

118TH CONGRESS
1ST SESSION

H. R. 4737

To require Federal banking regulators to report on the implementation of recommendations from the FSOC Chairperson and Executive Orders, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 19, 2023

Mr. FLOOD introduced the following bill; which was referred to the Committee on Financial Services

A BILL

To require Federal banking regulators to report on the implementation of recommendations from the FSOC Chairperson and Executive Orders, 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 “Stop Executive Cap-
5 ture of Banking Regulators Act”.

1 **SEC. 2. REPORT ON THE IMPLEMENTATION OF REC-**
2 **COMMENDATIONS FROM THE FSOC CHAIR-**
3 **PERSON AND EXECUTIVE ORDERS.**

4 (a) BOARD OF GOVERNORS OF THE FEDERAL RE-
5 SERVE SYSTEM.—Section 10 of the Federal Reserve Act
6 (12 U.S.C. 247b) is amended by inserting after paragraph
7 (10) the following:

8 “(11) REPORT ON THE IMPLEMENTATION OF
9 RECOMMENDATIONS FROM THE FSOC CHAIRPERSON
10 AND EXECUTIVE ORDERS.—The Board of Governors
11 of the Federal Reserve System may not implement
12 a non-binding recommendation made by the Chair-
13 person of the Financial Stability Oversight Council
14 or contained in an Executive Order unless the Board
15 of Governors first provides the Committee on Finan-
16 cial Services of the House of Representatives and
17 the Committee on Banking, Housing, and Urban Af-
18 fairs of the Senate with—

19 “(A) notice that the Board of Governors
20 intends to implement such recommendation;

21 “(B) a report containing the proposed im-
22 plementation by the Board of Governors and a
23 justification for such implementation; and

24 “(C) upon request, not later than the end
25 of the 120-day period beginning on the date of

1 the notice under subparagraph (A), testimony
2 on such proposed implementation.”.

3 (b) OFFICE OF THE COMPTROLLER OF THE CUR-
4 RENCY.—Section 324 of the Revised Statutes of the
5 United States (12 U.S.C. 1) is amended by adding at the
6 end the following:

7 “(c) REPORT ON THE IMPLEMENTATION OF REC-
8 OMMENDATIONS FROM THE FSOC CHAIRPERSON AND
9 EXECUTIVE ORDERS.—The Comptroller of the Currency
10 may not implement a non-binding recommendation made
11 by the Chairperson of the Financial Stability Oversight
12 Council or contained in an Executive Order unless the
13 Comptroller of the Currency first provides the Committee
14 on Financial Services of the House of Representatives and
15 the Committee on Banking, Housing, and Urban Affairs
16 of the Senate with—

17 “(1) notice that the Comptroller of the Cur-
18 rency intends to implement such recommendation;

19 “(2) a report containing the proposed imple-
20 mentation by the Comptroller of the Currency and
21 a justification for such implementation; and

22 “(3) upon request, not later than the end of the
23 120-day period beginning on the date of the notice
24 under paragraph (1), testimony on such proposed
25 implementation.”.

1 (c) FEDERAL DEPOSIT INSURANCE CORPORATION.—
2 Section 2 of the Federal Deposit Insurance Act (12 U.S.C.
3 1812) is amended by inserting after subsection (f) the fol-
4 lowing:

5 “(g) REPORT ON THE IMPLEMENTATION OF REC-
6 OMMENDATIONS FROM THE FSOC CHAIRPERSON AND
7 EXECUTIVE ORDERS.—The Board of Directors of the
8 Corporation may not implement a non-binding rec-
9 ommendation made by the Chairperson of the Financial
10 Stability Oversight Council or contained in an Executive
11 Order unless the Board of Directors first provides the
12 Committee on Financial Services of the House of Rep-
13 resentatives and the Committee on Banking, Housing, and
14 Urban Affairs of the Senate with—

15 “(1) notice that the Board of Directors intends
16 to implement such recommendation;

17 “(2) a report containing the proposed imple-
18 mentation by the Board of Directors and a justifica-
19 tion for such implementation; and

20 “(3) upon request, not later than the end of the
21 120-day period beginning on the date of the notice
22 under paragraph (1), testimony on such proposed
23 implementation.”.

1 (d) NATIONAL CREDIT UNION ADMINISTRATION.—
2 Section 102 of the Federal Credit Union Act (12 U.S.C.
3 1752a) is amended by adding at the end the following:

4 “(g) REPORT ON THE IMPLEMENTATION OF REC-
5 OMMENDATIONS FROM THE FSOC CHAIRPERSON AND
6 EXECUTIVE ORDERS.—The Board may not implement a
7 non-binding recommendation made by the Chairperson of
8 the Financial Stability Oversight Council or contained in
9 an Executive Order unless the Board first provides the
10 Committee on Financial Services of the House of Rep-
11 resentatives and the Committee on Banking, Housing, and
12 Urban Affairs of the Senate with—

13 “(1) notice that the Board intends to imple-
14 ment such recommendation;

15 “(2) a report containing the proposed imple-
16 mentation by the Board and a justification for such
17 implementation; and

18 “(3) upon request, not later than the end of the
19 120-day period beginning on the date of the notice
20 under paragraph (1), testimony on such proposed
21 implementation.”.

22 (e) FEDERAL HOUSING FINANCE ADMINISTRA-
23 TION.—Section 1311 of the Housing and Community De-
24 velopment Act of 1992 (12 U.S.C. 4511) is amended by
25 adding at the end the following:

1 “(d) REPORT ON THE IMPLEMENTATION OF REC-
2 OMMENDATIONS FROM THE FSOC CHAIRPERSON AND
3 EXECUTIVE ORDERS.—The Director may not implement
4 a non-binding recommendation made by the Chairperson
5 of the Financial Stability Oversight Council or contained
6 in an Executive Order unless the Director first provides
7 the Committee on Financial Services of the House of Rep-
8 resentatives and the Committee on Banking, Housing, and
9 Urban Affairs of the Senate with—

10 “(1) notice that the Director intends to imple-
11 ment such recommendation;

12 “(2) a report containing the proposed imple-
13 mentation by the Director and a justification for
14 such implementation; and

15 “(3) upon request, not later than the end of the
16 120-day period beginning on the date of the notice
17 under paragraph (1), testimony on such proposed
18 implementation.”.

○