

Union Calendar No. 689

114TH CONGRESS
2^D SESSION

H. R. 3857

[Report No. 114–878]

To require the Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 29, 2015

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

DECEMBER 16, 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 Board of Governors of the Federal Reserve System and the Financial Stability Oversight Council to carry out certain requirements under the Financial Stability Act of 2010 before making any new determination under section 113 of such Act, 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. REQUIREMENTS RELATED TO THE FINANCIAL**
4 **STABILITY ACT OF 2010.**

5 (a) IN GENERAL.—The Financial Stability Oversight
6 Council may not make a determination under section 113
7 of the Financial Stability Act of 2010 (12 U.S.C. 5323)
8 that a nonbank financial company shall be supervised by
9 the Board of Governors of the Federal Reserve System
10 and subject to prudential standards until 90 days after—

11 (1) the Board of Governors of the Federal Re-
12 serve System establishes prudential standards for
13 nonbank financial companies, as required by sub-
14 sections (a) and (b) of section 165 of such Act;

15 (2) the Board of Governors of the Federal Re-
16 serve System promulgates regulations setting forth
17 criteria for exempting certain types or classes of
18 U.S. nonbank financial companies or foreign
19 nonbank financial companies from supervision, as
20 required by section 170 of such Act; and

21 (3) the Financial Stability Oversight Council—

22 (A) reevaluates within calendar year 2016
23 each determination made under subsections (a)
24 and (b) of section 113 of such Act and rescinds
25 any such determination if the Council deter-

1 mines that the nonbank financial company no
2 longer meets the standards under such sub-
3 sections, as required by section 113(d) of such
4 Act; and

5 (B) submits a report to the Committee on
6 Banking, Housing, and Urban Affairs of the
7 Senate and the Committee on Financial Serv-
8 ices of the House of Representatives explaining
9 with specificity the reasons for which the Coun-
10 cil did not rescind any such determination.

11 (b) DEFINITIONS.—For purposes of this section, the
12 terms “nonbank financial company”, “U.S. nonbank fi-
13 nancial company”, and “foreign nonbank financial com-
14 pany” have the meaning given those terms, respectively,
15 under section 102 of the Financial Stability Act of 2010
16 (12 U.S.C. 5311).

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