragraph (4)—

(A) in subparagraph (B)(i)(I), by striking "a present-value" and inserting "an expected present-value"; and

(B) in subparagraph (G)—

(i) in clause (i)—

(I) by inserting "after notification to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate and" before "upon the"; and

(II) in subclause (II), by striking "would" and inserting "that can be shown to";

(ii) in clause (iii)(I), by inserting before the semicolon the following: ", including documentation of factors, empirical analyses, and data that gave rise to the determination"; and

(iii) by adding at the end the following:

"(vi) ADDITIONAL REPORTS TO CONGRESS ON EMERGENCY DETERMINATIONS.—

"(I) IN GENERAL.—With respect to each determination under clause (i), the Board of Directors, the Board of Governors of the Federal Reserve System, and the Secretary of the Treasury shall each provide to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate—

"(aa) not later than 3 days after such determination, all documentation related to such determination, including staff analyses and memoranda; and

"(bb) not later than 30 days after such determination, any analyses undertaken to justify such determination, including data, metrics used, and quantitative analyses undertaken.

"(II) INFORMATION REQUESTED BY COMMITTEES.—The Secretary of the

Treasury shall provide the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate with such additional information related to a determination under clause (i) as the committees may request. The Secretary of the Treasury may submit, with such information, a written request and justification for the committees to treat the information confidentially."; and

(3) in paragraph (8)(B), after "in writing" by inserting ", shall include details of factors that led to the determination and analyses of those factors and their implications".

TITLE II—ENHANCING FEDERAL RESERVE TRANSPARENCY

SEC. 201. FEDERAL RESERVE TRANSPARENCY.

(a) FEDERAL RESERVE ACT.—The Federal Reserve Act (12 U.S.C. 221 et seq.) is amended—

(1) in section 11—

(A) in the first subsection (s) (related to "Federal Reserve Transparency")—

(i) in paragraph (2)(B), by striking "eighth" and inserting "fourth";

(ii) in paragraph (5), by striking "24-month" and inserting "12-month"; and

(iii) in paragraph (7)—

(I) by striking "This subsection" and inserting the following:

"(A) IN GENERAL.—This subsection";

(II) by inserting "public" before "disclosure"; and

(III) by adding at the end the following:

"(B) CONGRESSIONAL ACCESS TO INFORMATION.—

"(i) IN GENERAL.—The Board shall, upon request, make the nonpublic personal information described under subparagraph (A) available to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate.

"(ii) CONFIDENTIALITY.—With respect to a request described under clause (i), if the Chairman of the Board determines that any part of the requested information needs

to remain confidential and provides written notice of such determination to the committee making such request, the Board shall only make that part of the requested information available to the chair and ranking member of the committee.''; and

(B) by redesignating the second subsection (s) (relating to "Assessments, Fees, and Other Charges") as subsection (t); and

(2) in section 13(3), by adding at the end the following:

"(F) CONGRESSIONAL ACCESS TO INFORMATION.—

"(i) IN GENERAL.—The Board shall make available to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate information requested by such committees related to any credit facility established by or on behalf of the Federal Reserve System or a Federal reserve bank and authorized by the Board under this paragraph.

"(ii) CONFIDENTIALITY.—With respect to a request described under clause (i), if

the Chairman of the Board determines that any part of the requested information needs to remain confidential and provides written notice of such determination to the committee making such request, the Board shall only make that part of the requested information available to the chair and ranking member of the committee.''.

(b) DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT.—Title XI of the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended—

(1) in section 1104 (12 U.S.C. 5611)—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking ''and'' at the end;

(ii) by redesignating subparagraph (B) as subparagraph (C); and

(iii) by inserting after subparagraph (A) the following:

''(B) be transmitted to the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on

Banking, Housing, and Urban Affairs of the Senate; and";

(B) in subsection (b), by inserting after "consent of the Secretary" the following: "and notification to Congress";

(C) in subsection (c)(2), in the heading, by striking "GOA" inserting "CONGRESSIONAL REVIEW AND GAO"; and

(D) by striking subsection (d);

(2) in section 1105 (12 U.S.C. 5612)—

(A) in subsection (c)—

(i) in paragraph (1)—

(I) by inserting "and upon notification to Congress" after "with the President";

(II) by striking "President may" and inserting "President shall"; and

(III) by striking "amount and a request" and inserting "amount, and include in such report the expected cost to taxpayers and a detailed description of the assumptions made and analytical tools used to calculate such expected cost, and a request"; and

(ii) in paragraph (2), by inserting "and upon notification to Congress" after "with the President"; and

(B) in subsection (g), by amending paragraph (3) to read as follows:

"(3) LIQUIDITY EVENT.—The term 'liquidity event' shall have the definition given such term, jointly, by the Board of Governors, the Corporation, and the Secretary, by rule pursuant to notice and comment.".

(c) TITLE 31.—Section 714(f)(3) of title 31, United States Code, is amended—

(1) in subparagraph (B), by striking "legislative or"; and

(2) in subparagraph (C)(i), by striking ", including to Congress,".

TITLE III—ENHANCING FINANCIAL STABILITY OVERSIGHT COUNCIL TRANSPARENCY

SEC. 301. FSOC TRANSPARENCY.

(a) FINANCIAL STABILITY ACT OF 2010.—The Financial Stability Act of 2010 (12 U.S.C. 5311 et seq.) is amended—

(1) in section 111—

(A) in subsection (b)(1)—

(i) in subparagraph (I), by striking "and" at the end;

(ii) in subparagraph (J), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(K) an independent member appointed by the President, by and with the advice and consent of the Senate, and not of the same political party as the President.";

(B) in subsection (c)—

(i) in paragraph (1), by striking "independent member" and inserting "independent members"; and

(ii) in paragraph (4)—

(I) in the heading, by striking "INDEPENDENT MEMBER" and inserting "INDEPENDENT MEMBERS"; and

(II) by striking "subsection (b)(1)(J)" and inserting "subparagraph (J) or (K) of subsection (b)(1)";

(C) by striking subsection (d);

(D) by redesignating subsections (e) through (j) as subsections (d) through (i), respectively;

(E) in subsection (d), as so redesignated, by adding at the end the following:

"(3) NOTICE TO CONGRESS.—The Chairperson shall notify the chair and ranking members of the Committee on Financial Services of the House of Representatives and the chair and ranking members of the Committee on Banking, Housing, and Urban Affairs of the Senate of a meeting at the same time as the meeting participants are notified.";

(F) in subsection (f), as so redesignated, by striking ", or to any special advisory, technical, or professional committee appointed by the Council, except that, if an advisory, technical, or professional committee has one or more members who are not employees of or affiliated with the United States Government, the Council shall publish a list of the names of the members of such committee";

(G) in subsection (g), as so redesignated, by inserting before the period at the end the following: ", but if such services, funds, facilities, staff, or other support services are provided with respect to any Council program or activity that has, or is planned to have, duration of greater

than 90 days, the Council shall notify Congress of such provision''; and

(H) in subsection (i), as so redesignated, by adding at the end the following: ''The Council shall report on such detailed employees on a monthly basis to Congress.'';

(2) in section 112—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by inserting after ''system'' the following: ''and only after notifying Congress'';

(ii) by striking subparagraphs (D) and (I);

(iii) by redesignating subparagraphs (E), (F), (G), (H), (J), (K), (L), (M), and (N) as subparagraphs (D) through (L), respectively;

(iv) in subparagraph (D), as so redesignated, by striking ''agencies and'' and inserting ''agencies, Congress, and'';

(v) in subparagraph (E), as so redesignated, by inserting after ''to the member agencies'' the following: '', the chair and ranking member of the Committee on Financial Services of the House of Representa-

tives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate";

(vi) in subparagraph (G), as so redesignated, by striking "may";

(vii) in subparagraph (H), as so redesignated, by inserting before the semicolon the following: ", and notify the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of such identifications";

(viii) in subparagraph (I), as so redesignated, by inserting after "primary financial regulatory agencies to apply" the following: "primary financial regulatory agencies, the chair and ranking member of the Committee on Financial Services of the House of Representatives, and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate on the costs and benefits of applying"; and

(ix) in subparagraph (J), as so redesignated, by inserting "the Congress and" before "the Commission";

(B) in subsection (c), by inserting "no later than 60 days" after "hearing,"; and

(C) in subsection (d)—

(i) in paragraph (1)—

(I) by striking "as necessary" and all that follows through "to monitor" and inserting "as necessary to monitor";

(II) by striking "; or" and inserting a period; and

(III) by striking subparagraph (B);

(ii) in paragraph (2), by inserting before the period at the end the following: "and to Congress";

(iii) in paragraph (3), by adding at the end the following:

"(D CONGRESSIONAL NOTIFICATION.—The Council may not require the submission of periodic and other reports under this paragraph until 30 days after the Council has notified the chair and ranking member of the Committee on

Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of the Council's intention to require such submission.'';

(iv) in paragraph (4), by inserting after ''Council may'' the following: '', after notifying the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate,''; and

(v) in paragraph (5)(A), by inserting before the period at the end the following: '', except that Congress may request any such confidential data, information, or reports'';

(3) in section 113—

(A) in subsection (a)(2)—

(i) in subparagraph (I), by adding ''and'' at the end;

(ii) in subparagraph (J), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (K);

(B) in subsection (b)(2)—

(i) in subparagraph (I), by adding "and" at the end;

(ii) in subparagraph (J), by striking "; and" and inserting a period; and

(iii) by striking subparagraph (K);

(C) by striking subsection (f);

(D) by redesignating subsections (g), (h), and (i) as subsections (f), (g), and (h), respectively;

(E) in subsection (g), as so redesignated, by striking "subsection (d)(2), (e)(3), or (f)(5)" and inserting "subsection (d)(2) or (e)(3)"; and

(F) by adding at the end the following:

"(i) CONGRESSIONAL REVIEW.—

"(1) NOTIFICATION.—If the Council makes a determination under this section, the Council shall immediately notify Congress of such determination.

"(2) EFFECTIVENESS OF DETERMINATION.—A determination made by the Council under this section—

"(A) may not take effect until the end of the 60-day period beginning on the date that the Council notifies the Congress of such determination; and

"(B) shall have no force or effect if disapproved, as provided under this subsection.

"(3) CONGRESSIONAL DISAPPROVAL PROCEDURE.—

"(A) JOINT RESOLUTION DEFINED.—For purposes of this paragraph, the term 'joint resolution' means only a joint resolution introduced during the 60-day period described under paragraph (2)(A), the matter after the resolving clause of which is as follows: 'That Congress disapproves the determination of the Financial Stability Oversight Council submitted in a notification to Congress on ______, and such determination shall have no force or effect.' (The blank space being filled in with the appropriate date.).

"(B) TREATMENT IN SENATE.—

"(i) In the Senate, if the committee to which is referred a joint resolution has not reported such joint resolution (or an identical joint resolution) at the end of the 20-day period beginning on the date Congress is notified of a determination, such committee may be discharged from further consideration of such joint resolution upon a petition supported in writing by 30 Mem-

bers of the Senate, and such joint resolution shall be placed on the calendar.

"(ii) In the Senate, when the committee to which a joint resolution is referred has reported, or when a committee is discharged (under clause (i)) from further consideration of a joint resolution, it is at any time thereafter in order (even though a previous motion to the same effect has been disagreed to) for a motion to proceed to the consideration of the joint resolution, and all points of order against the joint resolution (and against consideration of the joint resolution) are waived. The motion is not subject to amendment, or to a motion to postpone, or to a motion to proceed to the consideration of other business. A motion to reconsider the vote by which the motion is agreed to or disagreed to shall not be in order. If a motion to proceed to the consideration of the joint resolution is agreed to, the joint resolution shall remain the unfinished business of the Senate until disposed of.

"(iii) In the Senate, debate on the joint resolution, and on all debatable motions and appeals in connection therewith, shall be limited to not more than 10 hours, which shall be divided equally between those favoring and those opposing the joint resolution. A motion further to limit debate is in order and not debatable. An amendment to, or a motion to postpone, or a motion to proceed to the consideration of other business, or a motion to recommit the joint resolution is not in order.

"(iv) In the Senate, immediately following the conclusion of the debate on a joint resolution, and a single quorum call at the conclusion of the debate if requested in accordance with the rules of the Senate, the vote on final passage of the joint resolution shall occur.

"(v) In the Senate, appeals from the decisions of the Chair relating to the application of the rules of the Senate to the procedure relating to a joint resolution shall be decided without debate.

"(vi) In the Senate, the procedure specified in this subparagraph shall not apply to the consideration of a joint resolution after the end of the 60-day period described under paragraph (2)(A).

"(4) TREATMENT OF JOINT RESOLUTION RECEIVED FROM THE OTHER HOUSE.—If, before the passage by one House of a joint resolution of that House, that House receives from the other House a joint resolution, then the following procedures shall apply:

"(A) The joint resolution of the other House shall not be referred to a committee.

"(B) With respect to a joint resolution of the House receiving the joint resolution—

"(i) the procedure in that House shall be the same as if no joint resolution had been received from the other House; but

"(ii) the vote on final passage shall be on the joint resolution of the other House.

"(5) TREATMENT OF THIS PARAGRAPH.—This paragraph is enacted by Congress—

"(A) as an exercise of the rulemaking power of the Senate and House of Representatives, respectively, and as such it is deemed a part of the rules of each House, respectively, but applicable

only with respect to the procedure to be followed in that House in the case of a joint resolution, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

"(B) with full recognition of the constitutional right of either House to change the rules (so far as relating to the procedure of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.";

(4) in section 115—

(A) in subsection (a)(1), by inserting after "recommendations to" the following: "the chair and ranking member of the Committee on Financial Services of the House of Representatives, the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate, and";

(B) in subsection (c)(3), by inserting after "recommendations to" the following: "the chair and ranking member of the Committee on Financial Services of the House of Representatives, the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate, and";

(C) in subsection (d)—

(i) in paragraph (1), by inserting after "make recommendations to the Board of Governors" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate are notified of such recommendations,"; and

(ii) in paragraph (2), by inserting after "make recommendations to the Board of Governors" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate are notified of such recommendations,";

(D) in subsection (e), by inserting after "make recommendations to the Board of Governors" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Bank-

ing, Housing, and Urban Affairs of the Senate are notified of such recommendations,";

(E) in subsection (f), by inserting after "make recommendations to the Board of Governors" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate are notified of such recommendations,"; and

(F) in subsection (g), by inserting after "make recommendations to the Board of Governors" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate are notified of such recommendations,";

(5) in section 116(a), by inserting after "may" the following: ", after notifying the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate,";

(6) in section 120—

(A) in subsection (a), by inserting after "regulatory agencies" the following: ", if the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate are notified of such recommendations,";

(B) in subsection (b)—

(i) in paragraph (1), by inserting after "to the public" the following: "and Congress"; and

(ii) in paragraph (2)(A), by inserting before the semicolon the following: ", and the notice required under paragraph (1) shall contain data, methodology, and analysis detailing such costs";

(C) in subsection (c)(2), by inserting after "recommended by the Council" the following: ", after notifying the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of such imposition,";

(D) in subsection (e)(2)(A), by inserting before the period at the end the following: ", and notify the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of such determination and the factors, data, and analysis leading to such determination"; and

(E) by adding at the end the following:

"(f) DELAY IN IMPLEMENTATION.—A primary financial regulatory agency may not implement a recommendation made by the Council under subsection (a) until the end of the 90-day period beginning on the date such recommendation is issued.";

(7) in section 121—

(A) in subsection (d), by inserting after "Governors may" the following: ", after notifying the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate,"; and

(B) by adding at the end the following:

"(e) NOTICE TO CONGRESS; DELAY IN IMPLEMENTATION.—The Board of Governors—

"(1) shall notify the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of an intention to take an action described under paragraph (1) through (5) of subsection (a); and

"(2) may not take such an action until the end of the 60-day period beginning on the date of such notification.";

(8) in section 122—

(A) in subsection (a), by striking "may audit" and inserting "shall annually audit"; and

(B) in subsection (b)(2)—

(i) by striking "The Comptroller" and inserting "The chair and ranking member of the Committee on Financial Services of the House of Representatives, the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate, and the Comptroller"; and

(ii) by striking "as the Comptroller General" and inserting "as the chair, ranking member, or Comptroller General, as applicable";

(9) in section 152(e), by adding at the end the following: "The Office shall report on such detailed employees on a monthly basis to Congress.";

(10) in section 153—

(A) in subsection (a)—

(i) in paragraph (3), by striking "essential";

(ii) by striking paragraph (5);

(iii) by redesignating paragraphs (6) and (7) as paragraphs (5) and (6), respectively; and

(iv) in paragraph (5), as so redesignated, by inserting before the semicolon the following: ", the chair and ranking member of the Committee on Financial Services of the House of Representatives, and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate";

(B) in subsection (b)—

(i) in paragraph (1)—

(I) by inserting after "with the Council," the following: "the chair and ranking member of the Committee on Financial Services of the House of Representatives, the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate,"; and

(II) in subparagraph (B), by inserting before the semicolon the following: "and without prior notice of such sharing being provided to the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate";

(ii) in paragraph (2), by inserting before the semicolon the following: ", after providing notice to the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban

Affairs of the Senate of such research projects";

(iii) in paragraph (3), by inserting before the period at the end the following: ", after providing notice to the chair and ranking member of the Committee on Financial Services of the House of Representatives and the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate of such assistance"; and

(C) in subsection (f)(1), by striking "but only" and inserting "but not earlier than 60 days after the Director notifies the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate of the requirement to produce such data and only";

(11) in section 154—

(A) in subsection (b)—

(i) in paragraph (1)(B)(i), by inserting after "with the Council," the following: "after notifying the chair and ranking member of the Committee on Financial Services of the House of Representatives and

the chair and ranking member of the Committee on Banking, Housing, and Urban Affairs of the Senate,"; and

(ii) in paragraph (2), by adding at the end the following:

"(C) REVIEW AND REPORT ON THE COST OF THE DATABASES.—The Data Center shall review and report to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate annually on the cost to the Government and the cost to private sector entities of maintaining the financial company reference database and the financial instrument reference database, relative to a detailed quantification of benefits.";

(B) in subsection (c)(1)(E), by inserting before the semicolon the following: "or Congress"; and

(C) in subsection (d)(2)—

(i) in subparagraph (B), by striking "and" at the end;

(ii) in subparagraph (C), by striking the period at the end and inserting "; and"; and

(iii) by adding at the end the following:

"(D) evidence of inefficient, ineffective, or burdensome regulations."; and

(12) in section 155(d)—

(A) by striking "Beginning" and inserting the following:

"(1) IN GENERAL.—Beginning"; and

(B) by adding at the end the following:

"(2) MAXIMUM ASSESSMENT AMOUNT.—The aggregate amount of assessments collected pursuant to paragraph (1) may not exceed the aggregate amount of assessments collected in the most recently completed fiscal year ending before the date of enactment of this paragraph, as such aggregate amount is adjusted annually by the Director of the Office to reflect the change in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.".

(b) CONFORMING AMENDMENT.—Section 5314 of title 5, United States Code, is amended by striking "Independent Member of the Financial Stability Oversight Council (1)" and inserting "Independent Members of the Financial Stability Oversight Council (2)".

TITLE IV—ESTABLISHING FEDERAL RESERVE VICE CHAIR FOR SUPERVISION EXPERIENCE REQUIREMENT

SEC. 401. ESTABLISHMENT OF REQUIREMENTS TO BE VICE CHAIRMAN FOR SUPERVISION.

(a) IN GENERAL.—The second undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 242) is amended—

(1) by inserting the following after the third sentence: "In designating the Vice Chairman for Supervision, the President shall designate an individual with demonstrated primary experience working in, or supervising, insured depository institutions, bank holding companies, or savings and loan holding companies."; and

(2) in the fourth sentence—

(A) by inserting after "supervised by the Board" the following: "(with any such recommendations being provided to the Board with ample and sufficient time for review prior to the Vice Chairman making the recommendation public)"; and

(B) by inserting after "regulation of such firms" the following: ", subject to such oversight

and control of the Board as the Board determines necessary and appropriate".

(b) RULE OF APPLICATION.—The amendment made by subsection (a) shall apply to individuals who are designated by the President on or after the date of enactment of this Act to serve as the Vice Chairman for Supervision.

TITLE V—BANKING REGULATOR ACCOUNTABILITY

SEC. 501. REPORTS AND TESTIMONY TO CONGRESS ON SUPERVISION.

(a) TESTIMONY AND REPORTS TO CONGRESS ON FEDERAL RESERVE SYSTEM SUPERVISION.—Section 2B of the Federal Reserve Act (12 U.S.C. 225b) is amended by adding at the end the following:

"(d) SEMI-ANNUAL TESTIMONY AND REPORT TO CONGRESS ON SUPERVISION.—

"(1) IN GENERAL.—The Vice Chairman for Supervision shall submit a semi-annual report to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives regarding the efforts, activities, objectives, and plans of the Board with respect to the conduct of supervision and regulation of depository institution holding companies and other financial firms supervised by the Board.

"(2) MINIMUM CONTENTS.—At a minimum, each report under paragraph (1) shall include—

"(A) conditions of financial firms, including examination or inspection ratings, on an aggregate basis by firm asset size;

"(B) granular data on outstanding material supervisory determinations by type of determination, including the types of risks covered, on an aggregate basis by firm asset size;

"(C) changes in the number and types of outstanding material supervisory determinations over the previous 5 years;

"(D) aggregate data on the ratings of financial firms over the previous 3 years;

"(E) the number of informal and formal enforcement actions, by type of enforcement order and showing changes in the last 3 years, against supervised financial firms on an aggregate basis by firm asset size; and

"(F) a description of the organization of the supervisory functions of the Board with respect to financial firms, including information on roles, responsibilities, accountability, and talent management.

"(3) CONFIDENTIAL REPORT.—Concurrent with each report under paragraph (1), the Vice Chairman for Supervision shall submit a confidential report to the chair and ranking member of each committee described under paragraph (1) identifying—

"(A) each supervised financial firm with less than satisfactory examination or inspection ratings; and

"(B) each supervised financial firm with an active formal or informal enforcement action, and the status of each provision of each enforcement action.".

(b) TESTIMONY AND REPORTS TO CONGRESS ON FEDERAL DEPOSIT INSURANCE CORPORATION SUPERVISION.—Section 17 of the Federal Deposit Insurance Act (12 U.S.C. 1827) is amended by adding at the end the following:

"(h) SEMI-ANNUAL TESTIMONY AND REPORT TO CONGRESS ON SUPERVISION.—

"(1) APPEARANCES BEFORE CONGRESS.—The Chairman of the Corporation shall appear before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives at semi-annual hearings regarding the efforts, activities, objectives, and plans of the Corporation with respect to the con-

duct of supervision and regulation of depository institutions supervised by the Corporation.

"(2) REPORT TO CONGRESS.—

"(A) IN GENERAL.—The Chairman of the Corporation shall transmit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives semi-annual reports regarding the efforts, activities, objectives, and plans of the Corporation with respect to the conduct of supervision and regulation of depository institutions supervised by the Corporation.

"(B) MINIMUM CONTENTS.—At a minimum, each report under subparagraph (A) shall include—

"(i) conditions of depository institutions, including examination or inspection ratings, on an aggregate basis by institution asset size;

"(ii) granular data on outstanding material supervisory determinations by type of determination, including the types of risks covered, on an aggregate basis by institution asset size;

"(iii) changes in the number and types of outstanding material supervisory determinations over the previous 5 years;

"(iv) aggregate data on the ratings of depository institutions over the previous 3 years;

"(v) the number of informal and formal enforcement actions, by type of enforcement order and showing changes in the last 3 years, against supervised depository institutions on an aggregate basis by institution asset size; and

"(vi) a description of the organization of the supervisory functions of the Corporation with respect to depository institutions, including information on roles, responsibilities, accountability, and talent management.

"(C) CONFIDENTIAL REPORT.—Concurrent with each report under subparagraph (A), the Chairman of the Corporation shall submit a confidential report to the chair and ranking member of each committee described under subparagraph (A) identifying—

"(i) each supervised depository institution with less than satisfactory examination or inspection ratings; and

"(ii) each supervised depository institution with an active formal or informal enforcement action, and the status of each provision of each enforcement action.".

(c) TESTIMONY AND REPORTS TO CONGRESS ON COMPTROLLER OF THE CURRENCY SUPERVISION.—The second section 333 of the Revised Statutes of the United States (12 U.S.C. 14; relating to the annual report) is amended—

(1) by striking "Sec. 333." and all that follows through "The Comptroller" and inserting the following:

"SEC. 333. REPORT OF COMPTROLLER.

"(a) ANNUAL REPORT.—The Comptroller"; and

(2) by adding at the end the following:

"(b) SEMI-ANNUAL TESTIMONY AND REPORT TO CONGRESS ON SUPERVISION.—

"(1) APPEARANCES BEFORE CONGRESS.—The Comptroller of the Currency shall appear before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives at semi-annual hearings regarding the efforts, activities, objectives,

and plans of the Office of the Comptroller of the Currency with respect to the conduct of supervision and regulation of national banks and other financial firms supervised by the Office of the Comptroller of the Currency.

"(2) REPORT TO CONGRESS.—

"(A) IN GENERAL.—The Comptroller of the Currency shall transmit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives semi-annual reports regarding the efforts, activities, objectives, and plans of the Office of the Comptroller of the Currency with respect to the conduct of supervision and regulation of national banks and other financial firms supervised by the Office of the Comptroller of the Currency.

"(B) MINIMUM CONTENTS.—At a minimum, each report under subparagraph (A) shall include—

"(i) conditions of national banks and other financial firms, including examination or inspection ratings, on an aggregate basis by asset size;

"(ii) granular data on outstanding material supervisory determinations by type of determination, including the types of risks covered, on an aggregate basis by asset size;

"(iii) changes in the number and types of outstanding material supervisory determinations over the previous 5 years;

"(iv) aggregate data on the ratings of national banks and other financial firms over the previous 3 years;

"(v) the number of informal and formal enforcement actions, by type of enforcement order and showing changes in the last 3 years, against supervised national banks and other financial firms on an aggregate basis by firm asset size; and

"(vi) a description of the organization of the supervisory functions of the Office of the Comptroller of the Currency with respect to national banks and other financial firms, including information on roles, responsibilities, accountability, and talent management.

"(C) CONFIDENTIAL REPORT.—Concurrent with each report under subparagraph (A), the Comptroller of the Currency shall submit a confidential report to the chair and ranking member of each committee described under subparagraph (A) identifying—

"(i) each supervised national bank or other financial firms with less than satisfactory examination or inspection ratings; and

"(ii) each supervised national bank or other financial firms with an active formal or informal enforcement action, and the status of each provision of each enforcement action.".

(d) TESTIMONY AND REPORTS TO CONGRESS ON NATIONAL CREDIT UNION ADMINISTRATION SUPERVISION.—Section 102 of the Federal Credit Union Act (12 U.S.C. 1752a) is amended by adding at the end the following:

"(g) SEMI-ANNUAL TESTIMONY AND REPORT TO CONGRESS ON SUPERVISION.—

"(1) APPEARANCES BEFORE CONGRESS.—The Chairman of the Board shall appear before the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives at semi-annual hear-

ings regarding the efforts, activities, objectives, and plans of the Administration with respect to the conduct of supervision and regulation of credit unions supervised by the Administration.

"(2) REPORT TO CONGRESS.—

"(A) IN GENERAL.—The Chairman of the Board shall transmit to the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Financial Services of the House of Representatives semi-annual reports regarding the efforts, activities, objectives, and plans of the Administration with respect to the conduct of supervision and regulation of credit unions supervised by the Administration.

"(B) MINIMUM CONTENTS.—At a minimum, each report under subparagraph (A) shall include—

"(i) conditions of credit unions, including examination or inspection ratings, on an aggregate basis by credit union asset size;

"(ii) granular data on outstanding material supervisory determinations by type of determination, including the types

of risks covered, on an aggregate basis by credit union asset size;

"(iii) changes in the number and types of outstanding material supervisory determinations over the previous 5 years;

"(iv) aggregate data on the ratings of credit unions over the previous 3 years;

"(v) the number of informal and formal enforcement actions, by type of enforcement order and showing changes in the last 3 years, against supervised credit unions on an aggregate basis by credit union asset size; and

"(vi) a description of the organization of the supervisory functions of the Board with respect to credit unions, including information on roles, responsibilities, accountability, and talent management.

"(C) CONFIDENTIAL REPORT.—Concurrent with each report under subparagraph (A), the Chairman of the Board shall submit a confidential report to the chair and ranking member of each committee described under subparagraph (A) identifying—

"(i) each supervised credit union with less than satisfactory examination or inspection ratings; and

"(ii) each supervised credit union with an active formal or informal enforcement action, and the status of each provision of each enforcement action.".

Union Calendar No. 781

118TH CONGRESS
2D SESSION

H. R. 3556

[Report No. 118–793, Part I]

A BILL

To amend the Federal financial laws to increase financial regulatory accountability and transparency, and for other purposes.

DECEMBER 19, 2024

Committee on Oversight and Accountability discharged; committed to the Committee of the Whole House on the State of the Union and ordered to be printed