

## Calendar No. 287

115TH CONGRESS  
1ST SESSION

# S. 2155

To promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

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### IN THE SENATE OF THE UNITED STATES

NOVEMBER 16, 2017

Mr. CRAPO (for himself, Mr. DONNELLY, Ms. HEITKAMP, Mr. TESTER, Mr. WARNER, Mr. CORKER, Mr. SCOTT, Mr. COTTON, Mr. ROUNDS, Mrs. McCASKILL, Mr. PERDUE, Mr. MANCHIN, Mr. TILLIS, Mr. KING, Mr. KENNEDY, Mr. KAINE, Mr. MORAN, Mr. PETERS, Mr. RISCH, Mr. BENNET, Mr. HELLER, Mr. COONS, Mr. BLUNT, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

DECEMBER 18, 2017

Reported by Mr. CRAPO, with amendments

[Omit the part struck through and insert the part printed in *italic*]

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## A BILL

To promote economic growth, provide tailored regulatory relief, and enhance consumer protections, 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,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the  
 3 “Economic Growth, Regulatory Relief, and Consumer  
 4 Protection Act”.

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

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—IMPROVING CONSUMER ACCESS TO MORTGAGE CREDIT

Sec. 101. Minimum standards for residential mortgage loans.

Sec. 102. Safeguarding access to habitat for humanity homes.

Sec. 103. Exemption from appraisals of real property located in rural areas.

Sec. 104. Home Mortgage Disclosure Act adjustment and study.

Sec. 105. Credit union residential loans.

Sec. 106. Eliminating barriers to jobs for loan originators.

Sec. 107. Protecting access to manufactured homes.

Sec. 108. Property Assessed Clean Energy financing.

Sec. 109. Escrow requirements relating to certain consumer credit transactions.

Sec. 110. No wait for lower mortgage rates.

TITLE II—REGULATORY RELIEF AND PROTECTING CONSUMER  
ACCESS TO CREDIT

Sec. 201. Capital simplification for qualifying community banks.

Sec. 202. Limited exception for reciprocal deposits.

Sec. 203. Community bank relief.

Sec. 204. Removing naming restrictions.

Sec. 205. Short form call reports.

Sec. 206. Option for Federal savings associations to operate as covered savings  
associations.

Sec. 207. Small bank holding company policy statement.

Sec. 208. Application of the Expedited Funds Availability Act.

~~Sec. 209. Mutual holding company dividend waivers.~~

Sec. 210. Small public housing agencies.

Sec. 211. Examination cycle.

Sec. 212. National securities exchange regulatory parity.

*Sec. 212. International insurance capital standards accountability.*

*Sec. 213. Budget transparency for the NCUA.*

*Sec. 214. Making online banking initiation legal and easy.*

TITLE III—PROTECTIONS FOR VETERANS, CONSUMERS, AND  
HOMEOWNERS

Sec. 301. Protecting consumers’ credit.

Sec. 302. Protecting veterans’ credit.

Sec. 303. Immunity from suit for disclosure of financial exploitation of senior  
citizens.

Sec. 304. Restoration of the Protecting Tenants at Foreclosure Act of 2009.

Sec. 305. Remediating lead and asbestos hazards.

Sec. 306. *Family self-sufficiency program.*

Sec. 307. *Rehabilitation of qualified education loans.*

#### TITLE IV—TAILORING REGULATIONS FOR CERTAIN BANK HOLDING COMPANIES

Sec. 401. Enhanced supervision and prudential standards for certain bank holding companies.

Sec. 402. Supplementary leverage ratio for custodial banks.

Sec. 403. Treatment of certain municipal obligations.

#### TITLE V—STUDIES

Sec. 501. Treasury report on risks of cyber threats.

Sec. 502. SEC study on algorithmic trading.

Sec. 503. *GAO report on consumer reporting agencies.*

### 1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) APPROPRIATE FEDERAL BANKING AGENCY;  
4 COMPANY; DEPOSITORY INSTITUTION; DEPOSITORY  
5 INSTITUTION HOLDING COMPANY.—The terms “ap-  
6 propriate Federal banking agency”, “company”,  
7 “depository institution”, and “depository institution  
8 holding company” have the meanings given those  
9 terms in section 3 of the Federal Deposit Insurance  
10 Act (12 U.S.C. 1813).

11 (2) BANK HOLDING COMPANY.—The term  
12 “bank holding company” has the meaning given the  
13 term in section 2 of the Bank Holding Company Act  
14 of 1956 (12 U.S.C. 1841).

1 **TITLE I—IMPROVING CON-**  
 2 **SUMER ACCESS TO MORT-**  
 3 **GAGE CREDIT**

4 **SEC. 101. MINIMUM STANDARDS FOR RESIDENTIAL MORT-**  
 5 **GAGE LOANS.**

6 Section 129C(b)(2) of the Truth in Lending Act (15  
 7 U.S.C. 1639c(b)(2)) is amended by adding at the end the  
 8 following:

9 “(F) SAFE HARBOR.—

10 “(i) DEFINITIONS.—In this subpara-  
 11 graph—

12 “(I) the term ‘covered institution’  
 13 means an insured depository institu-  
 14 tion or an insured credit union that,  
 15 together with its affiliates, has less  
 16 than \$10,000,000,000 in total consoli-  
 17 dated assets;

18 “(II) the term ‘insured credit  
 19 union’ has the meaning given the  
 20 term in section 101 of the Federal  
 21 Credit Union Act (12 U.S.C. 1752);

22 “(III) the term ‘insured deposi-  
 23 tory institution’ has the meaning  
 24 given the term in section 3 of the

1 Federal Deposit Insurance Act (12  
2 U.S.C. 1813);

3 “(IV) the term ‘interest-only’  
4 means that, under the terms of the  
5 legal obligation, one or more of the  
6 periodic payments may be applied  
7 solely to accrued interest and not to  
8 loan principal; and

9 “(V) the term ‘negative amortiza-  
10 tion’ means payment of periodic pay-  
11 ments that will result in an increase  
12 in the principal balance under the  
13 terms of the legal obligation.

14 “(ii) SAFE HARBOR.—In this sec-  
15 tion—

16 “(I) the term ‘qualified mort-  
17 gage’ includes any residential mort-  
18 gage loan—

19 “(aa) that is originated and  
20 retained in portfolio by a covered  
21 institution;

22 “(bb) that is in compliance  
23 with the limitations with respect  
24 to prepayment penalties de-

1                   scribed in subsections (c)(1) and  
2                   (c)(3);

3                   “(cc) that is in compliance  
4                   with the requirements of clause  
5                   (vii) of subparagraph (A);

6                   “(dd) that does not have  
7                   negative amortization or interest-  
8                   only features; and

9                   “(ee) for which the covered  
10                  institution considers and docu-  
11                  ments the debt, income, and fi-  
12                  nancial resources of the con-  
13                  sumer in accordance with clause  
14                  (iv); and

15                  “(II) a residential mortgage loan  
16                  described in subclause (I) shall be  
17                  deemed to meet the requirements of  
18                  subsection (a).

19                  “(iii) EXCEPTION FOR CERTAIN  
20                  TRANSFERS.—A residential mortgage loan  
21                  described in clause (ii)(I) shall not qualify  
22                  for the safe harbor under clause (ii) if the  
23                  legal title to the residential mortgage loan  
24                  is sold, assigned, or otherwise transferred  
25                  to another person unless the residential

mortgage loan is sold, assigned, or otherwise transferred—

“(I) to another person by reason of the bankruptcy or failure of a covered institution;

“(II) to a covered institution so long as the loan is retained in portfolio by the covered institution to which the loan is sold, assigned, or otherwise transferred; ~~or~~

“(III) pursuant to a merger of a covered institution with another person or the acquisition of a covered institution by another person or of another person by a covered institution, so long as the loan is retained in portfolio by the person to whom the loan is sold, assigned, or otherwise transferred; *or*

“(IV) *to a wholly owned subsidiary of a covered institution, provided that, after the sale, assignment, or transfer, the residential mortgage loan is considered to be an asset of the*

1                   *covered institution for regulatory ac-*  
 2                   *counting purposes.*

3                   “(iv) CONSIDERATION AND DOCU-  
 4                   MENTATION REQUIREMENTS.—The consid-  
 5                   eration and documentation requirements  
 6                   described in clause (ii)(I)(ee) shall—

7                                 “(I) not be construed to require  
 8                                 compliance with, or documentation in  
 9                                 accordance with, appendix Q to part  
 10                                1026 of title 12, Code of Federal Reg-  
 11                                ulations, or any successor regulation;  
 12                                and

13                               “(II) be construed to permit mul-  
 14                                tiple methods of documentation.”.

15 **SEC. 102. SAFEGUARDING ACCESS TO HABITAT FOR HU-**  
 16 **MANITY HOMES.**

17               Section 129E(i)(2) of the Truth in Lending Act (15  
 18 U.S.C. 1639e(i)(2)) is amended—

19                   (1) by redesignating subparagraphs (A) and  
 20                   (B) as clauses (i) and (ii), respectively, and adjust-  
 21                   ing the margins accordingly;

22                   (2) in the matter preceding clause (i), as so re-  
 23                   designated, by striking “For purposes of” and in-  
 24                   serting the following:

25                               “(A) IN GENERAL.—For purposes of”; and



1 (3) by adding at the end the following:

2 “(B) RULE OF CONSTRUCTION RELATED  
3 TO APPRAISAL DONATIONS.—If a fee appraiser  
4 voluntarily donates appraisal services to an or-  
5 ganization eligible to receive tax-deductible  
6 charitable contributions, such voluntary dona-  
7 tion shall be considered customary and reason-  
8 able for the purposes of paragraph (1).”.

9 **SEC. 103. EXEMPTION FROM APPRAISALS OF REAL PROP-**  
10 **ERTY LOCATED IN RURAL AREAS.**

11 Title XI of the Financial Institutions Reform, Recov-  
12 ery, and Enforcement Act of 1989 (12 U.S.C. 3331 et  
13 seq.) is amended by adding at the end the following:

14 **“SEC. 1127. EXEMPTION FROM APPRAISALS OF REAL ES-**  
15 **TATE LOCATED IN RURAL AREAS.**

16 “(a) DEFINITION.—In this section, the term ‘mort-  
17 gage originator’ has the meaning given the term in section  
18 103 of the Truth in Lending Act (15 U.S.C. 1602).

19 “(b) APPRAISAL NOT REQUIRED.—Except as pro-  
20 vided in subsection (d), notwithstanding any other provi-  
21 sion of law, an appraisal in connection with a federally  
22 related transaction involving real property or an interest  
23 in real property is not required if—

24 “(1) the real property or interest in real prop-  
25 erty is located in a rural area, as described in sec-

tion 1026.35(b)(2)(iv)(A) of title 12, Code of Federal Regulations;

“(2) not later than 3 days after the date on which the Closing Disclosure Form, made in accordance with the final rule of the Bureau of Consumer Financial Protection entitled ‘Integrated Mortgage Disclosures Under the Real Estate Settlement Procedures Act (Regulation X) and the Truth in Lending Act (Regulation Z)’ (78 Fed. Reg. 79730 (December 31, 2013)), relating to the federally related transaction is given to the consumer, the mortgage originator or its agent, directly or indirectly—

“(A) has contacted not fewer than 3 State certified appraisers or State licensed appraisers, as applicable; and

“(B) has documented that no State certified appraiser or State licensed appraiser, as applicable, was available within a reasonable amount of time, as determined by the Federal financial institutions regulatory agency with oversight of the mortgage originator, to perform the appraisal in connection with the federally related transaction;

“(3) the ~~balance of the loan~~ *transaction value* is less than \$400,000; and

1           “(4) the mortgage originator is subject to over-  
 2           sight by a Federal financial institutions regulatory  
 3           agency.

4           “(c) SALE, ASSIGNMENT, OR TRANSFER.—A mort-  
 5           gage originator that makes a loan without an appraisal  
 6           under the terms of subsection (b) shall not sell, assign,  
 7           or otherwise transfer legal title to the loan unless—

8           “(1) the loan is sold, assigned, or otherwise  
 9           transferred to another person by reason of the bank-  
 10          ruptcy or failure of the mortgage originator;

11          “(2) the loan is sold, assigned, or otherwise  
 12          transferred to another person regulated by a Federal  
 13          financial institutions regulatory agency, so long as  
 14          the loan is retained in portfolio by the person; ~~or~~

15          “(3) the sale, assignment, or transfer is pursu-  
 16          ant to a merger of the mortgage originator with an-  
 17          other person or the acquisition of the mortgage  
 18          originator by another person or of another person by  
 19          the mortgage originator; *or*

20          “(4) *the sale, loan, or transfer is to a wholly*  
 21          *owned subsidiary of the mortgage originator, provided*  
 22          *that, after the sale, assignment, or transfer, the loan*  
 23          *is considered to be an asset of the mortgage originator*  
 24          *for regulatory accounting purposes.*

1       “(d) EXCEPTION.—Subsection (b) shall not apply  
2 if—

3               “(1) a Federal financial institutions regulatory  
4 agency requires an appraisal under section  
5 225.63(c), 323.3(c), 34.43(c), or 722.3(e) of title  
6 12, Code of Federal Regulations; or

7               “(2) the loan is a high-cost mortgage, as de-  
8 fined in section 103 of the Truth in Lending Act (15  
9 U.S.C. 1602).

10       “(e) ANTI-EVASION.—Each Federal financial institu-  
11 tions regulatory agency shall ensure that any mortgage  
12 originator that the Federal financial institutions regu-  
13 latory agency oversees that makes a significant amount  
14 of loans under subsection (b) is complying with the re-  
15 quirements of subsection (b)(2) with respect to each  
16 loan.”.

17 **SEC. 104. HOME MORTGAGE DISCLOSURE ACT ADJUST-**  
18 **MENT AND STUDY.**

19       (a) IN GENERAL.—Section 304 of the Home Mort-  
20 gage Disclosure Act of 1975 (12 U.S.C. 2803) is amend-  
21 ed—

22               (1) by redesignating subsection (i) as paragraph

23               (3) and adjusting the margins accordingly;

24               (2) by inserting before paragraph (3), as so re-  
25 designated, the following:

1 “(i) EXEMPTIONS.—

2 “(1) CLOSED-END MORTGAGE LOANS.—With  
3 respect to an insured depository institution or in-  
4 sured credit union, the requirements of paragraphs  
5 (5) and (6) of subsection (b) shall not apply with re-  
6 spect to closed-end mortgage loans if the insured de-  
7 pository institution or insured credit union origi-  
8 nated fewer than 500 closed-end mortgage loans in  
9 each of the 2 preceding calendar years.

10 “(2) OPEN-END LINES OF CREDIT.—With re-  
11 spect to an insured depository institution or insured  
12 credit union, the requirements of paragraphs (5) and  
13 (6) of subsection (b) shall not apply with respect to  
14 open-end lines of credit if the insured depository in-  
15 stitution or insured credit union originated fewer  
16 than 500 open-end lines of credit in each of the 2  
17 preceding calendar years.”; and

18 (3) by adding at the end the following:

19 “(o) DEFINITIONS.—In this section—

20 “(1) the term ‘insured credit union’ has the  
21 meaning given the term in section 101 of the Fed-  
22 eral Credit Union Act (12 U.S.C. 1752); and

23 “(2) the term ‘insured depository institution’  
24 has the meaning given the term in section 3 of the  
25 Federal Deposit Insurance Act (12 U.S.C. 1813).”.

1 (b) LOOKBACK STUDY.—

2 (1) STUDY.—Not earlier than 2 years after the  
3 date of enactment of this Act, the Comptroller Gen-  
4 eral of the United States shall conduct a study to  
5 evaluate the impact of the amendments made by  
6 subsection (a) on the amount of data available under  
7 the Home Mortgage Disclosure Act of 1975 (12  
8 U.S.C. 2801 et seq.) at the national and local level.

9 (2) REPORT.—Not later than 3 years after the  
10 date of enactment of this Act, the Comptroller Gen-  
11 eral of the United States shall submit to the Com-  
12 mittee on Banking, Housing, and Urban Affairs of  
13 the Senate and the Committee on Financial Services  
14 of the House of Representatives a report that in-  
15 cludes the findings and conclusions of the Comp-  
16 troller General with respect to the study required  
17 under paragraph (1).

18 (c) TECHNICAL CORRECTION.—Section 304(i)(3) of  
19 the Home Mortgage Disclosure Act of 1975, as so redesign-  
20 nated by subsection (a)(1), is amended by striking “sec-  
21 tion 303(2)(A)” and inserting “section 303(3)(A)”.

22 **SEC. 105. CREDIT UNION RESIDENTIAL LOANS.**

23 (a) REMOVAL FROM MEMBER BUSINESS LOAN LIM-  
24 ITATION.—Section 107A(c)(1)(B)(i) of the Federal Credit

1 Union Act (12 U.S.C. 1757a(c)(1)(B)(i)) is amended by  
 2 striking “that is the primary residence of a member”.

3 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
 4 tion or the amendment made by this section shall preclude  
 5 the National Credit Union Administration from treating  
 6 an extension of credit that is fully secured by a lien on  
 7 a 1- to 4-family dwelling that is not the primary residence  
 8 of a member as a member business loan for purposes other  
 9 than the member business loan limitation requirements  
 10 under section 107A of the Federal Credit Union Act (12  
 11 U.S.C. 1757a).

12 **SEC. 106. ELIMINATING BARRIERS TO JOBS FOR LOAN**  
 13 **ORIGINATORS.**

14 (a) IN GENERAL.—The S.A.F.E. Mortgage Licensing  
 15 Act of 2008 (12 U.S.C. 5101 et seq.) is amended by add-  
 16 ing at the end the following:

17 **“SEC. 1518. EMPLOYMENT TRANSITION OF LOAN ORIGINA-**  
 18 **TORS.**

19 “(a) DEFINITIONS.—In this section:

20 “(1) APPLICATION STATE.—The term ‘applica-  
 21 tion State’ means a State in which a registered loan  
 22 originator or a State-licensed loan originator seeks  
 23 to be licensed.

24 “(2) STATE-LICENSED MORTGAGE COMPANY.—  
 25 The term ‘State-licensed mortgage company’ means

1 an entity that is licensed or registered under the law  
 2 of any State to engage in residential mortgage loan  
 3 origination and processing activities.

4 “(b) TEMPORARY AUTHORITY TO ORIGINATE LOANS  
 5 FOR LOAN ORIGINATORS MOVING FROM A DEPOSITORY  
 6 INSTITUTION TO A NON-DEPOSITORY INSTITUTION.—

7 “(1) IN GENERAL.—Upon becoming employed  
 8 by a State-licensed mortgage company, an individual  
 9 who is a registered loan originator shall be deemed  
 10 to have temporary authority to act as a loan origi-  
 11 nator in an application State for the period de-  
 12 scribed in paragraph (2) if the individual—

13 “(A) has not had—

14 “(i) an application for a loan origi-  
 15 nator license denied; or

16 “(ii) a loan originator license revoked  
 17 or suspended in any governmental jurisdic-  
 18 tion;

19 “(B) has not been subject to, or served  
 20 with, a cease and desist order—

21 “(i) in any governmental jurisdiction;

22 or

23 “(ii) under section 1514(c);



1           “(C) has not been convicted of a felony  
2           that would preclude licensure under the law of  
3           the application State;

4           “(D) has submitted an application to be a  
5           State-licensed loan originator in the application  
6           State; and

7           “(E) was registered in the Nationwide  
8           Mortgage Licensing System and Registry as a  
9           loan originator during the 1-year period pre-  
10          ceding the date on which the information re-  
11          quired under section 1505(a) is submitted.

12          “(2) PERIOD.—The period described in this  
13          paragraph shall begin on the date on which an indi-  
14          vidual described in paragraph (1) submits the infor-  
15          mation required under section 1505(a) and shall end  
16          on the earliest of the date—

17               “(A) on which the individual withdraws the  
18               application to be a State-licensed loan origi-  
19               nator in the application State;

20               “(B) on which the application State denies,  
21               or issues a notice of intent to deny, the applica-  
22               tion;

23               “(C) on which the application State grants  
24               a State license; or

1           “(D) that is 120 days after the date on  
 2           which the individual submits the application, if  
 3           the application is listed on the Nationwide  
 4           Mortgage Licensing System and Registry as in-  
 5           complete.

6           “(c) TEMPORARY AUTHORITY TO ORIGINATE LOANS  
 7   FOR STATE-LICENSED LOAN ORIGINATORS MOVING  
 8   INTERSTATE.—

9           “(1) IN GENERAL.—A State-licensed loan origi-  
 10          nator shall be deemed to have temporary authority  
 11          to act as a loan originator in an application State  
 12          for the period described in paragraph (2) if the  
 13          State-licensed loan originator—

14               “(A) meets the requirements of subpara-  
 15               graphs (A), (B), (C), and (D) of subsection  
 16               (b)(1);

17               “(B) is employed by a State-licensed mort-  
 18               gage company in the application State; and

19               “(C) was licensed in a State that is not the  
 20               application State during the 30-day period pre-  
 21               ceding the date on which the information re-  
 22               quired under section 1505(a) was submitted in  
 23               connection with the application submitted to the  
 24               application State.

1           “(2) PERIOD.—The period described in this  
2 paragraph shall begin on the date on which the  
3 State-licensed loan originator submits the informa-  
4 tion required under section 1505(a) in connection  
5 with the application submitted to the application  
6 State and end on the earliest of the date—

7           “(A) on which the State-licensed loan  
8 originator withdraws the application to be a  
9 State-licensed loan originator in the application  
10 State;

11           “(B) on which the application State denies,  
12 or issues a notice of intent to deny, the applica-  
13 tion;

14           “(C) on which the application State grants  
15 a State license; or

16           “(D) that is 120 days after the date on  
17 which the State-licensed loan originator submits  
18 the application, if the application is listed on  
19 the Nationwide Mortgage Licensing System and  
20 Registry as incomplete.

21           “(d) APPLICABILITY.—

22           “(1) EMPLOYER OF LOAN ORIGINATORS.—Any  
23 person employing an individual who is deemed to  
24 have temporary authority to act as a loan originator  
25 in an application State under this section shall be

1 subject to the requirements of this title and to appli-  
 2 cable State law to the same extent as if that indi-  
 3 vidual was a State-licensed loan originator licensed  
 4 by the application State.

5 “(2) ENGAGING IN MORTGAGE LOAN ACTIVITI-  
 6 TIES.—Any individual who is deemed to have tem-  
 7 porary authority to act as a loan originator in an ap-  
 8 plication State under this section and who engages  
 9 in residential mortgage loan origination activities  
 10 shall be subject to the requirements of this title and  
 11 to applicable State law to the same extent as if that  
 12 individual was a State-licensed loan originator li-  
 13 censed by the application State.”.

14 (b) TABLE OF CONTENTS AMENDMENT.—Section  
 15 1(b) of the Housing and Economic Recovery Act of 2008  
 16 (42 U.S.C. 4501 note) is amended by inserting after the  
 17 item relating to section 1517 the following:

“Sec. 1518. Employment transition of loan originators.”.

18 (c) EFFECTIVE DATE.—This section and the amend-  
 19 ments made by this section shall take effect on the date  
 20 that is 18 months after the date of enactment of this Act.

21 **SEC. 107. PROTECTING ACCESS TO MANUFACTURED**  
 22 **HOMES.**

23 Section 103 of the Truth in Lending Act (15 U.S.C.  
 24 1602) is amended—

1           (1) by redesignating the second subsection (cc)  
2           (relating to definitions relating to mortgage origina-  
3           tion and residential mortgage loans) and subsection  
4           (dd) as subsections (dd) and (ee), respectively; and  
5           (2) in paragraph (2) of subsection (dd), as so  
6           redesignated, by striking subparagraph (C) and in-  
7           serting the following:

8                   “(C) does not include any person who is—

9                           “(i) not otherwise described in sub-  
10                          paragraph (A) or (B) and who performs  
11                          purely administrative or clerical tasks on  
12                          behalf of a person who is described in any  
13                          such subparagraph; or

14                           “(ii) a retailer of manufactured or  
15                          modular homes or an employee of the re-  
16                          tailer if the retailer or employee, as appli-  
17                          cable—

18                                   “(I) does not receive compensa-  
19                                  tion or gain for engaging in activities  
20                                  described in subparagraph (A) that is  
21                                  in excess of any compensation or gain  
22                                  received in a comparable cash trans-  
23                                  action;

24                                   “(II) discloses to the consumer—

1 “(aa) in writing any cor-  
 2 porate affiliation with any ~~lender~~  
 3 *creditor*; and

4 “(bb) if the retailer has a  
 5 corporate affiliation with any  
 6 ~~lender~~ *creditor*, at least 1 unaf-  
 7 filiated ~~lender~~ *creditor*; and

8 “(III) does not directly negotiate  
 9 with the consumer or lender on loan  
 10 terms (including rates, fees, and other  
 11 costs).”.

12 **SEC. 108. PROPERTY ASSESSED CLEAN ENERGY FINANC-**  
 13 **ING.**

14 Section 129C(b)(3) of the Truth in Lending Act (15  
 15 U.S.C. 1639c(b)(3)) is amended by adding at the end the  
 16 following:

17 “(C) CONSIDERATION OF UNDERWRITING  
 18 REQUIREMENTS FOR PROPERTY ASSESSED  
 19 CLEAN ENERGY FINANCING.—

20 “(i) DEFINITION.—In this subpara-  
 21 graph, the term ‘Property Assessed Clean  
 22 Energy financing’ means financing to cover  
 23 the costs of home improvements that re-  
 24 sults in a tax assessment on the real prop-  
 25 erty of the consumer.

“(ii) REGULATIONS.—The Bureau shall prescribe regulations that carry out the purposes of subsection (a) and apply section 130 with respect to violations under subsection (a) of this section with respect to Property Assessed Clean Energy financing, which shall account for the unique nature of Property Assessed Clean Energy financing.

“(iii) COLLECTION OF INFORMATION AND CONSULTATION.—In prescribing the regulations under this subparagraph, the Bureau—

“(I) may collect such information and data that the Bureau determines is necessary; and

“(II) shall consult with State and local governments and bond-issuing authorities.”.

**SEC. 109. ESCROW REQUIREMENTS RELATING TO CERTAIN  
CONSUMER CREDIT TRANSACTIONS.**

Section ~~129D(e)~~ 129D of the Truth in Lending Act (15 U.S.C. ~~1639d(e)~~ 1639d) is amended—

(1) ~~by~~ *in subsection (c)*—

1           (A) *by* redesignating paragraphs (1)  
 2           through (4) as subparagraphs (A) through (D),  
 3           respectively, and adjusting the margins accord-  
 4           ingly;

5           ~~(2)~~(B) in the matter preceding subpara-  
 6           graph (A), as so redesignated, by striking “The  
 7           Board” and inserting the following:

8           “(1) IN GENERAL.—The Bureau”;

9           ~~(3)~~(C) in paragraph (1), as so redesign-  
 10          nated, by striking “the Board” each place that  
 11          term appears and inserting “the Bureau”; and

12          ~~(4)~~(D) by adding at the end the following:

13          “(2) TREATMENT OF LOANS HELD BY SMALLER  
 14          INSTITUTIONS.—The Bureau shall, by regulation,  
 15          exempt from the requirements of subsection (a) any  
 16          loan made by an insured depository institution or an  
 17          insured credit union secured by a first lien on the  
 18          principal dwelling of a consumer if—

19               “(A) the insured depository institution or  
 20               insured credit union has assets of  
 21               \$10,000,000,000 or less;

22               “(B) during the preceding calendar year,  
 23               the insured depository institution or insured  
 24               credit union and its affiliates originated 1,000



or fewer loans secured by a first lien on a principal dwelling; and

“(C) the transaction ~~otherwise~~ satisfies the criteria in sections ~~1026.35(b)(2)(iii)~~ 1026.35(b)(2)(iii)(A), 1026.35(b)(2)(iii)(D), and 1026.35(b)(2)(v) of title 12, Code of Federal Regulations, or any successor regulation.”; *and (2) in subsection (i), by adding at the end the following:*

“(3) *INSURED CREDIT UNION.*—*The term ‘insured credit union’ has the meaning given the term in section 101 of the Federal Credit Union Act (12 U.S.C. 1752).*

“(4) *INSURED DEPOSITORY INSTITUTION.*—*The term ‘insured depository institution’ has the meaning given the term in section 3 of the Federal Deposit Insurance Act (12 U.S.C. 1813).”.*

**SEC. 110. NO WAIT FOR LOWER MORTGAGE RATES.**

(a) *IN GENERAL.*—Section 129(b) of the Truth in Lending Act (15 U.S.C. 1639(b)) is amended—

(1) by redesignating paragraph (3) as paragraph (4); and

(2) by inserting after paragraph (2) the following:

1           “(3) NO WAIT FOR LOWER RATE.—If a creditor  
 2           extends to a consumer a second offer of credit with  
 3           a lower annual percentage rate, the transaction may  
 4           be consummated without regard to the period speci-  
 5           fied in paragraph (1) with respect to the second  
 6           offer.”.

7           (b) SENSE OF CONGRESS.—It is the sense of Con-  
 8           gress that, whereas the Bureau of Consumer Financial  
 9           Protection issued a final rule entitled “Integrated Mort-  
 10          gage Disclosures Under the Real Estate Settlement Proce-  
 11          dures Act (Regulation X) and the Truth in Lending Act  
 12          (Regulation Z)” (78 Fed. Reg. 79730 (December 31,  
 13          2013)) (in this subsection referred to as the “TRID  
 14          Rule”) to combine the disclosures a consumer receives in  
 15          connection with applying for and closing on a mortgage  
 16          loan, the Bureau of Consumer Financial Protection should  
 17          endeavor to provide clearer, authoritative guidance on—

18               (1) the applicability of the TRID Rule to mort-  
 19               gage assumption transactions;

20               (2) the applicability of the TRID Rule to con-  
 21               struction-to-permanent home loans, and the condi-  
 22               tions under which those loans can be properly origi-  
 23               nated; and

24               (3) the extent to which lenders can rely on  
 25               model disclosures published by the Bureau of Con-

1 consumer Financial Protection without liability if recent  
 2 changes to regulations are not reflected in the sam-  
 3 ple TRID Rule forms published by the Bureau of  
 4 Consumer Financial Protection.

5 **TITLE II—REGULATORY RELIEF**  
 6 **AND PROTECTING CONSUMER**  
 7 **ACCESS TO CREDIT**

8 **SEC. 201. CAPITAL SIMPLIFICATION FOR QUALIFYING COM-**  
 9 **MUNITY BANKS.**

10 (a) DEFINITIONS.—In this section:

11 (1) COMMUNITY BANK LEVERAGE RATIO.—The  
 12 term “Community Bank Leverage Ratio” means the  
 13 ratio of the tangible equity capital of a qualifying  
 14 community bank, as reported on the qualifying com-  
 15 munity bank’s applicable regulatory filing with the  
 16 qualifying community bank’s appropriate Federal  
 17 banking agency, to the average total consolidated as-  
 18 sets of the qualifying community bank, as reported  
 19 on the qualifying community bank’s applicable regu-  
 20 latory filing with the qualifying community bank’s  
 21 appropriate Federal banking agency.

22 (2) GENERALLY APPLICABLE LEVERAGE CAP-  
 23 ITAL REQUIREMENTS; GENERALLY APPLICABLE  
 24 RISK-BASED CAPITAL REQUIREMENTS.—The terms  
 25 “generally applicable leverage capital requirements”

1 and “generally applicable risk-based capital require-  
 2 ments” have the meanings given those terms in sec-  
 3 tion 171(a) of the Financial Stability Act of 2010  
 4 (12 U.S.C. 5371(a)).

5 (3) QUALIFYING COMMUNITY BANK.—

6 (A) ASSET THRESHOLD.—The term  
 7 “qualifying community bank” means a deposi-  
 8 tory institution or depository institution holding  
 9 company with total consolidated assets of less  
 10 than \$10,000,000,000.

11 (B) RISK PROFILE.—The appropriate Fed-  
 12 eral banking agencies may determine that a de-  
 13 pository institution or depository institution  
 14 holding company (or a class of depository insti-  
 15 tutions or depository institution holding compa-  
 16 nies) described in subparagraph (A) is not a  
 17 qualifying community bank based on the deposi-  
 18 tory institution’s or depository institution hold-  
 19 ing company’s risk profile, which shall be based  
 20 on consideration of—

- 21 (i) off-balance sheet exposures;
- 22 (ii) trading assets and liabilities;
- 23 (iii) total notional derivatives expo-
- 24 sures; and

1 (iv) such other factors as the appro-  
 2 priate Federal banking agencies determine  
 3 appropriate.

4 (b) COMMUNITY BANK LEVERAGE RATIO.—The ap-  
 5 propriate Federal banking agencies shall, through notice  
 6 and comment rule making under section 553 of title 5,  
 7 United States Code—

8 (1) develop a Community Bank Leverage Ratio  
 9 of not less than 8 percent and not more than 10  
 10 percent for qualifying community banks; and

11 (2) establish procedures for treatment of a  
 12 ~~qualified~~ *qualifying* community bank that has a  
 13 Community Bank Leverage Ratio that ~~is~~ *falls* below  
 14 the percentage developed under paragraph (1) *after*  
 15 *exceeding the percentage developed under paragraph*  
 16 *(1)*.

17 (c) CAPITAL COMPLIANCE.—

18 (1) IN GENERAL.—Any qualifying community  
 19 bank that ~~meets~~ *exceeds* the Community Bank Le-  
 20 verage Ratio developed under subsection (b)(1) shall  
 21 be considered to have met—

22 (A) the generally applicable leverage cap-  
 23 ital requirements and the generally applicable  
 24 risk-based capital requirements;

1 (B) in the case of a qualifying community  
 2 bank that is a depository institution, the capital  
 3 ratio requirements that are required in order to  
 4 be considered well capitalized under section 38  
 5 of the Federal Deposit Insurance Act (12  
 6 U.S.C. 1831o) and any regulation implementing  
 7 that section; and

8 (C) any other capital or leverage require-  
 9 ments to which the qualifying community bank  
 10 is subject.

11 (2) EXISTING AUTHORITIES.—Nothing in para-  
 12 graph (1) shall limit the authority of the appropriate  
 13 Federal banking agencies as in effect on the date of  
 14 enactment of this Act.

15 (d) CONSULTATION.—*The appropriate Federal bank-*  
 16 *ing agencies shall—*

17 (1) *consult with the applicable State bank super-*  
 18 *visors in carrying out this section; and*

19 (2) *notify the applicable State bank supervisor of*  
 20 *any qualifying community bank that it supervises*  
 21 *that exceeds, or does not exceed after previously ex-*  
 22 *ceeding, the Community Bank Leverage ratio devel-*  
 23 *oped under subsection (b)(1).*

1 **SEC. 202. LIMITED EXCEPTION FOR RECIPROCAL DEPOS-**  
 2 **ITS.**

3 (a) IN GENERAL.—Section 29 of the Federal Deposit  
 4 Insurance Act (12 U.S.C. 1831f) is amended by adding  
 5 at the end the following:

6 “(i) LIMITED EXCEPTION FOR RECIPROCAL DEPOS-  
 7 ITS.—

8 “(1) IN GENERAL.—Reciprocal deposits of an  
 9 agent institution shall not be considered to be funds  
 10 obtained, directly or indirectly, by or through a de-  
 11 posit broker to the extent that the total amount of  
 12 such reciprocal deposits does not exceed the lesser  
 13 of—

14 “(A) \$5,000,000,000; or

15 “(B) an amount equal to 20 percent of the  
 16 total liabilities of the agent institution.

17 “(2) DEFINITIONS.—In this subsection:

18 “(A) AGENT INSTITUTION.—The term  
 19 ‘agent institution’ means an insured depository  
 20 institution that places a covered deposit  
 21 through a deposit placement network at other  
 22 insured depository institutions in amounts that  
 23 are less than or equal to the standard max-  
 24 imum deposit insurance amount, specifying the  
 25 interest rate to be paid for such amounts, if the  
 26 insured depository institution—

1 “(i)(I) when most recently examined  
2 under section 10(d) was found to have a  
3 composite condition of outstanding or  
4 good; and

5 “(II) is well capitalized;

6 “(ii) has obtained a waiver pursuant  
7 to subsection (c); or

8 “(iii) does not receive an amount of  
9 reciprocal deposits that causes the total  
10 amount of reciprocal deposits held by the  
11 agent institution to be greater than the av-  
12 erage of the total amount of reciprocal de-  
13 posits held by the agent institution on the  
14 last day of each of the 4 calendar quarters  
15 preceding the calendar quarter in which  
16 the agent institution was found not to have  
17 a composite condition of outstanding or  
18 good or was determined to be not well cap-  
19 italized.

20 “(B) COVERED DEPOSIT.—The term ‘cov-  
21 ered deposit’ means a deposit that—

22 “(i) is submitted for placement  
23 through a deposit placement network by an  
24 agent institution; and



1                   “(ii) does not consist of funds that  
2                   were obtained for the agent institution, di-  
3                   rectly or indirectly, by or through a deposit  
4                   broker before submission for placement  
5                   through a deposit placement network.

6                   “(C) DEPOSIT PLACEMENT NETWORK.—  
7                   The term ‘deposit placement network’ means a  
8                   network in which an insured depository institu-  
9                   tion participates, together with other insured  
10                  depository institutions, for the processing and  
11                  receipt of reciprocal deposits.

12                  “(D) NETWORK MEMBER BANK.—The  
13                  term ‘network member bank’ means an insured  
14                  depository institution that is a member of a de-  
15                  posit placement network.

16                  “(E) RECIPROCAL DEPOSITS.—The term  
17                  ‘reciprocal deposits’ means deposits received by  
18                  an agent institution through a deposit place-  
19                  ment network with the same maturity (if any)  
20                  and in the same aggregate amount as covered  
21                  deposits placed by the agent institution in other  
22                  network member banks.

23                  “(F) WELL CAPITALIZED.—The term ‘well  
24                  capitalized’ has the meaning given the term in  
25                  section 38(b)(1).”.

1 (b) INTEREST RATE RESTRICTION.—Section 29 of  
 2 the Federal Deposit Insurance Act (12 U.S.C. 1831f) is  
 3 amended by striking subsection (e) and inserting the fol-  
 4 lowing:

5 “(e) RESTRICTION ON INTEREST RATE PAID.—

6 “(1) DEFINITIONS.—In this subsection—

7 “(A) the terms ‘agent institution’, ‘recip-  
 8 rocal deposits’, and ‘well capitalized’ have the  
 9 meanings given those terms in subsection (i);  
 10 and

11 “(B) the term ‘covered insured depository  
 12 institution’ means an insured depository institu-  
 13 tion that—

14 “(i) under subsection (c) or (d), ac-  
 15 cepts funds obtained, directly or indirectly,  
 16 by or through a deposit broker; or

17 “(ii) while acting as an agent institu-  
 18 tion under subsection (i), accepts recip-  
 19 rocal deposits while not well capitalized.

20 “(2) PROHIBITION.—A covered insured deposi-  
 21 tory institution may not pay a rate of interest on  
 22 funds or reciprocal deposits described in paragraph  
 23 (1) that, at the time that the funds or reciprocal de-  
 24 posits are accepted, significantly exceeds the limit  
 25 set forth in paragraph (3).

1           “(3) LIMIT ON INTEREST RATES.—The limit on  
2           the rate of interest referred to in paragraph (2) shall  
3           be—

4                   “(A) the rate paid on deposits of similar  
5                   maturity in the normal market area of the cov-  
6                   ered insured depository institution for deposits  
7                   accepted in the normal market area of the cov-  
8                   ered insured depository institution; or

9                   “(B) the national rate paid on deposits of  
10                  comparable maturity, as established by the Cor-  
11                  poration, for deposits accepted outside the nor-  
12                  mal market area of the covered insured deposi-  
13                  tory institution.”.

14   **SEC. 203. COMMUNITY BANK RELIEF.**

15           Section 13(h) of the Bank Holding Company Act of  
16   1956 (12 U.S.C. 1851(h)) is amended—

17                   (1) in paragraph (1)—

18                           (A) in subparagraph (D), by redesignating  
19                           clauses (i) and (ii) as subclauses (I) and (II),  
20                           respectively, and adjusting the margins accord-  
21                           ingly;

22                           (B) by redesignating subparagraphs (A)  
23                           through (D) as clauses (i) through (iv), respec-  
24                           tively, and adjusting the margins accordingly;

1 (C) in the matter preceding clause (i), as  
 2 so redesignated, in the second sentence, by  
 3 striking “institution that functions solely in a  
 4 trust or fiduciary capacity, if—” and inserting  
 5 the following: “institution—

6 “(A) that functions solely in a trust or fi-  
 7 duciary capacity, if—”;

8 (D) in clause (iv)(II), as so redesignated,  
 9 by striking the period at the end and inserting  
 10 “; or”; and

11 (E) by adding at the end the following:

12 ~~“(B) with—~~

13 ~~“(i) not more than \$10,000,000,000~~  
 14 ~~of total consolidated assets; and~~

15 *“(B) that does not have and is not con-*  
 16 *trolled by a company that has—*

17 *“(i) more than \$10,000,000,000 in*  
 18 *total consolidated assets; and*

19 *“(ii) total trading assets and trading*  
 20 *liabilities, as reported on the most recent*  
 21 *applicable regulatory filing filed by the in-*  
 22 *stitution, that are not more than 5 percent*  
 23 *of total consolidated assets.”.*

1 **SEC. 204. REMOVING NAMING RESTRICTIONS.**

2 Section 13 of the Bank Holding Company Act of  
3 1956 (12 U.S.C. 1851) is amended—

4 (1) in subsection (d)(1)(G)(vi), by inserting be-  
5 fore the semicolon the following: “, except that the  
6 hedge fund or private equity fund may share the  
7 same name or a variation of the same name as a  
8 banking entity that is an investment adviser to the  
9 hedge fund or private equity fund, if—

10 “(I) such investment adviser is  
11 not an insured depository institution,  
12 a company that controls an insured  
13 depository institution, or a company  
14 that is treated as a bank holding com-  
15 pany for purposes of section 8 of the  
16 International Banking Act of 1978  
17 (12 U.S.C. 3106);

18 “(II) such investment adviser  
19 does not share the same name or a  
20 variation of the same name as an in-  
21 sured depository institution, any com-  
22 pany that controls an insured depository  
23 institution, or any company that  
24 is treated as a bank holding company  
25 for purposes of section 8 of the Inter-

1 national Banking Act of 1978 (12  
2 U.S.C. 3106); and

3 “(III) such name does not con-  
4 tain the word ‘bank’”; and

5 (2) in subsection (h)(5)(C), by inserting before  
6 the period the following: “, except as permitted  
7 under subsection (d)(1)(G)(vi)”.

8 **SEC. 205. SHORT FORM CALL REPORTS.**

9 Section 7(a) of the Federal Deposit Insurance Act  
10 (12 U.S.C. 1817(a)) is amended by adding at the end the  
11 following:

12 “(12) SHORT FORM REPORTING.—

13 “(A) IN GENERAL.—The appropriate Fed-  
14 eral banking agencies shall issue regulations  
15 that allow for a reduced reporting requirement  
16 for a covered depository institution when the in-  
17 stitution makes the first and third report of  
18 condition for a year, as required under para-  
19 graph (3).

20 “(B) DEFINITION.—In this paragraph, the  
21 term ‘covered depository institution’ means an  
22 insured depository institution that—

23 “(i) has less than \$5,000,000,000 in  
24 total consolidated assets; and

1 “(ii) satisfies such other criteria as  
 2 the appropriate Federal banking agencies  
 3 determine appropriate.”.

4 **SEC. 206. OPTION FOR FEDERAL SAVINGS ASSOCIATIONS**  
 5 **TO OPERATE AS COVERED SAVINGS ASSOCIA-**  
 6 **TIONS.**

7 The Home Owners’ Loan Act (12 U.S.C. 1461 et  
 8 seq.) is amended by inserting after section 5 (12 U.S.C.  
 9 1464) the following:

10 **“SEC. 5A. ELECTION TO OPERATE AS A COVERED SAVINGS**  
 11 **ASSOCIATION.**

12 “(a) DEFINITION.—In this section, the term ‘covered  
 13 savings association’ means a Federal savings association  
 14 that makes an election that is approved under subsection  
 15 (b).

16 “(b) ELECTION.—

17 “(1) IN GENERAL.—Upon issuance of rules  
 18 under subsection (f), and in accordance with those  
 19 rules, a Federal savings association with total con-  
 20 solidated assets equal to or less than  
 21 \$15,000,000,000 may elect to operate as a covered  
 22 savings association by submitting a notice to the  
 23 Comptroller of that election.

24 “(2) APPROVAL.—A Federal savings association  
 25 shall be deemed to be approved to operate as a cov-

1       ered savings association beginning on the date that  
 2       is 60 days after the date on which the Comptroller  
 3       receives the notice submitted under paragraph (1),  
 4       unless the Comptroller notifies the Federal savings  
 5       association that the Federal savings association is  
 6       not eligible.

7       “(c) RIGHTS AND DUTIES.—Notwithstanding any  
 8       other provision of law, and except as otherwise provided  
 9       in this section, a covered savings association shall—

10           “(1) have the same rights and privileges as a  
 11       national bank that has the main office of the na-  
 12       tional bank situated in the same location as the  
 13       home office of the covered savings association; and

14           “(2) be subject to the same duties, restrictions,  
 15       penalties, liabilities, conditions, and limitations that  
 16       would apply to a national bank described in para-  
 17       graph (1).

18       “(d) TREATMENT OF COVERED SAVINGS ASSOCIA-  
 19       TIONS.—A covered savings association shall be treated as  
 20       a Federal savings association for the purposes—

21           “(1) of governance of the covered savings asso-  
 22       ciation, including incorporation, bylaws, boards of  
 23       directors, shareholders, and distribution of divi-  
 24       dends;



1           “(2) of consolidation, merger, dissolution, con-  
 2       version (including conversion to a stock bank or to  
 3       another charter), conservatorship, and receivership;  
 4       and

5           “(3) determined by regulation of the Comp-  
 6       troller.

7       “(e) EXISTING BRANCHES.—A covered savings asso-  
 8       ciation may continue to operate any branch or agency that  
 9       the covered savings association operated on the date on  
 10      which an election under subsection (b) is approved.

11      “(f) RULE MAKING.—The Comptroller shall issue  
 12      rules to carry out this section—

13           “(1) that establish streamlined standards and  
 14       procedures that clearly identify required documenta-  
 15       tion ~~or~~ *and* timelines for an election under sub-  
 16       section (b);

17           “(2) that require a Federal savings association  
 18       that makes an election under subsection (b) to iden-  
 19       tify specific assets and subsidiaries that—

20           “(A) do not conform to the requirements  
 21       for assets and subsidiaries of a national bank;  
 22       and

23           “(B) are held by the Federal savings asso-  
 24       ciation on the date on which the Federal sav-  
 25       ings association submits a notice of the election;

1 “(3) that establish—

2 “(A) a transition process for bringing the  
3 assets and subsidiaries described in paragraph  
4 (2) into conformance with the requirements for  
5 a national bank; and

6 “(B) procedures for allowing the Federal  
7 savings association to submit to the Comptroller  
8 an application to continue to hold assets and  
9 subsidiaries described in paragraph (2) after  
10 electing to operate as a covered savings associa-  
11 tion;

12 “(4) that establish standards and procedures to  
13 allow a covered savings association to—

14 “(A) terminate an election under sub-  
15 section (b) after an appropriate period of time;  
16 and

17 “(B) make a subsequent election under  
18 subsection (b) after terminating an election  
19 under subparagraph (A);

20 “(5) that clarify requirements for the treatment  
21 of covered savings associations, including the provi-  
22 sions of law that apply to covered savings associa-  
23 tions; and

24 “(6) as the Comptroller determines necessary in  
25 the interests of safety and soundness.

1 “(g) GRANDFATHERED COVERED SAVINGS ASSOCIA-  
 2 TIONS.—Subject to the rules issued under subsection (f),  
 3 a covered savings association may continue to operate as  
 4 a covered savings association if, after the date on which  
 5 the election is made under subsection (b), the covered sav-  
 6 ings association has total consolidated assets greater than  
 7 \$15,000,000,000.”.

8 **SEC. 207. SMALL BANK HOLDING COMPANY POLICY STATE-**  
 9 **MENT.**

10 (a) DEFINITIONS.—In this section:

11 (1) BOARD.—The term “Board” means the  
 12 Board of Governors of the Federal Reserve System.

13 (2) SAVINGS AND LOAN HOLDING COMPANY.—  
 14 The term “savings and loan holding company” has  
 15 the meaning given the term in section 10(a) of the  
 16 Home Owners’ Loan Act (12 U.S.C. 1467a(a)).

17 (b) CHANGES REQUIRED TO SMALL BANK HOLDING  
 18 COMPANY POLICY STATEMENT ON ASSESSMENT OF FI-  
 19 NANCIAL AND MANAGERIAL FACTORS.—Not later than  
 20 180 days after the date of enactment of this Act, the  
 21 Board shall revise appendix C to part 225 of title 12, Code  
 22 of Federal Regulations (commonly known as the “Small  
 23 Bank Holding Company and Savings and Loan Holding  
 24 Company Policy Statement”), to raise the consolidated  
 25 asset threshold under that appendix from \$1,000,000,000

1 to \$3,000,000,000 for any bank holding company or sav-  
 2 ings and loan holding company that—

3 (1) is not engaged in significant nonbanking ac-  
 4 tivities either directly or through a nonbank sub-  
 5 sidiary;

6 (2) does not conduct significant off-balance  
 7 sheet activities (including securitization and asset  
 8 management or administration) either directly or  
 9 through a nonbank subsidiary; and

10 (3) does not have a material amount of debt or  
 11 equity securities outstanding (other than trust pre-  
 12 ferred securities) that are registered with the Securi-  
 13 ties and Exchange Commission.

14 (c) EXCLUSIONS.—The Board may exclude any bank  
 15 holding company or savings and loan holding company, re-  
 16 gardless of asset size, from the revision under subsection  
 17 (b) if the Board determines that such action is warranted  
 18 for supervisory purposes.

19 (d) CONFORMING AMENDMENT.—Section 171(b)(5)  
 20 of the Financial Stability Act of 2010 (12 U.S.C.  
 21 5371(b)(5)) is amended by striking subparagraph (C) and  
 22 inserting the following:

23 “(C) any bank holding company or savings  
 24 and loan holding company that is subject to the  
 25 application of appendix C to part 225 of title

1           12, Code of Federal Regulations (commonly  
 2           known as the ‘Small Bank Holding Company  
 3           and Savings and Loan Holding Company Policy  
 4           Statement’).”.

5   **SEC. 208. APPLICATION OF THE EXPEDITED FUNDS AVAIL-**  
 6                   **ABILITY ACT.**

7           (a) IN GENERAL.—The Expedited Funds Availability  
 8   Act (12 U.S.C. 4001 et seq.) is amended—

9           (1) in section 602 (12 U.S.C. 4001)—

10                   (A) in paragraph (20), by inserting “, lo-  
 11                   cated in the United States,” after “ATM”;

12                   (B) in paragraph (21), by inserting  
 13                   “American Samoa, the Commonwealth of the  
 14                   Northern Mariana Islands,” after “Puerto  
 15                   Rico,”; and

16                   (C) in paragraph (23), by inserting “Amer-  
 17                   ican Samoa, the Commonwealth of the North-  
 18                   ern Mariana Islands,” after “Puerto Rico,”;  
 19                   and

20           (2) in section 603(d)(2)(A) (12 U.S.C.  
 21   4002(d)(2)(A)), by inserting “American Samoa, the  
 22   Commonwealth of the Northern Mariana Islands,”  
 23   after “Puerto Rico,”.

1 (b) EFFECTIVE DATE.—The amendments made by  
 2 this section shall take effect on the date that is 30 days  
 3 after the date of enactment of this Act.

4 **SEC. 209. MUTUAL HOLDING COMPANY DIVIDEND WAIVERS.**

5 Not later than 180 days after the date of enactment  
 6 of this Act, the Board of Governors of the Federal Reserve  
 7 System shall amend section ~~239.8(d)(2)(iv)~~ of title 12,  
 8 Code of Federal Regulations, by striking “12 months”  
 9 each place that term appears and inserting “24 months”.

10 **SEC. ~~21009~~. SMALL PUBLIC HOUSING AGENCIES.**

11 (a) SMALL PUBLIC HOUSING AGENCIES.—Title I of  
 12 the United States Housing Act of 1937 (42 U.S.C. 1437  
 13 et seq.) is amended by adding at the end the following:

14 **“SEC. 38. SMALL PUBLIC HOUSING AGENCIES.**

15 “(a) DEFINITIONS.—In this section:

16 “(1) HOUSING VOUCHER PROGRAM.—The term  
 17 ‘housing voucher program’ means a program for ten-  
 18 ant-based assistance under section 8.

19 “(2) SMALL PUBLIC HOUSING AGENCY.—The  
 20 term ‘small public housing agency’ means a public  
 21 housing agency—

22 “(A) for which the sum of the number of  
 23 public housing dwelling units administered by  
 24 the agency and the number of vouchers under

1 section 8(o) administered by the agency is 550  
 2 or fewer; and

3 “(B) that predominantly operates in a  
 4 rural area, as described in section  
 5 1026.35(b)(2)(iv)(A) of title 12, Code of Fed-  
 6 eral Regulations.

7 “(3) TROUBLED SMALL PUBLIC HOUSING AGEN-  
 8 CY.—The term ‘troubled small public housing agen-  
 9 cy’ means a small public housing agency designated  
 10 by the Secretary as a troubled small public housing  
 11 agency under subsection (c)(3).

12 “(b) APPLICABILITY.—Except as otherwise provided  
 13 in this section, a small public housing agency shall be sub-  
 14 ject to the same requirements as a public housing agency.

15 “(c) PROGRAM INSPECTIONS AND EVALUATIONS.—

16 “(1) PUBLIC HOUSING PROJECTS.—

17 “(A) FREQUENCY OF INSPECTIONS BY  
 18 SECRETARY.—The Secretary shall carry out an  
 19 inspection of the physical condition of a small  
 20 public housing agency’s public housing projects  
 21 not more frequently than once every 3 years,  
 22 unless the agency has been designated by the  
 23 Secretary as a troubled small public housing  
 24 agency based on deficiencies in the physical  
 25 condition of its public housing projects. *Nothing*

1       *contained in this subparagraph relieves the Sec-*  
 2       *retary from conducting lead safety inspections or*  
 3       *assessments in accordance with procedures estab-*  
 4       *lished by the Secretary under section 302 of the*  
 5       *Lead-Based Paint Poisoning Prevention Act (42*  
 6       *U.S.C. 4822).*

7               “(B) STANDARDS.—The Secretary shall  
 8       apply to small public housing agencies the same  
 9       standards for the acceptable condition of public  
 10      housing projects that apply to projects assisted  
 11      under section 8.

12              “(2) HOUSING VOUCHER PROGRAM.—~~A small~~  
 13      *Except as required by section 8(o)(8)(F), a small pub-*  
 14      *lic housing agency administering assistance under*  
 15      *section 8(o) shall make periodic physical inspections*  
 16      *of each assisted dwelling unit not less frequently*  
 17      *than once every 3 years to determine whether the*  
 18      *unit is maintained in accordance with the require-*  
 19      *ments under section 8(o)(8)(A). Nothing contained*  
 20      *in this paragraph relieves a small public housing*  
 21      *agency from conducting lead safety inspections or as-*  
 22      *sessments in accordance with procedures established*  
 23      *by the Secretary under section 302 of the Lead-Based*  
 24      *Paint Poisoning Prevention Act (42 U.S.C. 4822).*



1           “(3) TROUBLED SMALL PUBLIC HOUSING AGEN-  
2 CIES.—

3           “(A) PUBLIC HOUSING PROGRAM.—Not-  
4 withstanding any other provision of law, the  
5 Secretary may designate a small public housing  
6 agency as a troubled small public housing agen-  
7 cy with respect to the public housing program  
8 of the small public housing agency if the Sec-  
9 retary determines that the agency has failed to  
10 maintain the public housing units of the small  
11 public housing agency in a satisfactory physical  
12 condition, based upon an inspection conducted  
13 by the Secretary.

14           “(B) HOUSING VOUCHER PROGRAM.—Not-  
15 withstanding any other provision of law, the  
16 Secretary may designate a small public housing  
17 agency as a troubled small public housing agen-  
18 cy with respect to the housing voucher program  
19 of the small public housing agency if the Sec-  
20 retary determines that the agency has failed to  
21 comply with the inspection requirements under  
22 paragraph (2).

23           “(C) APPEALS.—

24           “(i) ESTABLISHMENT.—The Secretary  
25 shall establish an appeals process under

1 which a small public housing agency may  
2 dispute a designation as a troubled small  
3 public housing agency.

4 “(ii) OFFICIAL.—The appeals process  
5 established under clause (i) shall provide  
6 for a decision by an official who has not  
7 been involved, and is not subordinate to a  
8 person who has been involved, in the origi-  
9 nal determination to designate a small  
10 public housing agency as a troubled small  
11 public housing agency.

12 “(D) CORRECTIVE ACTION AGREEMENT.—

13 “(i) AGREEMENT REQUIRED.—Not  
14 later than 60 days after the date on which  
15 a small public housing agency is des-  
16 ignated as a troubled public housing agen-  
17 cy under subparagraph (A) or (B), the  
18 Secretary and the small public housing  
19 agency shall enter into a corrective action  
20 agreement under which the small public  
21 housing agency shall undertake actions to  
22 correct the deficiencies upon which the des-  
23 ignation is based.

1           “(ii) TERMS OF AGREEMENT.—A cor-  
2           rective action agreement entered into  
3           under clause (i) shall—

4                   “(I) have a term of 1 year, and  
5                   shall be renewable at the option of the  
6                   Secretary;

7                   “(II) provide, where feasible, for  
8                   technical assistance to assist the pub-  
9                   lic housing agency in curing its defi-  
10                  ciencies;

11                  “(III) provide for—

12                          “(aa) reconsideration of the  
13                          designation of the small public  
14                          housing agency as a troubled  
15                          small public housing agency not  
16                          less frequently than annually;  
17                          and

18                          “(bb) termination of the  
19                          agreement when the Secretary  
20                          determines that the small public  
21                          housing agency is no longer a  
22                          troubled small public housing  
23                          agency; and

24                   “(IV) provide that in the event of  
25                   substantial noncompliance by the

1 small public housing agency under the  
2 agreement, the Secretary may—

3 “(aa) contract with another  
4 public housing agency or a pri-  
5 vate entity to manage the public  
6 housing of the troubled small  
7 public housing agency;

8 “(bb) withhold funds other-  
9 wise distributable to the troubled  
10 small public housing agency;

11 “(cc) assume possession of,  
12 and direct responsibility for,  
13 managing the public housing of  
14 the troubled small public housing  
15 agency;

16 “(dd) petition for the ap-  
17 pointment of a receiver, in ac-  
18 cordance with section  
19 6(j)(3)(A)(ii); and

20 “(ee) exercise any other  
21 remedy available to the Secretary  
22 in the event of default under the  
23 public housing annual contribu-  
24 tions contract entered into by the

1 small public housing agency  
2 under section 5.

3 “(E) EMERGENCY ACTIONS.—Nothing in  
4 this paragraph may be construed to prohibit the  
5 Secretary from taking any emergency action  
6 necessary to protect Federal financial resources  
7 or the health or safety of residents of public  
8 housing projects.

9 “(d) REDUCTION OF ADMINISTRATIVE BURDENS.—

10 “(1) EXEMPTION.—Notwithstanding any other  
11 provision of law, a small public housing agency shall  
12 be exempt from any environmental review require-  
13 ments with respect to a development or moderniza-  
14 tion project having a total cost of not more than  
15 \$100,000.

16 “(2) STREAMLINED PROCEDURES.—The Sec-  
17 retary shall, by rule, establish streamlined proce-  
18 dures for environmental reviews of small public  
19 housing agency development and modernization  
20 projects having a total cost of more than  
21 \$100,000.”.

22 (b) ENERGY CONSERVATION.—Section 9(e)(2) of the  
23 United States Housing Act of 1937 (42 U.S.C.  
24 1437g(e)(2)) is amended by adding at the end the fol-  
25 lowing:

1                   “(D) FREEZE OF CONSUMPTION LEV-  
2                   ELS.—

3                   “(i) IN GENERAL.—A small public  
4                   housing agency, as defined in section  
5                   38(a), may elect to be paid for its utility  
6                   and waste management costs under the  
7                   formula for a period, at the discretion of  
8                   the small public housing agency, of not  
9                   more than 20 years based on the small  
10                  public housing agency’s average annual  
11                  consumption during the 3-year period pre-  
12                  ceding the year in which the election is  
13                  made (in this subparagraph referred to as  
14                  the ‘consumption base level’).

15                  “(ii) INITIAL ADJUSTMENT IN CON-  
16                  SUMPTION BASE LEVEL.—The Secretary  
17                  shall make an initial one-time adjustment  
18                  in the consumption base level to account  
19                  for differences in the heating degree day  
20                  average over the most recent 20-year pe-  
21                  riod compared to the average in the con-  
22                  sumption base level.

23                  “(iii) ADJUSTMENTS IN CONSUMPTION  
24                  BASE LEVEL.—The Secretary shall make  
25                  adjustments in the consumption base level

1 to account for an increase or reduction in  
2 units, a change in fuel source, a change in  
3 resident controlled electricity consumption,  
4 or for other reasons.

5 “(iv) SAVINGS.—All cost savings re-  
6 sulting from an election made by a small  
7 public housing agency under this subpara-  
8 graph—

9 “(I) shall accrue to the small  
10 public housing agency; and

11 “(II) may be used for any public  
12 housing purpose at the discretion of  
13 the small public housing agency.

14 “(v) THIRD PARTIES.—A small public  
15 housing agency making an election under  
16 this subparagraph—

17 “(I) may use, but shall not be re-  
18 quired to use, the services of a third  
19 party in its energy conservation pro-  
20 gram; and

21 “(II) shall have the sole discre-  
22 tion to determine the source, and  
23 terms and conditions, of any financing  
24 used for its energy conservation pro-  
25 gram.”.

1       (c) REPORTING BY AGENCIES OPERATING IN CON-  
 2 SORTIA.—Not later than 180 days after the date of enact-  
 3 ment of this Act, the Secretary of Housing and Urban  
 4 Development shall develop and deploy all electronic infor-  
 5 mation systems necessary to accommodate full consoli-  
 6 dated reporting by public housing agencies, as defined in  
 7 section 3(b)(6) of the United States Housing Act of 1937  
 8 (42 U.S.C. 1437a(b)(6)), electing to operate in consortia  
 9 under section 13(a) of such Act (42 U.S.C. 1437k(a)).

10       (d) EFFECTIVE DATE.—The amendments made by  
 11 subsections (a) and (b) shall take effect on the date that  
 12 is 60 days after the date of enactment of this Act.

13       (e) *SHARED WAITING LISTS.*—*Not later than 1 year*  
 14 *after the date of enactment of this Act, the Secretary of*  
 15 *Housing and Urban Development shall make available to*  
 16 *interested public housing agencies and owners of multi-*  
 17 *family properties receiving assistance from the Department*  
 18 *of Housing and Urban Development 1 or more software pro-*  
 19 *grams that will facilitate the voluntary use of a shared*  
 20 *waiting list by multiple public housing agencies or owners*  
 21 *receiving assistance, and shall publish on the website of the*  
 22 *Department of Housing and Urban Development proce-*  
 23 *dural guidance for implementing shared waiting lists that*  
 24 *includes information on how to obtain the software.*



1 **SEC. 2110. EXAMINATION CYCLE.**

2 Section 10(d) ~~(4)(A)~~ of the Federal Deposit Insur-  
 3 ance Act (12 U.S.C. 1820(d) ~~(4)(A)~~) is amended by  
 4 *amended—*

5 (1) *in paragraph (4)(A), by striking*  
 6 *“\$1,000,000,000” and inserting “\$3,000,000,000”;*  
 7 *and*

8 (2) *in paragraph (10), by striking*  
 9 *“\$1,000,000,000” and inserting “\$3,000,000,000”.*

10 **SEC. 2121. NATIONAL SECURITIES EXCHANGE REGU-**  
 11 **LATORY PARITY.**

12 Section 18(b)(1) of the Securities Act of 1933 (15  
 13 U.S.C. 77r(b)(1)) is amended—

14 (1) by striking subparagraph (A);

15 (2) in subparagraph (B)—

16 (A) by inserting “a security designated as  
 17 qualified for trading in the national market sys-  
 18 tem pursuant to section 11A(a)(2) of the Secu-  
 19 rities Exchange Act of 1934 (15 U.S.C. 78k-  
 20 1(a)(2)) that is” before “listed”; and

21 (B) by striking “that has listing standards  
 22 that the Commission determines by rule (on its  
 23 own initiative or on the basis of a petition) are  
 24 substantially similar to the listing standards ap-  
 25 plicable to securities described in subparagraph  
 26 (A)”;

1 (3) in subparagraph (C), by striking “or (B)”;  
 2 and

3 (4) by redesignating subparagraphs (B) and  
 4 (C) as subparagraphs (A) and (B), respectively.

5 **SEC. 212. INTERNATIONAL INSURANCE CAPITAL STAND-**  
 6 **ARDS ACCOUNTABILITY.**

7 (a) *FINDINGS.—Congress finds that—*

8 (1) *the Secretary of the Treasury, Board of Gov-*  
 9 *ernors of the Federal Reserve System, and Director of*  
 10 *the Federal Insurance Office shall support increasing*  
 11 *transparency at any global insurance or inter-*  
 12 *national standard-setting regulatory or supervisory*  
 13 *forum in which they participate, including sup-*  
 14 *porting and advocating for greater public observer ac-*  
 15 *cess to working groups and committee meetings of the*  
 16 *International Association of Insurance Supervisors;*  
 17 *and*

18 (2) *to the extent that the Secretary of the Treas-*  
 19 *ury, the Board of Governors of the Federal Reserve*  
 20 *System, and the Director of the Federal Insurance Of-*  
 21 *fice take a position or reasonably intend to take a po-*  
 22 *sition with respect to an insurance proposal by a*  
 23 *global insurance regulatory or supervisory forum, the*  
 24 *Secretary of the Treasury, the Board of Governors of*  
 25 *the Federal Reserve System, and the Director of the*

1 *Federal Insurance Office shall achieve consensus posi-*  
 2 *tions with State insurance regulators through the Na-*  
 3 *tional Association of Insurance Commissioners, when*  
 4 *they are United States participants in negotiations*  
 5 *on insurance issues before the International Associa-*  
 6 *tion of Insurance Supervisors, Financial Stability*  
 7 *Board, or any other international forum of financial*  
 8 *regulators or supervisors that considers such issues.*

9 *(b) INSURANCE POLICY ADVISORY COMMITTEE.—*

10 *(1) ESTABLISHMENT.—There is established the*  
 11 *Insurance Policy Advisory Committee on Inter-*  
 12 *national Capital Standards and Other Insurance*  
 13 *Issues at the Board of Governors of the Federal Re-*  
 14 *serve System.*

15 *(2) MEMBERSHIP.—The Committee shall be com-*  
 16 *posed of not more than 21 members, all of whom rep-*  
 17 *resent a diverse set of expert perspectives from the*  
 18 *various sectors of the United States insurance indus-*  
 19 *try, including life insurance, property and casualty*  
 20 *insurance and reinsurance, agents and brokers, aca-*  
 21 *demics, consumer advocates, or experts on issues fac-*  
 22 *ing underserved insurance communities and con-*  
 23 *sumers.*

24 *(c) REPORTS.—*

1           (1) *REPORTS AND TESTIMONY BY SECRETARY OF*  
 2           *THE TREASURY AND CHAIRMAN OF THE FEDERAL RE-*  
 3           *SERVE.—*

4                   (A) *IN GENERAL.—The Secretary of the*  
 5           *Treasury and the Chairman of the Board of Gov-*  
 6           *ernors of the Federal Reserve System, or their*  
 7           *designee, shall submit to the Committee on Bank-*  
 8           *ing, Housing, and Urban Affairs of the Senate,*  
 9           *and the Committee on Financial Services of the*  
 10          *House of Representatives, an annual report and*  
 11          *provide annual testimony to the Committee on*  
 12          *Banking, Housing, and Urban Affairs of the*  
 13          *Senate, and the Committee on Financial Serv-*  
 14          *ices of the House of Representatives on the efforts*  
 15          *of the Secretary and the Chairman with the Na-*  
 16          *tional Association of Insurance Commissioners*  
 17          *with respect to global insurance regulatory or su-*  
 18          *pervisory forums, including—*

19                   (i) *a description of the insurance regu-*  
 20          *latory or supervisory standard-setting issues*  
 21          *under discussion at international standard-*  
 22          *setting bodies, including the Financial Sta-*  
 23          *bility Board and the International Associa-*  
 24          *tion of Insurance Supervisors;*

1           (ii) a description of the effects that  
2           proposals discussed at international insur-  
3           ance regulatory or supervisory forums of in-  
4           surance could have on consumer and insur-  
5           ance markets in the United States;

6           (iii) a description of any position  
7           taken by the Secretary of the Treasury, the  
8           Board of Governors of the Federal Reserve  
9           System, and the Director of the Federal In-  
10          surance Office in international insurance  
11          discussions; and

12          (iv) a description of the efforts by the  
13          Secretary of the Treasury, the Board of  
14          Governors of the Federal Reserve System,  
15          and the Director of the Federal Insurance  
16          Office to increase transparency at the Fi-  
17          nancial Stability Board with respect to in-  
18          surance proposals and the International As-  
19          sociation of Insurance Supervisors, includ-  
20          ing efforts to provide additional public ac-  
21          cess to working groups and committees of  
22          the International Association of Insurance  
23          Supervisors.

24          (B) *TERMINATION.*—This paragraph shall  
25          terminate on December 31, 2022.

1           (2) *REPORTS AND TESTIMONY BY NATIONAL AS-*  
 2           *SOCIATION OF INSURANCE COMMISSIONERS.—The Na-*  
 3           *tional Association of Insurance Commissioners may*  
 4           *provide testimony to Congress on the issues described*  
 5           *in paragraph (1)(A).*

6           (3) *JOINT REPORT BY THE CHAIRMAN OF THE*  
 7           *FEDERAL RESERVE AND THE DIRECTOR OF THE FED-*  
 8           *ERAL INSURANCE OFFICE.—*

9           (A) *IN GENERAL.—The Secretary of the*  
 10          *Treasury, the Chairman of the Board of Gov-*  
 11          *ernors of the Federal Reserve System, and the*  
 12          *Director of the Federal Insurance Office shall, in*  
 13          *consultation with the National Association of In-*  
 14          *surance Commissioners, complete a study on,*  
 15          *and submit to Congress a report on the results*  
 16          *of the study, the impact on consumers and mar-*  
 17          *kets in the United States before supporting or*  
 18          *consenting to the adoption of any key elements*  
 19          *in any international insurance proposal or*  
 20          *international insurance capital standard.*

21          (B) *NOTICE AND COMMENT.—*

22          (i) *NOTICE.—The Secretary of the*  
 23          *Treasury, the Chairman of the Board of*  
 24          *Governors of the Federal Reserve System,*  
 25          *and the Director of the Federal Insurance*

1            *Office shall provide public notice before the*  
2            *date on which drafting a report required*  
3            *under subparagraph (A) is commenced and*  
4            *after the date on which the draft of the re-*  
5            *port is completed.*

6            *(ii) OPPORTUNITY FOR COMMENT.—*

7            *There shall be an opportunity for public*  
8            *comment for a period beginning on the date*  
9            *on which the report is submitted under sub-*  
10           *paragraph (A) and ending on the date that*  
11           *is 60 days after the date on which the re-*  
12           *port is submitted.*

13           *(C) REVIEW BY COMPTROLLER GENERAL.—*

14           *The Secretary of the Treasury, Chairman of the*  
15           *Board of Governors of the Federal Reserve Sys-*  
16           *tem, and the Director of the Federal Insurance*  
17           *Office shall submit to the Comptroller General of*  
18           *the United States the report described in sub-*  
19           *paragraph (A) for review.*

20           *(4) REPORT ON INCREASE IN TRANSPARENCY.—*

21           *Not later than 180 days after the date of enactment*  
22           *of this Act, the Chairman of the Board of Governors*  
23           *of the Federal Reserve System and the Secretary of*  
24           *the Treasury, or their designees, shall submit to Con-*  
25           *gress a report and provide testimony to Congress on*

1        *the efforts of the Chairman and the Secretary to in-*  
 2        *crease transparency at meetings of the International*  
 3        *Association of Insurance Supervisors.*

4    **SEC. 213. BUDGET TRANSPARENCY FOR THE NCUA.**

5        *Section 209(b) of the Federal Credit Union Act (12*  
 6    *U.S.C. 1789(b)) is amended—*

7            *(1) by redesignating paragraphs (1) and (2) as*  
 8        *paragraphs (2) and (3), respectively;*

9            *(2) by inserting before paragraph (2), as so re-*  
 10    *designated, the following:*

11            *“(1) on an annual basis and prior to the sub-*  
 12        *mission of the detailed business-type budget required*  
 13        *under paragraph (2)—*

14            *“(A) make publicly available and publish in*  
 15        *the Federal Register a draft of the detailed busi-*  
 16        *ness-type budget; and*

17            *“(B) hold a public hearing, with public no-*  
 18        *tice provided of the hearing, during which the*  
 19        *public may submit comments on the draft of the*  
 20        *detailed business-type budget;”;* and

21        *(3) in paragraph (2), as so redesignated—*

22            *(A) by inserting “detailed” after “submit*  
 23        *a”; and*



1                   (B) by inserting “, which shall address any  
2                   comment submitted by the public under para-  
3                   graph (1)(B)” after “Control Act”.

4 **SEC. 214. MAKING ONLINE BANKING INITIATION LEGAL**  
5 **AND EASY.**

6           (a) *DEFINITIONS.*—*In this section:*

7                   (1) *AFFILIATE.*—*The term “affiliate” has the*  
8                   *meaning given the term in section 2 of the Bank*  
9                   *Holding Company Act of 1956 (12 U.S.C. 1841).*

10                  (2) *DRIVER’S LICENSE.*—*The term “driver’s li-*  
11                  *cence” means a license issued by a State to an indi-*  
12                  *vidual that authorizes the individual to operate a*  
13                  *motor vehicle on public streets, roads, or highways.*

14                  (3) *FEDERAL BANK SECRECY LAWS.*—*The term*  
15                  *“Federal bank secrecy laws” means—*

16                               (A) *section 21 of the Federal Deposit Insur-*  
17                               *ance Act (12 U.S.C. 1829b);*

18                               (B) *section 123 of Public Law 91–508 (12*  
19                               *U.S.C. 1953); and*

20                               (C) *subchapter II of chapter 53 of title 31,*  
21                               *United States Code.*

22                  (4) *FINANCIAL INSTITUTION.*—*The term “finan-*  
23                  *cial institution” means—*

24                               (A) *an insured depository institution;*

25                               (B) *an insured credit union; or*

1                   (C) any affiliate of an insured depository  
2                   institution or insured credit union.

3                   (5) *FINANCIAL PRODUCT OR SERVICE.*—The term  
4                   “financial product or service” has the meaning given  
5                   the term in section 1002 of the Consumer Financial  
6                   Protection Act of 2010 (12 U.S.C. 5481).

7                   (6) *INSURED CREDIT UNION.*—The term “insured  
8                   credit union” has the meaning given the term in sec-  
9                   tion 101 of the Federal Credit Union Act (12 U.S.C.  
10                  1752).

11                  (7) *INSURED DEPOSITORY INSTITUTION.*—The  
12                  term “insured depository institution” has the mean-  
13                  ing given the term in section 3 of the Federal Deposit  
14                  Insurance Act (12 U.S.C. 1813).

15                  (8) *ONLINE SERVICE.*—The term “online service”  
16                  means any Internet-based service, such as a website or  
17                  mobile application.

18                  (9) *PERSONAL IDENTIFICATION CARD.*—The term  
19                  “personal identification card” means an identifica-  
20                  tion document issued by a State or local government  
21                  to an individual solely for the purpose of identifica-  
22                  tion of that individual.

23                  (10) *PERSONAL INFORMATION.*—The term “per-  
24                  sonal information” means the information displayed  
25                  on or electronically encoded on a driver’s license or

1     *personal identification card that is reasonably nec-*  
 2     *essary to fulfill the purpose and uses permitted by*  
 3     *subsection (b).*

4           (11) *SCAN.*—*The term “scan” means the act of*  
 5     *using a device or software to decipher, in an elec-*  
 6     *tronically readable format, personal information dis-*  
 7     *played on or electronically encoded on a driver’s li-*  
 8     *cence or personal identification card.*

9           (12) *STATE.*—*The term “State” means any*  
 10    *State of the United States, the District of Columbia,*  
 11    *the Commonwealth of Puerto Rico, and any other*  
 12    *commonwealth, possession, or territory of the United*  
 13    *States.*

14    **(b) USE OF A DRIVER’S LICENSE OR PERSONAL IDEN-**  
 15    **TIFICATION CARD.**—

16           (1) *IN GENERAL.*—*When an individual initiates*  
 17    *a request through an online service to open an ac-*  
 18    *count with a financial institution or obtain a finan-*  
 19    *cial product or service from a financial institution,*  
 20    *the financial institution may record personal infor-*  
 21    *mation from a scan of the driver’s license or personal*  
 22    *identification card of the individual, or make a copy*  
 23    *or receive an image of the driver’s license or personal*  
 24    *identification card of the individual, and store or re-*

1       tain such information in any electronic format for the  
2       purposes described in paragraph (2).

3               (2) *USES OF INFORMATION.*—*Except as required*  
4       *to comply with Federal bank secrecy laws, a financial*  
5       *institution may only use the information obtained*  
6       *under paragraph (1)—*

7                       (A) *to verify the authenticity of the driver’s*  
8                       *license or personal identification card;*

9                       (B) *to verify the identity of the individual;*  
10                      *and*

11                      (C) *to comply with a legal requirement to*  
12                      *record, retain, or transmit the personal informa-*  
13                      *tion in connection with opening an account or*  
14                      *obtaining a financial product or service.*

15               (3) *DELETION OF IMAGE.*—*A financial institu-*  
16       *tion that makes a copy or receives an image of a*  
17       *driver’s license or personal identification card of an*  
18       *individual in accordance with paragraphs (1) and*  
19       *(2) shall, after using the image for the purposes de-*  
20       *scribed in paragraph (2), permanently delete—*

21                      (A) *any image of the driver’s license or per-*  
22                      *sonal identification card, as applicable; and*

23                      (B) *any copy of any such image.*

24               (4) *DISCLOSURE OF PERSONAL INFORMATION.*—  
25       *Nothing in this section shall be construed to amend,*

1        *modify, or otherwise affect any State or Federal law*  
 2        *that governs a financial institution's disclosure and*  
 3        *security of personal information that is not publicly*  
 4        *available.*

5        *(c) RELATION TO STATE LAW.—The provisions of this*  
 6        *section shall preempt and supersede any State law that con-*  
 7        *flicts with a provision of this section, but only to the extent*  
 8        *of such conflict.*

## 9        **TITLE    III—PROTECTIONS    FOR** 10        **VETERANS, CONSUMERS, AND** 11        **HOMEOWNERS**

### 12        **SEC. 301. PROTECTING CONSUMERS' CREDIT.**

13        Section 605A of the Fair Credit Reporting Act (15  
 14        U.S.C. 1681e–1) is amended—

15        (a) in subsection (a)(1)(A), by striking “90 days”  
 16        and inserting “1 year”; and

17        (b) by adding at the end the following:

18        “(i) **FREE ANNUAL FREEZE ALERTS; ADDITIONAL**  
 19        **PROTECTIONS FOR CREDIT REPORTS OF MINOR CON-**  
 20        **SUMERS.—**

21                “(1) **DEFINITION.—**In this subsection, the term  
 22        ‘freeze alert’ means a restriction placed on the file  
 23        of a consumer, prohibiting the ability of a consumer  
 24        reporting agency to furnish to any person, for the  
 25        purpose of opening a new account involving the ex-

1       tension of credit, the consumer report of the con-  
2       sumer.

3       ~~“(2) FREE ANNUAL FREEZE ALERT.—~~

4               ~~“(A) IN GENERAL.—~~Notwithstanding any  
5       other provision of State law, once every cal-  
6       endar year, free of charge, upon the direct re-  
7       quest of a consumer, or an individual acting on  
8       behalf of or as a personal representative of the  
9       consumer, a consumer reporting agency that  
10      maintains a file on the consumer and has re-  
11      ceived appropriate proof of the identity of the  
12      requester shall provide 1 freeze alert in the file  
13      of that consumer that shall remain in effect  
14      until the consumer or requester requests that  
15      such freeze alert be removed.

16             ~~“(B) REMOVAL OF ALERT.—~~Notwith-  
17      standing any other provision of State law, once  
18      every calendar year, free of charge, upon the di-  
19      rect request of a consumer, or an individual  
20      acting on behalf of or as a personal representa-  
21      tive of the consumer, a consumer reporting  
22      agency that receives a request to remove a  
23      freeze alert provided under paragraph (1) shall  
24      remove such a freeze alert.

1           “(C) RULE OF CONSTRUCTION.—Nothing  
 2           in this paragraph shall be construed to limit the  
 3           authority of a State to require consumer report-  
 4           ing agencies to require freeze alerts free of  
 5           charge.

6           ~~“(3) ADDITIONAL PROTECTIONS FOR CREDIT~~  
 7           ~~REPORTS OF MINOR CONSUMERS.—~~

8           “(A) IN GENERAL.—Upon the direct re-  
 9           quest of an individual acting on behalf of or as  
 10          a personal representative of a minor, a con-  
 11          sumer reporting agency that maintains a file on  
 12          the minor and has received appropriate proof of  
 13          the identity of the requester shall include a  
 14          freeze alert, free of charge, in the file of that  
 15          minor that shall remain in effect until an indi-  
 16          vidual acting on behalf of or as a personal rep-  
 17          resentative of the minor, or in the case of a  
 18          minor who is no longer a minor, the minor, re-  
 19          quests that such freeze alert be removed.

20          “(B) BLOCK OF INFORMATION.—While a  
 21          freeze alert under subparagraph (A) is in place,  
 22          a consumer reporting agency may not release—

23                  “(i) the consumer report of the minor;

24                  “(ii) any information derived from the  
 25          consumer report of the minor; or

1                   ~~“(iii) any record created for the~~  
 2                   ~~minor.~~

3                   ~~“(C) REMOVAL.—Notwithstanding any~~  
 4                   ~~other provision of State law, a consumer report-~~  
 5                   ~~ing agency that receives a request for a freeze~~  
 6                   ~~alert for a minor or a request to remove a~~  
 7                   ~~freeze alert for a minor shall provide or remove~~  
 8                   ~~the freeze alert, as applicable, free of charge.”.~~

9   **SEC. 301. PROTECTING CONSUMERS’ CREDIT.**

10           (a) *IN GENERAL.*—Section 605A of the Fair Credit Re-  
 11   *porting Act (15 U.S.C. 1681c–1) is amended—*

12                   (1) *in subsection (a)(1)(A), by striking “90*  
 13                   *days” and inserting “1 year”; and*

14                   (2) *by adding at the end the following:*

15                   ~~“(i) NATIONAL SECURITY FREEZE.—~~

16                   ~~“(1) DEFINITIONS.—For purposes of this sub-~~  
 17                   ~~section:~~

18                               ~~“(A) The term ‘consumer reporting agency’~~  
 19                               ~~means a consumer reporting agency described in~~  
 20                               ~~section 603(p).~~

21                               ~~“(B) The term ‘proper identification’ has~~  
 22                               ~~the meaning of such term as used under section~~  
 23                               ~~610.~~

24                               ~~“(C) The term ‘security freeze’ means a re-~~  
 25                               ~~striction that prohibits a consumer reporting~~



1       agency from disclosing the contents of a con-  
 2       sumer report that is subject to such security  
 3       freeze to any person requesting the consumer re-  
 4       port for the purpose of opening a new account  
 5       involving the extension of credit.

6       “(2) *PLACEMENT OF SECURITY FREEZE.*—

7               “(A) *IN GENERAL.*—Upon receiving a direct  
 8       request from a consumer that a consumer report-  
 9       ing agency place a security freeze, and upon re-  
 10      ceiving proper identification from the consumer,  
 11      the consumer reporting agency shall, free of  
 12      charge, place the security freeze not later than—

13               “(i) *in the case of a request that is by*  
 14      *telephone or electronic means, 1 business*  
 15      *day after receiving the request directly from*  
 16      *the consumer; or*

17               “(ii) *in the case of a request that is by*  
 18      *mail, 3 business days after receiving the re-*  
 19      *quest directly from the consumer.*

20       “(B) *CONFIRMATION AND ADDITIONAL IN-*  
 21      *FORMATION.*—Not later than 5 business days  
 22      after placing a security freeze under subpara-  
 23      graph (A), a consumer reporting agency shall—

24               “(i) *send confirmation of the place-*  
 25      *ment to the consumer; and*

1                   “(ii) inform the consumer of—

2                               “(I) the process by which the con-  
3                   sumer may remove the security freeze,  
4                   including a mechanism to authenticate  
5                   the consumer; and

6                               “(II) the consumer’s right de-  
7                   scribed in section 615(d)(1)(D).

8                   “(C) NOTICE TO THIRD PARTIES.—A con-  
9                   sumer reporting agency may advise a third  
10                  party that a security freeze has been placed with  
11                  respect to a consumer under subparagraph (A).

12                  “(3) REMOVAL OF SECURITY FREEZE.—

13                               “(A) IN GENERAL.—A consumer reporting  
14                  agency shall remove a security freeze placed on  
15                  the consumer report of a consumer only in the  
16                  following cases:

17                               “(i) Upon the direct request of the con-  
18                  sumer.

19                               “(ii) The security freeze was placed  
20                  due to a material misrepresentation of fact  
21                  by the consumer.

22                               “(B) NOTICE IF REMOVAL NOT BY RE-  
23                  QUEST.—If a consumer reporting agency removes  
24                  a security freeze under subparagraph (A)(ii), the  
25                  consumer reporting agency shall notify the con-

sumer in writing prior to removing the security freeze.

“(C) *REMOVAL OF SECURITY FREEZE BY CONSUMER REQUEST.*—Except as provided in subparagraph (A)(ii), a security freeze shall remain in place until the consumer directly requests that the security freeze be removed. Upon receiving a direct request from a consumer that a consumer reporting agency remove a security freeze, and upon receiving proper identification from the consumer, the consumer reporting agency shall, free of charge, remove the security freeze not later than—

“(i) in the case of a request that is by telephone or electronic means, 1 hour after receiving the request for removal; or

“(ii) in the case of a request that is by mail, 3 business days after receiving the request for removal.

“(D) *THIRD-PARTY REQUESTS.*—If a third party requests access to a consumer report of a consumer with respect to which a security freeze is in effect, where such request is in connection with an application for credit, and the consumer does not allow such consumer report to be

1           *accessed, the third party may treat the applica-*  
2           *tion as incomplete.*

3           “(4) *EXCEPTIONS.*—*A security freeze shall not*  
4           *apply to the making of a consumer report for use of*  
5           *the following:*

6                   “(A) *A person or entity, or a subsidiary, af-*  
7                   *filiate, or agent of that person or entity, or an*  
8                   *assignee of a financial obligation owed by the*  
9                   *consumer to that person or entity, or a prospec-*  
10                   *tive assignee of a financial obligation owed by*  
11                   *the consumer to that person or entity in conjunc-*  
12                   *tion with the proposed purchase of the financial*  
13                   *obligation, with which the consumer has or had*  
14                   *prior to assignment an account or contract in-*  
15                   *cluding a demand deposit account, or to whom*  
16                   *the consumer issued a negotiable instrument, for*  
17                   *the purposes of reviewing the account or col-*  
18                   *lecting the financial obligation owed for the ac-*  
19                   *count, contract, or negotiable instrument. For*  
20                   *purposes of this subparagraph, ‘reviewing the ac-*  
21                   *count’ includes activities related to account*  
22                   *maintenance, monitoring, credit line increases,*  
23                   *and account upgrades and enhancements.*

24                   “(B) *A subsidiary, affiliate, agent, assignee,*  
25                   *or prospective assignee of a person to whom ac-*

1        *cess has been granted for purposes of facilitating*  
2        *the extension of credit or other permissible use.*

3            *“(C) Any Federal, State, or local agency,*  
4        *law enforcement agency, trial court, or private*  
5        *collection agency acting pursuant to a court*  
6        *order, warrant, or subpoena.*

7            *“(D) A child support agency acting pursu-*  
8        *ant to part D of title IV of the Social Security*  
9        *Act (42 U.S.C. 651 et seq.).*

10          *“(E) A State or its agents or assigns acting*  
11        *to investigate fraud or acting to investigate or*  
12        *collect delinquent taxes or unpaid court orders or*  
13        *to fulfill any of its other statutory responsibil-*  
14        *ities, provided such responsibilities are consistent*  
15        *with a permissible purpose under section 604.*

16          *“(F) By a person using credit information*  
17        *for the purposes described under section 604(c).*

18          *“(G) Any person or entity administering a*  
19        *credit file monitoring subscription or similar*  
20        *service to which the consumer has subscribed.*

21          *“(H) Any person or entity for the purpose*  
22        *of providing a consumer with a copy of the con-*  
23        *sumer’s consumer report or credit score, upon the*  
24        *request of the consumer.*

1           “(I) Any person using the information in  
2           connection with the underwriting of insurance.

3 “(J) Any person using the information for  
4 employment, tenant, or background screening  
5 purposes.

6           “(5) NOTICE OF RIGHTS.—At any time a con-  
7           sumer is required to receive a summary of rights re-  
8           quired under section 609, the following notice shall be  
9           included:

“CONSUMERS HAVE THE RIGHT TO OBTAIN A SECURITY  
FREEZE

12 “You have a right to place a “security freeze” on your  
13 credit report, which will prohibit a consumer reporting  
14 agency from releasing information in your credit report  
15 without your express authorization. The security freeze is  
16 designed to prevent credit, loans, and services from being  
17 approved in your name without your consent. However, you  
18 should be aware that using a security freeze to take control  
19 over who gets access to the personal and financial informa-  
20 tion in your credit report may delay, interfere with, or pro-  
21 hibit the timely approval of any subsequent request or ap-  
22 plication you make regarding a new loan, credit, mortgage,  
23 or any other account involving the extension of credit.

24 “As an alternative to a security freeze, you have the  
25 right to place an initial or extended fraud alert on your

1 credit file at no cost. An initial fraud alert is a 1-year alert  
 2 that is placed on a consumer's credit file. Upon seeing a  
 3 fraud alert display on a consumer's credit file, a business  
 4 is required to take steps to verify the consumer's identity  
 5 before extending new credit. If you are a victim of identity  
 6 theft, you are entitled to an extended fraud alert, which is  
 7 a fraud alert lasting 7 years.

8        “‘A security freeze does not apply to a person or enti-  
 9 ty, or its affiliates, or collection agencies acting on behalf  
 10 of the person or entity, with which you have an existing  
 11 account that requests information in your credit report for  
 12 the purposes of reviewing or collecting the account. Review-  
 13 ing the account includes activities related to account main-  
 14 tenance, monitoring, credit line increases, and account up-  
 15 grades and enhancements.’.

16        “(6) WEBPAGE.—

17               “(A) CONSUMER REPORTING AGENCIES.—A  
 18 consumer reporting agency shall establish a  
 19 webpage that—

20                       “(i) allows a consumer to request a se-  
 21 curity freeze;

22                       “(ii) allows a consumer to request an  
 23 initial fraud alert;

24                       “(iii) allows a consumer to request an  
 25 extended fraud alert;

1                   “(iv) allows a consumer to request an  
2                   active duty fraud alert;

3                   “(v) allows a consumer to opt-out of  
4                   the use of information in a consumer report  
5                   to send the consumer a solicitation of credit  
6                   or insurance, in accordance with section  
7                   615(d); and

8                   “(vi) shall not be the only mechanism  
9                   by which a consumer may request a secu-  
10                  rity freeze.

11                  “(B) *FTC.*—*The Federal Trade Commission*  
12                  *shall establish a single webpage that includes a*  
13                  *link to each webpage established under subpara-*  
14                  *graph (A) within the Federal Trade Commis-*  
15                  *sion’s website [www.Identitytheft.gov](http://www.Identitytheft.gov), or a suc-*  
16                  *cessor website.*

17                  “(j) *NATIONAL PROTECTION FOR FILES AND CREDIT*  
18                  *RECORDS OF MINORS.*—

19                  “(1) *DEFINITIONS.*—*As used in this subsection:*

20                  “(A) *The term ‘consumer reporting agency’*  
21                  *means a consumer reporting agency described in*  
22                  *section 603(p).*

23                  “(B) *The term ‘minor’ means an individual*  
24                  *who is under the age of 16 years at the time a*



1        *request for the placement of a security freeze is*  
2        *made.*

3                *“(C) The term ‘minor’s representative’*  
4        *means a person who provides to a consumer re-*  
5        *porting agency sufficient proof of authority to*  
6        *act on behalf of a minor.*

7                *“(D) The term ‘record’ means a compilation*  
8        *of information that—*

9                        *“(i) identifies a minor;*

10                      *“(ii) is created by a consumer report-*  
11        *ing agency solely for the purpose of com-*  
12        *plying with this subsection; and*

13                      *“(iii) may not be created or used to*  
14        *consider the minor’s credit worthiness, cred-*  
15        *it standing, credit capacity, character, gen-*  
16        *eral reputation, personal characteristics, or*  
17        *mode of living.*

18                *“(E) The term ‘security freeze’ means a re-*  
19        *striction that prohibits a consumer reporting*  
20        *agency from disclosing the contents of a con-*  
21        *sumer report that is the subject of such security*  
22        *freeze or, in the case of a minor for whom the*  
23        *consumer reporting agency does not have a file,*  
24        *a record that is subject to such security freeze to*  
25        *any person requesting the consumer report for*

1       *the purpose of opening a new account involving*  
2       *the extension of credit.*

3               “(F) *The term ‘sufficient proof of authority’*  
4       *means documentation that shows a minor’s rep-*  
5       *resentative has authority to act on behalf of a*  
6       *minor and includes—*

7                       “(i) *an order issued by a court of law;*

8                       “(ii) *a lawfully executed and valid*  
9       *power of attorney;*

10                      “(iii) *a document issued by a Federal,*  
11       *State, or local government agency in the*  
12       *United States showing proof of parentage,*  
13       *including a birth certificate; or*

14                      “(iv) *with respect to a minor who has*  
15       *been placed in a foster care setting, a writ-*  
16       *ten communication from a county welfare*  
17       *department or its agent or designee, or a*  
18       *county probation department or its agent or*  
19       *designee, certifying that the minor is in a*  
20       *foster care setting under its jurisdiction.*

21               “(G) *The term ‘sufficient proof of identifica-*  
22       *tion’ means information or documentation that*  
23       *identifies a minor and a minor’s representative*  
24       *and includes—*

1                   “(i) a social security number or a copy  
2                   of a social security card issued by the So-  
3                   cial Security Administration;

4                   “(ii) a certified or official copy of a  
5                   birth certificate issued by the entity author-  
6                   ized to issue the birth certificate; or

7                   “(iii) a copy of a driver’s license, an  
8                   identification card issued by the motor vehi-  
9                   cle administration, or any other government  
10                  issued identification.

11                  “(2) *PLACEMENT OF SECURITY FREEZE FOR A*  
12                  *MINOR.*—

13                   “(A) *IN GENERAL.*—Upon receiving a direct  
14                   request from a minor’s representative that a con-  
15                   sumer reporting agency place a security freeze,  
16                   and upon receiving sufficient proof of identifica-  
17                   tion and sufficient proof of authority, the con-  
18                   sumer reporting agency shall, free of charge,  
19                   place the security freeze not later than—

20                   “(i) in the case of a request that is by  
21                   telephone or electronic means, 1 business  
22                   day after receiving the request directly from  
23                   the minor’s representative; or

24                   “(ii) in the case of a request that is by  
25                   mail, 3 business days after receiving the re-

1                   quest directly from the minor's representa-  
2                   tive.

3                   “(B) *CONFIRMATION AND ADDITIONAL IN-*  
4                   *FORMATION.*—Not later than 5 business days  
5                   after placing a security freeze under subpara-  
6                   graph (A), a consumer reporting agency shall—

7                   “(i) send confirmation of the place-  
8                   ment to the minor's representative; and

9                   “(ii) inform the minor's representative  
10                  of the process by which the minor may re-  
11                  move the security freeze, including a mecha-  
12                  nism to authenticate the minor's representa-  
13                  tive.

14                  “(C) *CREATION OF FILE.*—If a consumer re-  
15                  porting agency does not have a file pertaining to  
16                  a minor when the consumer reporting agency re-  
17                  ceives a direct request under subparagraph (A),  
18                  the consumer reporting agency shall create a  
19                  record for the minor.

20                  “(3) *PROHIBITION ON RELEASE OF RECORD OR*  
21                  *FILE OF MINOR.*—After a security freeze has been  
22                  placed under paragraph (2)(A), and unless the secu-  
23                  rity freeze is removed in accordance with this sub-  
24                  section, a consumer reporting agency may not release  
25                  the minor's consumer report, any information derived

1       *from the minor's consumer report, or any record cre-*  
 2       *ated for the minor.*

3               “(4) *REMOVAL OF A MINOR SECURITY FREEZE.—*

4               “(A) *IN GENERAL.—A consumer reporting*  
 5       *agency shall remove a security freeze placed on*  
 6       *the consumer report of a minor only in the fol-*  
 7       *lowing cases:*

8               “(i) *Upon the direct request of the mi-*  
 9       *nor's representative.*

10              “(ii) *Upon the direct request of the*  
 11       *minor, if the minor is not under the age of*  
 12       *16 years at the time of the request.*

13              “(iii) *The security freeze was placed*  
 14       *due to a material misrepresentation of fact*  
 15       *by the minor's representative.*

16              “(B) *NOTICE IF REMOVAL NOT BY RE-*  
 17       *QUEST.—If a consumer reporting agency removes*  
 18       *a security freeze under subparagraph (A)(iii),*  
 19       *the consumer reporting agency shall notify the*  
 20       *minor's representative in writing prior to remov-*  
 21       *ing the security freeze.*

22              “(C) *REMOVAL OF FREEZE BY REQUEST.—*  
 23       *Except as provided in subparagraph (A)(iii), a*  
 24       *security freeze shall remain in place until a mi-*  
 25       *nor's representative or minor described in sub-*

1 paragraph (A)(ii) directly requests that the secu-  
 2 rity freeze be removed. Upon receiving a direct  
 3 request from the minor’s representative or minor  
 4 described in subparagraph (A)(ii) that a con-  
 5 sumer reporting agency remove a security freeze,  
 6 and upon receiving sufficient proof of identifica-  
 7 tion and sufficient proof of authority, the con-  
 8 sumer reporting agency shall, free of charge, re-  
 9 move the security freeze not later than—

10 “(i) in the case of a request that is by  
 11 telephone or electronic means, 1 hour after  
 12 receiving the request for removal; or

13 “(ii) in the case of a request that is by  
 14 mail, 3 business days after receiving the re-  
 15 quest for removal.”.

16 (b) CONFORMING AMENDMENT.—Section 625(b)(1) of  
 17 the Fair Credit Reporting Act (15 U.S.C. 1681t(b)(1)) is  
 18 amended—

19 (1) in subparagraph (H), by striking “or” at the  
 20 end;

21 (2) in subparagraph (I), by adding “or” at the  
 22 end; and

23 (3) by adding at the end the following:

24 “(J) subsections (i) and (j) of section 605A  
 25 relating to security freezes;”.

1       (c) *EFFECTIVE DATE.*—*The amendments made by this*  
 2 *section shall take effect on the date that is 120 days after*  
 3 *the date of enactment of this Act.*

4 **SEC. 302. PROTECTING VETERANS' CREDIT.**

5       (a) PURPOSES.—The purposes of this section are—

6           (1) to rectify problematic reporting of medical  
 7 debt included in a consumer report of a veteran due  
 8 to inappropriate or delayed payment for hospital  
 9 care or medical services provided in a non-Depart-  
 10 ment of Veterans Affairs facility under the laws ad-  
 11 ministered by the Secretary of Veterans Affairs; and  
 12           (2) to clarify the process of debt collection for  
 13 such medical debt.

14       (b) AMENDMENTS TO FAIR CREDIT REPORTING  
 15 ACT.—

16           (1) VETERAN'S MEDICAL DEBT DEFINED.—Sec-  
 17 tion 603 of the Fair Credit Reporting Act (15  
 18 U.S.C. 1681a) is amended by adding at the end the  
 19 following:

20       “(z) VETERAN.—The term ‘veteran’ has the meaning  
 21 given the term in section 101 of title 38, United States  
 22 Code.

23       “(aa) VETERAN'S MEDICAL DEBT.—The term ‘vet-  
 24 eran's medical debt’—

1           ~~“(1) means a debt of a veteran arising from~~  
 2           ~~health care provided in a non-Department of Vet-~~  
 3           ~~erans Affairs facility under the laws administered by~~  
 4           ~~the Secretary of Veterans Affairs; and~~

5           “(1) means a medical collection debt of a veteran  
 6           owed to a health care provider in a non-Department  
 7           of Veterans Affairs facility that was submitted to the  
 8           Department of Veterans Affairs for repayment by the  
 9           Veterans Choice Fund established by section 802 of  
 10          the Veterans Access, Choice, and Accountability Act of  
 11          2014 (38 U.S.C. 1701 note); and

12          “(2) includes medical *collection* debt that the  
 13          Department of Veterans Affairs has wrongfully  
 14          charged a veteran.”.

15          (2) EXCLUSION FOR VETERAN’S MEDICAL  
 16          DEBT.—Section 605(a) of the Fair Credit Reporting  
 17          Act (15 U.S.C. 1681c(a)) is amended by adding at  
 18          the end the following:

19          “(7) ~~Any~~ *With respect to a consumer reporting*  
 20          *agency described in section 603(p), any* information  
 21          related to a veteran’s medical debt if the date on  
 22          which the hospital care or medical services was ren-  
 23          dered relating to the debt antedates the report by  
 24          less than 1 year *if the consumer reporting agency has*  
 25          *actual knowledge that the information is related to a*



1        *veteran’s medical debt and the consumer reporting*  
 2        *agency is in compliance with its obligation under sec-*  
 3        *tion 302(c)(5) of the Economic Growth, Regulatory*  
 4        *Relief, and Consumer Protection Act.*

5            “(8) ~~Any~~ *With respect to a consumer reporting*  
 6        *agency described in section 603(p), any* information  
 7        related to a fully paid or settled veteran’s medical  
 8        debt that had been characterized as delinquent,  
 9        charged off, or in collection *if the consumer reporting*  
 10       *agency has actual knowledge that the information is*  
 11       *related to a veteran’s medical debt and the consumer*  
 12       *reporting agency is in compliance with its obligation*  
 13       *under section 302(c)(5) of the Economic Growth, Reg-*  
 14       *ulatory Relief, and Consumer Protection Act.”.*

15            (3) REMOVAL OF VETERAN’S MEDICAL DEBT  
 16        FROM CONSUMER REPORT.—Section 611 of the Fair  
 17        Credit Reporting Act (15 U.S.C. 1681i) is amend-  
 18        ed—

19            (A) in subsection (a)(1)(A), by inserting  
 20            “and except as provided in subsection (g)” after  
 21            “subsection (f)”; and

22            (B) by adding at the end the following:

23            “(g) DISPUTE PROCESS FOR VETERAN’S MEDICAL  
 24        DEBT.—

1           “(1) IN GENERAL.—With respect to a veteran’s  
 2           medical debt ~~of a consumer, the consumer,~~ *the vet-*  
 3           *eran* may submit a notice described in paragraph (2)  
 4           ~~along with,~~ proof of liability of the Department of  
 5           Veterans Affairs for payment of that debt, or docu-  
 6           mentation that the Department of Veterans Affairs  
 7           is in the process of making payment for authorized  
 8           medical services rendered to a consumer reporting  
 9           agency or a reseller to dispute the inclusion of that  
 10          debt on a consumer report of the ~~consumer~~ *veteran*.

11          “(2) NOTIFICATION TO VETERAN.—The De-  
 12          partment of Veterans Affairs shall submit to a vet-  
 13          eran a notice that the Department of Veterans Af-  
 14          fairs has assumed liability for part or all of a vet-  
 15          eran’s medical debt.

16          “(3) DELETION OF INFORMATION FROM  
 17          FILE.—If a consumer reporting agency receives no-  
 18          tice ~~and,~~ proof of liability, or documentation under  
 19          paragraph (1), the consumer reporting agency shall  
 20          delete all information relating to the veteran’s med-  
 21          ical debt from the file of the ~~consumer~~ *veteran* and  
 22          notify the furnisher and the ~~consumer~~ *veteran* of  
 23          that deletion.”.

24          *(c) VERIFICATION OF VETERAN’S MEDICAL DEBT.—*

1           (1) *DEFINITIONS.*—For purposes of this sub-  
2       section—

3           (A) the term “consumer reporting agency”  
4       means a consumer reporting agency described in  
5       section 603(p) of the Fair Credit Reporting Act  
6       (15 U.S.C. 1681a(p)); and

7           (B) the terms “veteran” and “veteran’s  
8       medical debt” have the meanings given those  
9       terms in section 603 of the Fair Credit Report-  
10      ing Act (15 U.S.C. 1681a), as added by sub-  
11      section (b)(1).

12          (2) *ESTABLISHMENT.*—Not later than 1 year  
13      after the date of enactment of this Act, the Secretary  
14      of Veterans Affairs shall establish a database to allow  
15      consumer reporting agencies to verify whether a debt  
16      furnished to a consumer reporting agency is a vet-  
17      eran’s medical debt.

18          (3) *DATABASE FEATURES.*—The Secretary of  
19      Veterans Affairs shall ensure that the database estab-  
20      lished under paragraph (2) provides consumer report-  
21      ing agencies with—

22           (A) sufficiently detailed and specific infor-  
23      mation to verify whether a debt being furnished  
24      to the consumer reporting agency is a veteran’s  
25      medical debt;

1           (B) access to verification information in a  
2           secure electronic format;

3           (C) timely access to verification informa-  
4           tion; and

5           (D) any other features that would promote  
6           the efficient, timely, and secure delivery of infor-  
7           mation that consumer reporting agencies could  
8           use to verify whether a debt is a veteran's med-  
9           ical debt.

10          (4) *STAKEHOLDER INPUT.*—Prior to establishing  
11          the database for verification under paragraph (2), the  
12          Secretary of Veterans Affairs shall publish in the *Fed-*  
13          *eral Register* a notice and request for comment that  
14          solicits input from consumer reporting agencies and  
15          other stakeholders.

16          (5) *VERIFICATION.*—Provided the database estab-  
17          lished under paragraph (2) is fully functional and the  
18          data available to consumer reporting agencies, a con-  
19          sumer reporting agency shall use the database as a  
20          means to identify a veteran's medical debt pursuant  
21          to paragraphs (7) and (8) of section 605(a) of the  
22          *Fair Credit Reporting Act* (15 U.S.C. 1681c(a)), as  
23          added by subsection (b)(2).

1       ~~(e)~~(d) EFFECTIVE DATE.—The amendments made by  
 2 this section shall take effect on the date that is ~~180 days~~  
 3 *1 year* after the date of enactment of this Act.

4       **SEC. 303. IMMUNITY FROM SUIT FOR DISCLOSURE OF FI-**  
 5                               **NANCIAL EXPLOITATION OF SENIOR CITI-**  
 6                               **ZENS.**

7       (a) IMMUNITY.—

8               (1) DEFINITIONS.—In this section—

9                       (A) the term “Bank Secrecy Act officer”  
 10 means an individual responsible for ensuring  
 11 compliance with the requirements mandated by  
 12 subchapter II of chapter 53 of title 31, United  
 13 States Code (commonly known as the “Bank  
 14 Secrecy Act”);

15                    (B) the term “broker-dealer” means a  
 16 broker and a dealer, as those terms are defined  
 17 in section 3(a) of the Securities Exchange Act  
 18 of 1934 (15 U.S.C. 78c(a));

19                    (C) the term “covered agency” means—

20                               (i) a State financial regulatory agen-  
 21 cy, including a State securities or law en-  
 22 forcement authority and a State insurance  
 23 regulator;

24                               (ii) each of the ~~entities~~ *Federal agen-*  
 25 *cies* represented in the membership of the

1 Financial Institutions Examination Council  
 2 established under section 1004 of the Fed-  
 3 eral Financial Institutions Examination  
 4 Council Act of 1978 (12 U.S.C. 3303);

5 (iii) a securities association registered  
 6 under section 15A of the Securities Ex-  
 7 change Act of 1934 (15 U.S.C. 78o-3);

8 (iv) the Securities and Exchange  
 9 Commission;

10 (v) a law enforcement agency; ~~and or~~

11 (vi) a State or local agency respon-  
 12 sible for administering adult protective  
 13 service laws;

14 (D) the term “covered financial institu-  
 15 tion” means—

16 (i) a credit union;

17 (ii) a depository institution;

18 (iii) an investment adviser;

19 (iv) a broker-dealer;

20 (v) an insurance company;

21 (vi) an insurance agency; ~~and or~~

22 (vii) a transfer agent;

23 (E) the term “credit union” has the mean-  
 24 ing given the term in section 2 of the Dodd-

1 Frank Wall Street Reform and Consumer Pro-  
2 tection Act (12 U.S.C. 5301);

3 (F) the term “depository institution” has  
4 the meaning given the term in section 3(c) of  
5 the Federal Deposit Insurance Act (12 U.S.C.  
6 1813(c));

7 (G) the term “exploitation” means the  
8 fraudulent or otherwise illegal, unauthorized, or  
9 improper act or process of an individual, includ-  
10 ing a caregiver or a fiduciary, that—

11 (i) uses the resources of a senior cit-  
12 izen for monetary or personal benefit, prof-  
13 it, or gain; or

14 (ii) results in depriving a senior cit-  
15 izen of rightful access to or use of benefits,  
16 resources, belongings, or assets;

17 (H) the term “insurance agency” means  
18 any business entity that sells, solicits, or nego-  
19 tiates insurance coverage;

20 (I) the term “insurance company” has the  
21 meaning given the term in section 2(a) of the  
22 Investment Company Act of 1940 (15 U.S.C.  
23 80a–2(a));

24 (J) the term “insurance producer” means  
25 an individual who is required under State law

1 to be licensed in order to sell, solicit, or nego-  
2 tiate insurance coverage;

3 (K) the term “investment adviser” has the  
4 meaning given the term in section 202(a) of the  
5 Investment Advisers Act of 1940 (15 U.S.C.  
6 80b-2(a));

7 (L) the term “investment adviser rep-  
8 resentative” means an individual who—

9 (i) is employed by, or associated with,  
10 an investment adviser; and

11 (ii) does not perform solely clerical or  
12 ministerial acts;

13 (M) the term “registered representative”  
14 means an individual who represents a broker-  
15 dealer in effecting or attempting to effect a  
16 purchase or sale of securities;

17 (N) the term “senior citizen” means an in-  
18 dividual who is not younger than 65 years of  
19 age;

20 (O) the term “State” means each of the  
21 several States, the District of Columbia, and  
22 any territory or possession of the United States;

23 (P) the term “State insurance regulator”  
24 has the meaning given the term in section 315



of the Gramm-Leach-Bliley Act (15 U.S.C. 6735);

(Q) the term “State securities or law enforcement authority” has the meaning given the term in section 24(f)(4) of the Securities Exchange Act of 1934 (15 U.S.C. 78x(f)(4)); and

(R) the term “transfer agent” has the meaning given the term in section 3(a) of the Securities Exchange Act of 1934 (15 U.S.C. 78c(a)).

(2) IMMUNITY FROM SUIT.—

(A) IMMUNITY FOR INDIVIDUALS.—An individual who has received the training described in subsection (b) shall not be liable, including in any civil or administrative proceeding, for disclosing the suspected exploitation of a senior citizen to a covered agency if the individual, at the time of the disclosure—

(i) served as a supervisor or ~~compliance officer~~ *in a compliance or legal function* (including as a Bank Secrecy Act officer) for, or, in the case of a registered representative, investment adviser representative, or insurance producer, was affiliated

1 or associated with, a covered financial in-  
 2 stitution; and

3 (ii) made the disclosure—

4 (I) in good faith; and

5 (II) with reasonable care.

6 (B) IMMUNITY FOR COVERED FINANCIAL  
 7 INSTITUTIONS.—A covered financial institution  
 8 shall not be liable, including in any civil or ad-  
 9 ministrative proceeding, for a disclosure made  
 10 by an individual described in subparagraph (A)  
 11 if—

12 (i) the individual was employed by, or,  
 13 in the case of a registered representative,  
 14 insurance producer, or investment adviser  
 15 representative, affiliated or associated  
 16 with, the covered financial institution at  
 17 the time of the disclosure; and

18 (ii) before the time of the disclosure,  
 19 each individual described in subsection  
 20 (b)(1) received the training described in  
 21 subsection (b).

22 (C) RULE OF CONSTRUCTION.—Nothing in  
 23 subparagraph (A) or (B) shall be construed to  
 24 limit the liability of an individual or a covered  
 25 financial institution in a civil action for any act,

1           omission, or fraud that is not a disclosure de-  
 2           scribed in subparagraph (A).

3       (b) TRAINING.—

4           (1) IN GENERAL.—A covered financial institu-  
 5           tion or a third party selected by a covered financial  
 6           institution may provide the training described in  
 7           paragraph (2)(A) to each officer or employee of, or  
 8           registered representative, insurance producer, or in-  
 9           vestment adviser representative affiliated or associ-  
 10          ated with, the covered financial institution who—

11                   (A) is described in subsection (a)(2)(A)(i);

12                   (B) may come into contact with a senior  
 13           citizen as a regular part of the professional du-  
 14           ties of the individual; or

15                   (C) may review or approve the financial  
 16           documents, records, or transactions of a senior  
 17           citizen in connection with providing financial  
 18           services to a senior citizen.

19       (2) CONTENT.—

20           (A) IN GENERAL.—The content of the  
 21           training that a covered financial institution or  
 22           a third party selected by the covered financial  
 23           institution may provide under paragraph (1)  
 24           shall—

1 (i) be maintained by the covered fi-  
2 nancial institution and made available to a  
3 covered agency with examination authority  
4 over the covered financial institution, upon  
5 request, except that a covered financial in-  
6 stitution shall not be required to maintain  
7 or make available such content with re-  
8 spect to any individual who is no longer  
9 employed by, or affiliated or associated  
10 with, the covered financial institution;

11 (ii) instruct any individual attending  
12 the training on how to identify and report  
13 the suspected exploitation of a senior cit-  
14 izen internally and, as appropriate, to gov-  
15 ernment officials or law enforcement au-  
16 thorities, including common signs that in-  
17 dicate the financial exploitation of a senior  
18 citizen;

19 (iii) discuss the need to protect the  
20 privacy and respect the integrity of each  
21 individual customer of the covered financial  
22 institution; and

23 (iv) be appropriate to the job respon-  
24 sibilities of the individual attending the  
25 training.

1 (B) TIMING.—The training under para-  
2 graph (1) shall be provided—

3 (i) as soon as reasonably practicable;  
4 and

5 (ii) with respect to an individual who  
6 begins employment, or becomes affiliated  
7 or associated, with a covered financial in-  
8 stitution after the date of enactment of  
9 this Act, not later than 1 year after the  
10 date on which the individual becomes em-  
11 ployed by, or affiliated or associated with,  
12 the covered financial institution in a posi-  
13 tion described in subparagraph (A), (B), or  
14 (C) of paragraph (1).

15 (C) RECORDS.—A covered financial insti-  
16 tution shall—

17 (i) maintain a record of each indi-  
18 vidual who—

19 (I) is employed by, or affiliated  
20 or associated with, the covered finan-  
21 cial institution in a position described  
22 in subparagraph (A), (B), or (C) of  
23 paragraph (1); and

1 (II) has completed the training  
 2 under paragraph (1), regardless of  
 3 whether the training was—

4 (aa) provided by the covered  
 5 financial institution or a third  
 6 party selected by the covered fi-  
 7 nancial institution;

8 (bb) completed before the in-  
 9 dividual was employed by, or af-  
 10 filiated or associated with, the  
 11 covered financial institution; and

12 (cc) completed before, on, or  
 13 after the date of enactment of  
 14 this Act; and

15 (ii) upon request, provide a record de-  
 16 scribed in clause (i) to a covered agency  
 17 with examination authority over the cov-  
 18 ered financial institution.

19 (c) RELATIONSHIP TO STATE LAW.—Nothing in this  
 20 section shall be construed to preempt or limit any provi-  
 21 sion of State law, except only to the extent that subsection  
 22 (a) provides a greater level of protection against liability  
 23 to an individual described in subsection (a)(2)(A) or to  
 24 a covered financial institution described in subsection  
 25 (a)(2)(B) than is provided under State law.

1   **SEC. 304. RESTORATION OF THE PROTECTING TENANTS AT**  
 2                   **FORECLOSURE ACT OF 2009.**

3           (a) REPEAL OF SUNSET PROVISION.—Section 704 of  
 4 the Protecting Tenants at Foreclosure Act of 2009 (12  
 5 U.S.C. 5201 note; 12 U.S.C. 5220 note; 42 U.S.C. 1437f  
 6 note) is repealed.

7           (b) RESTORATION.—Sections 701 through 703 of the  
 8 Protecting Tenants at Foreclosure Act of 2009, the provi-  
 9 sions of law amended ~~or repealed~~ by such sections, and  
 10 any regulations promulgated pursuant to such sections, as  
 11 were in effect on December 30, 2014, are restored and  
 12 revived.

13          (c) EFFECTIVE DATE.—Subsections (a) and (b) shall  
 14 take effect on the date that is 30 days after the date of  
 15 enactment of this Act.

16   **SEC. 305. REMEDIATING LEAD AND ASBESTOS HAZARDS.**

17          Section 109(a)(1) of the Emergency Economic Sta-  
 18 bilization Act of 2008 (12 U.S.C. 5219(a)(1)) is amended,  
 19 in the second sentence, by inserting “and to remediate  
 20 lead and asbestos hazards in residential properties” before  
 21 the period at the end.

22   **SEC. 306. FAMILY SELF-SUFFICIENCY PROGRAM.**

23          (a) *IN GENERAL.*—Section 23 of the United States  
 24 Housing Act of 1937 (42 U.S.C. 1437u) is amended—

25                   (1) *in subsection (a)*—

26                           (A) *by striking “public housing and”; and*

1           (B) by striking “the certificate and voucher  
2           programs under section 8” and inserting “sec-  
3           tions 8 and 9”;

4           (2) by amending subsection (b) to read as fol-  
5           lows:

6           “(b) CONTINUATION OF PRIOR REQUIRED PRO-  
7           GRAMS.—

8           “(1) IN GENERAL.—Each public housing agency  
9           that was required to administer a local Family Self-  
10          Sufficiency program on the date of enactment of the  
11          Economic Growth, Regulatory Relief, and Consumer  
12          Protection Act shall operate such local program for,  
13          at a minimum, the number of families the agency  
14          was required to serve on the date of enactment of such  
15          Act, subject only to the availability under appropria-  
16          tions Acts of sufficient amounts for housing assistance  
17          and the requirements of paragraph (2).

18          “(2) REDUCTION.—The number of families for  
19          which a public housing agency is required to operate  
20          such local program under paragraph (1) shall be de-  
21          creased by 1 for each family from any supported rent-  
22          al housing program administered by such agency  
23          that, after October 21, 1998, fulfills its obligations  
24          under the contract of participation.



1           “(3) *EXCEPTION.—The Secretary shall not re-*  
 2           *quire a public housing agency to carry out a manda-*  
 3           *tory program for a period of time upon the request*  
 4           *of the public housing agency and upon a determina-*  
 5           *tion by the Secretary that implementation is not fea-*  
 6           *sible because of local circumstances, which may in-*  
 7           *clude—*

8                   “(A) *lack of supportive services accessible to*  
 9                   *eligible families, which shall include insufficient*  
 10                  *availability of resources for programs under title*  
 11                  *I of the Workforce Investment Act of 1998 (29*  
 12                  *U.S.C. 2801 et seq.);*

13                  “(B) *lack of funding for reasonable admin-*  
 14                  *istrative costs;*

15                  “(C) *lack of cooperation by other units of*  
 16                  *State or local government; or*

17                  “(D) *any other circumstances that the Sec-*  
 18                  *retary may consider appropriate.”;*

19                  (3) *by striking subsection (i);*

20                  (4) *by redesignating subsections (c), (d), (e), (f),*  
 21                  *(g), and (h) as subsections (d), (e), (f), (g), (h), and*  
 22                  *(i) respectively;*

23                  (5) *by inserting after subsection (b), as amended,*  
 24                  *the following:*

25                  “(c) *ELIGIBILITY.—*

1           “(1) *ELIGIBLE FAMILIES.*—A family is eligible  
2           to participate in a local Family Self-Sufficiency pro-  
3           gram under this section if—

4                   “(A) at least 1 household member seeks to  
5                   become and remain employed in suitable employ-  
6                   ment or to increase earnings; and

7                   “(B) the household member receives direct  
8                   assistance under section 8 or resides in a unit  
9                   assisted under section 8 or 9.

10           “(2) *ELIGIBLE ENTITIES.*—The following entities  
11           are eligible to administer a local Family Self-Suffi-  
12           ciency program under this section:

13                   “(A) A public housing agency admin-  
14                   istering housing assistance to or on behalf of an  
15                   eligible family under section 8 or 9.

16                   “(B) The owner or sponsor of a multifamily  
17                   property receiving project-based rental assistance  
18                   under section 8, in accordance with the require-  
19                   ments under subsection (l).”;

20           (6) in subsection (d), as so redesignated—

21                   (A) in paragraph (1)—

22                           (i) by striking “public housing agency”  
23                           the first time it appears and inserting “eli-  
24                           gible entity”;

1           (ii) in the first sentence, by striking  
 2           “each leaseholder receiving assistance under  
 3           the certificate and voucher programs of the  
 4           public housing agency under section 8 or re-  
 5           siding in public housing administered by  
 6           the agency” and inserting “a household  
 7           member of an eligible family”; and

8           (iii) by striking the third sentence and  
 9           inserting the following: “Housing assistance  
 10          may not be terminated as a consequence of  
 11          either successful completion of the contract  
 12          of participation or failure to complete such  
 13          contract. A contract of participation shall  
 14          remain in effect until the participating  
 15          family exits the Family Self-Sufficiency  
 16          program upon successful graduation or ex-  
 17          piration of the contract of participation, or  
 18          for other good cause.”;

19          (B) in paragraph (2)—

20               (i) in the matter preceding subpara-  
 21               graph (A)—

22                       (I) in the first sentence—

23                               (aa) by striking “A local  
 24                               program under this section” and  
 25                               inserting “An eligible entity”;

1                   (bb) by striking “provide”  
2                   and inserting “coordinate”; and

3                   (cc) by striking “to” and in-  
4                   serting “for”; and

5                   (II) in the second sentence—

6                   (aa) by striking “provided  
7                   during” and inserting “coordi-  
8                   nated for”;

9                   (bb) by striking “under sec-  
10                  tion 8 or residing in public hous-  
11                  ing” and inserting “pursuant to  
12                  section 8 or 9 and for the dura-  
13                  tion of the contract of participa-  
14                  tion”; and

15                  (cc) by inserting “, but are  
16                  not limited to” after “may in-  
17                  clude”;

18                  (ii) in subparagraph (D), by inserting  
19                  “or attainment of a high school equivalency  
20                  certificate” after “high school”;

21                  (iii) by striking subparagraph (G);

22                  (iv) by redesignating subparagraphs  
23                  (E), (F), and (J) as subparagraphs (F),  
24                  (G), and (K) respectively;

1                   (v) by inserting after subparagraph  
2                   (D) the following:

3                   “(E) education in pursuit of a post-sec-  
4                   ondary degree or certification;”;

5                   (vi) in subparagraph (H), by inserting  
6                   “financial literacy, such as training in fi-  
7                   nancial management, financial coaching,  
8                   and asset building, and” after “training  
9                   in”;

10                  (vii) in subparagraph (I), by striking  
11                  “and” at the end; and

12                  (viii) by inserting after subparagraph  
13                  (I) the following:

14                  “(J) homeownership education and assist-  
15                  ance; and”; and

16                  (C) in paragraph (3)—

17                   (i) in the first sentence, by inserting  
18                   “the first recertification of income after”  
19                   after “not later than 5 years after”; and

20                   (ii) in the second sentence—

21                   (I) by striking “public housing  
22                   agency” and inserting “eligible enti-  
23                   ty”; and

24                   (II) by striking “of the agency”;

1                   (D) by amending paragraph (4) to read as  
2                   *follows:*

3                   “(4) *EMPLOYMENT.*—*The contract of participa-*  
4                   *tion shall require 1 household member of the partici-*  
5                   *pating family to seek and maintain suitable employ-*  
6                   *ment.”; and*

7                   (E) by adding at the end the following:

8                   “(5) *NONPARTICIPATION.*—*Assistance under sec-*  
9                   *tion 8 or 9 for a family that elects not to participate*  
10                  *in a Family Self-Sufficiency program shall not be de-*  
11                  *layed by reason of such election.”;*

12                  (7) *in subsection (e), as so redesignated—*

13                  (A) *in paragraph (1), by striking “whose*  
14                  *monthly adjusted income does not exceed 50 per-*  
15                  *cent” and all that follows through the period at*  
16                  *the end of the third sentence and inserting “shall*  
17                  *be calculated under the rental provisions of sec-*  
18                  *tion 3 or section 8(o), as applicable.”;*

19                  (B) *in paragraph (2)—*

20                  (i) *by striking the first sentence and*  
21                  *inserting the following: “For each partici-*  
22                  *pating family, an amount equal to any in-*  
23                  *crease in the amount of rent paid by the*  
24                  *family in accordance with the provisions of*  
25                  *section 3 or 8(o), as applicable, that is at-*

1        *tributable to increases in earned income by*  
 2        *the participating family, shall be placed in*  
 3        *an interest-bearing escrow account estab-*  
 4        *lished by the eligible entity on behalf of the*  
 5        *participating family. Notwithstanding any*  
 6        *other provision of law, an eligible entity*  
 7        *may use funds it controls under section 8 or*  
 8        *9 for purposes of making the escrow deposit*  
 9        *for participating families assisted under, or*  
 10       *residing in units assisted under, section 8*  
 11       *or 9, respectively, provided such funds are*  
 12       *offset by the increase in the amount of rent*  
 13       *paid by the participating family.”;*

14        *(ii) by striking the second sentence and*  
 15        *inserting the following: “All Family Self-*  
 16        *Sufficiency programs administered under*  
 17        *this section shall include an escrow ac-*  
 18        *count.”;*

19        *(iii) in the fourth sentence, by striking*  
 20        *“subsection (c)” and inserting “subsection*  
 21        *(d)”;* and

22        *(iv) in the last sentence—*

23                *(I) by striking “A public housing*  
 24                *agency” and inserting “An eligible en-*  
 25                *tity”;* and

1 (II) by striking “the public hous-  
 2 ing agency” and inserting “such eligi-  
 3 ble entity”; and

4 (C) by amending paragraph (3) to read as  
 5 follows:

6 “(3) *FORFEITED ESCROW.*—Any amount placed  
 7 in an escrow account established by an eligible entity  
 8 for a participating family as required under para-  
 9 graph (2), that exists after the end of a contract of  
 10 participation by a household member of a partici-  
 11 pating family that does not qualify to receive the es-  
 12 crow, shall be used by the eligible entity for the benefit  
 13 of participating families in good standing.”;

14 (8) in subsection (f), as so redesignated, by strik-  
 15 ing “, unless the income of the family equals or ex-  
 16 ceeds 80 percent of the median income of the area (as  
 17 determined by the Secretary with adjustments for  
 18 smaller and larger families)”;

19 (9) in subsection (g), as so redesignated—

20 (A) in paragraph (1)—

21 (i) by striking “public housing agency”  
 22 and inserting “eligible entity”;

23 (ii) by striking “the public housing  
 24 agency” and inserting “such eligible enti-  
 25 ty”; and



1                   (iii) by striking “subsection (g)” and  
 2                   inserting “subsection (h)”; and  
 3                   (B) in paragraph (2)—

4                   (i) by striking “public housing agency”  
 5                   and inserting “eligible entity” each place  
 6                   that term appears;

7                   (ii) by striking “or the Job Opportuni-  
 8                   ties and Basic Skills Training Program  
 9                   under part F of title IV of the Social Secu-  
 10                  rity Act”;

11                  (iii) by inserting “primary, secondary,  
 12                  and post-secondary” after “public and pri-  
 13                  vate”; and

14                  (iv) in the second sentence, by insert-  
 15                  ing “and tenants served by the program”  
 16                  after “the unit of general local government”;

17                  (10) in subsection (h), as so redesignated—

18                  (A) in paragraph (1)—

19                   (i) by striking “public housing agency”  
 20                   and inserting “eligible entity”;

21                   (ii) by striking “participating in the”  
 22                   and inserting “carrying out a”; and

23                   (iii) by striking “to the Secretary”;

24                  (B) in paragraph (2)—

1                   (i) by striking “public housing agency”  
2                   and inserting “eligible entity”;

3                   (ii) by striking “subsection (f)” and  
4                   inserting “subsection (g)”;

5                   (iii) by striking “residents of the pub-  
6                   lic housing” and inserting “the current and  
7                   prospective participants of the program”;  
8                   and

9                   (iv) by striking “or the Job Opportuni-  
10                  ties and Basic Skills Training Program  
11                  under part F of title IV of the Social Secu-  
12                  rity Act”; and

13               (C) in paragraph (3)—

14                   (i) in subparagraph (C)—

15                       (I) by striking “subsection (c)(2)”  
16                       and inserting “subsection (d)(2)”;

17                       (II) by striking “provided to” and  
18                       inserting “coordinated on behalf of  
19                       participating”;

20                       (III) by inserting “direct” before  
21                       “assistance”; and

22                       (IV) by striking “the section 8  
23                       and public housing programs” and in-  
24                       serting “sections 8 and 9”;

25                   (ii) in subparagraph (D)—

1                   (I) by striking “subsection (d)”  
2                   and inserting “subsection (e)”; and

3                   (II) by striking “public housing  
4                   agency” and inserting “eligible enti-  
5                   ty”;

6                   (iii) in subparagraph (E), by striking  
7                   “deliver” and inserting “coordinate”;

8                   (iv) in subparagraph (H), by striking  
9                   “the Job Opportunities and Basic Skills  
10                  Training Program under part F of title IV  
11                  of the Social Security Act and”; and

12                  (v) in subparagraph (I), by striking  
13                  “public housing or section 8 assistance” and  
14                  inserting “assistance under section 8 or 9”;

15                  (11) by amending subsection (i), as so redesign-  
16                  ated, to read as follows:

17                  “(i) *FAMILY SELF-SUFFICIENCY AWARDS.*—

18                         “(1) *IN GENERAL.*—Subject to appropriations,  
19                         the Secretary shall establish a formula by which an-  
20                         nual funds shall be awarded or as otherwise deter-  
21                         mined by the Secretary for the costs incurred by an  
22                         eligible entity in administering the Family Self-Suffi-  
23                         ciency program under this section.

1           “(2) *ELIGIBILITY FOR AWARDS.*—*The award es-*  
2           *tablished under paragraph (1) shall provide funding*  
3           *for family self-sufficiency coordinators as follows:*

4                   “(A) *BASE AWARD.*—*An eligible entity serv-*  
5                   *ing 25 or more participants in the Family Self-*  
6                   *Sufficiency program under this section is eligible*  
7                   *to receive an award equal to the costs, as deter-*  
8                   *mined by the Secretary, of 1 full-time family*  
9                   *self-sufficiency coordinator position. The Sec-*  
10                  *retary may, by regulation or notice, determine*  
11                  *the policy concerning the award for an eligible*  
12                  *entity serving fewer than 25 such participants,*  
13                  *including providing prorated awards or allowing*  
14                  *such entities to combine their programs under*  
15                  *this section for purposes of employing a coordi-*  
16                  *nator.*

17                  “(B) *ADDITIONAL AWARD.*—*An eligible enti-*  
18                  *ty that meets performance standards set by the*  
19                  *Secretary is eligible to receive an additional*  
20                  *award sufficient to cover the costs of filling an*  
21                  *additional family self-sufficiency coordinator po-*  
22                  *sition if such entity has 75 or more partici-*  
23                  *pating families, and an additional coordinator*  
24                  *for each additional 50 participating families, or*  
25                  *such other ratio as may be established by the*

1        *Secretary based on the award allocation evalua-*  
2        *tion under subparagraph (E).*

3                *“(C) STATE AND REGIONAL AGENCIES.—For*  
4        *purposes of calculating the award under this*  
5        *paragraph, each administratively distinct part*  
6        *of a State or regional eligible entity may be*  
7        *treated as a separate agency.*

8                *“(D) DETERMINATION OF NUMBER OF CO-*  
9        *ORDINATORS.—In determining whether an eligi-*  
10       *ble entity meets a specific threshold for funding*  
11       *pursuant to this paragraph, the Secretary shall*  
12       *consider the number of participants enrolled by*  
13       *the eligible entity in its Family Self-Sufficiency*  
14       *program as well as other criteria determined by*  
15       *the Secretary.*

16               *“(E) AWARD ALLOCATION EVALUATION.—*  
17       *The Secretary shall submit to Congress a report*  
18       *evaluating the award allocation under this sub-*  
19       *section, and make recommendations based on*  
20       *this evaluation and other related findings to*  
21       *modify such allocation, within 4 years after the*  
22       *date of enactment of the Economic Growth, Reg-*  
23       *ulatory Relief, and Consumer Protection Act,*  
24       *and not less frequently than every 4 years there-*  
25       *after. The report requirement under this sub-*

1        *paragraph shall terminate after the Secretary*  
 2        *has submitted 2 such reports to Congress.*

3        *“(3) RENEWALS AND ALLOCATION.—*

4                *“(A) IN GENERAL.—Funds allocated by the*  
 5        *Secretary under this subsection shall be allocated*  
 6        *in the following order of priority:*

7                *“(i) FIRST PRIORITY.—Renewal of the*  
 8        *full cost of all coordinators in the previous*  
 9        *year at each eligible entity with an existing*  
 10        *Family Self-Sufficiency program that meets*  
 11        *applicable performance standards set by the*  
 12        *Secretary.*

13                *“(ii) SECOND PRIORITY.—New or in-*  
 14        *cremental coordinator funding authorized*  
 15        *under this section.*

16                *“(B) GUIDANCE.—If the first priority, as*  
 17        *described in subparagraph (A)(i), cannot be fully*  
 18        *satisfied, the Secretary may prorate the funding*  
 19        *for each eligible entity, as long as—*

20                *“(i) each eligible entity that has re-*  
 21        *ceived funding for at least 1 part-time coor-*  
 22        *dinator in the prior fiscal year is provided*  
 23        *sufficient funding for at least 1 part-time*  
 24        *coordinator as part of any such proration;*  
 25        *and*

1                   “(ii) each eligible entity that has re-  
 2                   ceived funding for at least 1 full-time coor-  
 3                   dinator in the prior fiscal year is provided  
 4                   sufficient funding for at least 1 full-time co-  
 5                   ordinator as part of any such proration.

6                   “(4) *RECAPTURE OR OFFSET.*—Any awards allo-  
 7                   cated under this subsection by the Secretary in a fis-  
 8                   cal year that have not been spent by the end of the  
 9                   subsequent fiscal year or such other time period as de-  
 10                  termined by the Secretary may be recaptured by the  
 11                  Secretary and shall be available for providing addi-  
 12                  tional awards pursuant to paragraph (2)(B), or may  
 13                  be offset as determined by the Secretary. Funds ap-  
 14                  propriated pursuant to this section shall remain  
 15                  available for 3 years in order to facilitate the re-use  
 16                  of any recaptured funds for this purpose.

17                  “(5) *PERFORMANCE REPORTING.*—Programs  
 18                  under this section shall be required to report the num-  
 19                  ber of families enrolled and graduated, the number of  
 20                  established escrow accounts and positive escrow bal-  
 21                  ances, and any other information that the Secretary  
 22                  may require. Program performance shall be reviewed  
 23                  periodically as determined by the Secretary.

24                  “(6) *INCENTIVES FOR INNOVATION AND HIGH*  
 25                  *PERFORMANCE.*—The Secretary may reserve up to 5

1     *percent of the amounts made available under this sub-*  
 2     *section to provide support to or reward Family Self-*  
 3     *Sufficiency programs based on the rate of successful*  
 4     *completion, increased earned income, or other factors*  
 5     *as may be established by the Secretary.”;*

6             *(12) in subsection (j)—*

7                 *(A) by striking “public housing agency”*  
 8                 *and inserting “eligible entity”;*

9                 *(B) by striking “public housing” before*  
 10                 *“units”;*

11                 *(C) by striking “in public housing projects*  
 12                 *administered by the agency”;*

13                 *(D) by inserting “or coordination” after*  
 14                 *“provision”; and*

15                 *(E) by striking the last sentence;*

16             *(13) in subsection (k), by striking “public hous-*  
 17             *ing agencies” and inserting “eligible entities”;*

18             *(14) by striking subsection (n);*

19             *(15) by striking subsection (o);*

20             *(16) by redesignating subsections (l) and (m) as*  
 21             *subsections (m) and (n), respectively;*

22             *(17) by inserting after subsection (k) the fol-*  
 23             *lowing:*

24             *“(l) PROGRAMS FOR TENANTS IN PRIVATELY OWNED*  
 25     *PROPERTIES WITH PROJECT-BASED ASSISTANCE.—*



1           “(1) *VOLUNTARY AVAILABILITY OF FSS PRO-*  
 2           *GRAM.—The owner of a privately owned property*  
 3           *may voluntarily make a Family Self-Sufficiency pro-*  
 4           *gram available to the tenants of such property in ac-*  
 5           *cordance with procedures established by the Secretary.*  
 6           *Such procedures shall permit the owner to enter into*  
 7           *a cooperative agreement with a local public housing*  
 8           *agency that administers a Family Self-Sufficiency*  
 9           *program or, at the owner’s option, operate a Family*  
 10           *Self-Sufficiency program on its own or in partner-*  
 11           *ship with another owner. An owner, who voluntarily*  
 12           *makes a Family Self-Sufficiency program available*  
 13           *pursuant to this subsection, may access funding from*  
 14           *any residual receipt accounts for the property to hire*  
 15           *a family self-sufficiency coordinator or coordinators*  
 16           *for their program.*

17           “(2) *COOPERATIVE AGREEMENT.—Any coopera-*  
 18           *tive agreement entered into pursuant to paragraph*  
 19           *(1) shall require the public housing agency to open its*  
 20           *Family Self-Sufficiency program waiting list to any*  
 21           *eligible family residing in the owner’s property who*  
 22           *resides in a unit assisted under project-based rental*  
 23           *assistance.*

24           “(3) *TREATMENT OF FAMILIES ASSISTED UNDER*  
 25           *THIS SUBSECTION.—A public housing agency that en-*

1        *ters into a cooperative agreement pursuant to para-*  
 2        *graph (1) may count any family participating in its*  
 3        *Family Self-Sufficiency program as a result of such*  
 4        *agreement as part of the calculation of the award*  
 5        *under subsection (i).*

6            “(4) *ESCROW.*—

7                    “(A) *COOPERATIVE AGREEMENT.*—A cooper-  
 8        *ative agreement entered into pursuant to para-*  
 9        *graph (1) shall provide for the calculation and*  
 10       *tracking of the escrow for participating residents*  
 11       *and for the owner to make available, upon re-*  
 12       *quest of the public housing agency, escrow for*  
 13       *participating residents, in accordance with*  
 14       *paragraphs (2) and (3) of subsection (e), resid-*  
 15       *ing in units assisted under section 8.*

16                  “(B) *CALCULATION AND TRACKING BY*  
 17        *OWNER.*—The owner of a privately owned prop-  
 18        *erty who voluntarily makes a Family Self-Suffi-*  
 19        *ciency program available pursuant to paragraph*  
 20        *(1) shall calculate and track the escrow for par-*  
 21        *ticipating residents and make escrow for partici-*  
 22        *pating residents available in accordance with*  
 23        *paragraphs (2) and (3) of subsection (e).*

24                  “(5) *EXCEPTION.*—This subsection shall not  
 25        *apply to properties assisted under section 8(o)(13).*

1           “(6) *SUSPENSION OF ENROLLMENT.*—*In any*  
 2           *year, the Secretary may suspend the enrollment of*  
 3           *new families in Family Self-Sufficiency programs*  
 4           *under this subsection based on a determination that*  
 5           *insufficient funding is available for this purpose.”;*

6           (18) *in subsection (m), as so redesignated—*

7           (A) *in paragraph (1)—*

8           (i) *in the first sentence, by striking*  
 9           *“Each public housing agency” and insert-*  
 10           *ing “Each eligible entity”;*

11           (ii) *in the second sentence, by striking*  
 12           *“The report shall include” and inserting*  
 13           *“The contents of the report shall include”;*  
 14           *and*

15           (iii) *in subparagraph (D)—*

16           (I) *by striking “public housing*  
 17           *agency” and inserting “eligible enti-*  
 18           *ty”;* *and*

19           (II) *by striking “local”;* *and*

20           (B) *in paragraph (2), by inserting “and de-*  
 21           *scribing any additional research needs of the*  
 22           *Secretary to evaluate the effectiveness of the pro-*  
 23           *gram” after “under paragraph (1)”;*

24           (19) *in subsection (n), as so redesignated, by*  
 25           *striking “may” and inserting “shall”;* *and*

“(1) *ELIGIBLE ENTITY.*—The term ‘eligible entity’ means an entity that meets the requirements under subsection (c)(2) to administer a Family Self-Sufficiency program under this section.

“(3) *PARTICIPATING FAMILY.*—The term ‘participating family’ means an eligible family that is participating in the Family Self-Sufficiency program under this section.”.

21 *SEC. 307. REHABILITATION OF QUALIFIED EDUCATION*  
22 *LOANS.*

•S 2155 RS

1                   “(E) *REHABILITATION OF QUALIFIED EDU-*  
2                   *CATION LOANS.*—

3                   “(i) *IN GENERAL.*—*Notwithstanding*  
4                   *any other provision of this section, a con-*  
5                   *sumer may request a financial institution*  
6                   *to remove from a consumer report a re-*  
7                   *ported default regarding a qualified edu-*  
8                   *cation loan, and such information shall not*  
9                   *be considered inaccurate, if—*

10                   “(I) *the financial institution*  
11                   *chooses to offer a loan rehabilitation*  
12                   *program which includes, without limi-*  
13                   *tation, a requirement of the consumer*  
14                   *to make consecutive on-time monthly*  
15                   *payments in a number that dem-*  
16                   *onstrates, in the assessment of the fi-*  
17                   *nancial institution offering the loan re-*  
18                   *habilitation program, a renewed abil-*  
19                   *ity and willingness to repay the loan;*  
20                   *and*

21                   “(II) *the requirements of the loan*  
22                   *rehabilitation program described in*  
23                   *subclause (I) are successfully met.*

24                   “(ii) *BANKING AGENCIES.*—

1           “(I) *IN GENERAL.*—If a financial  
 2           institution is supervised by a Federal  
 3           banking agency, the financial institu-  
 4           tion shall seek written approval con-  
 5           cerning the terms and conditions of the  
 6           loan rehabilitation program described  
 7           in clause (i) from the appropriate Fed-  
 8           eral banking agency.

9           “(II) *FEEDBACK.*—An appro-  
 10          priate Federal banking agency shall  
 11          provide feedback to a financial institu-  
 12          tion within 120 days of a request for  
 13          approval under subclause (I).

14          “(iii) *LIMITATION.*—

15          “(I) *IN GENERAL.*—A consumer  
 16          may obtain the benefits available  
 17          under this subsection with respect to  
 18          rehabilitating a loan only 1 time per  
 19          loan.

20          “(II) *RULE OF CONSTRUCTION.*—  
 21          Nothing in this subparagraph may be  
 22          construed to require a financial insti-  
 23          tution to offer a loan rehabilitation  
 24          program or to remove any reported de-  
 25          fault from a consumer report as a con-

1                    *sideration of a loan rehabilitation pro-*  
 2                    *gram, except as described in clause (i).*

3                    *“(iv) DEFINITIONS.—For purposes of*  
 4                    *this subparagraph—*

5                    *“(I) the term ‘appropriate Federal*  
 6                    *banking agency’ has the meaning given*  
 7                    *the term in section 3 of the Federal De-*  
 8                    *posit Insurance Act (12 U.S.C. 1813);*  
 9                    *and*

10                    *“(II) the term ‘qualified education*  
 11                    *loan’ has the meaning given the term*  
 12                    *in section 221(d) of the Internal Rev-*  
 13                    *enue Code of 1986.”.*

14                    *(b) GAO STUDY.—*

15                    *(1) STUDY.—The Comptroller General of the*  
 16                    *United States shall conduct a study, in consultation*  
 17                    *with the appropriate Federal banking agencies, re-*  
 18                    *garding—*

19                    *(A) the implementation of subparagraph*  
 20                    *(E) of section 623(a)(1) of the Fair Credit Re-*  
 21                    *porting Act (15 U.S.C. 1681s–2(a)(1)) (referred*  
 22                    *to in this paragraph as “the provision”), as*  
 23                    *added by subsection (a);*

1           (B) the estimated operational, compliance,  
2           and reporting costs associated with the require-  
3           ments of the provision;

4           (C) the effects of the requirements of the  
5           provision on the accuracy of credit reporting;

6           (D) the risks to safety and soundness, if  
7           any, created by the loan rehabilitation programs  
8           described in the provision; and

9           (E) a review of the effectiveness and impact  
10          on the credit of participants in any loan reha-  
11          bilitation programs described in the provision  
12          and whether such programs improved the ability  
13          of participants in the programs to access credit  
14          products.

15          (2) *REPORT.*—Not later than 1 year after the  
16          date of enactment of this Act, the Comptroller General  
17          of the United States shall submit to Congress a report  
18          that contains all findings and determinations made  
19          in conducting the study required under paragraph  
20          (1).



1 **TITLE IV—TAILORING REGULA-**  
 2 **TIONS FOR CERTAIN BANK**  
 3 **HOLDING COMPANIES**

4 **SEC. 401. ENHANCED SUPERVISION AND PRUDENTIAL**  
 5 **STANDARDS FOR CERTAIN BANK HOLDING**  
 6 **COMPANIES.**

7 (a) IN GENERAL.—Section 165 of the Financial Sta-  
 8 bility Act of 2010 (12 U.S.C. 5365) is amended—

9 (1) in subsection (a)—

10 (A) in paragraph (1), in the matter pre-  
 11 ceding subparagraph (A), by striking  
 12 “\$50,000,000,000” and inserting  
 13 “\$250,000,000,000”; and

14 (B) in paragraph (2)—

15 (i) in subparagraph (A), by striking  
 16 “may” and inserting “shall”;

17 (ii) in subparagraph (B), by striking  
 18 “\$50,000,000,000” and inserting “the ap-  
 19 plicable threshold”; and

20 (iii) by adding at the end the fol-  
 21 lowing:

22 “(C) RISKS TO FINANCIAL STABILITY AND  
 23 SAFETY AND SOUNDNESS.—The Board of Gov-  
 24 ernors may by order or rule promulgated pursu-  
 25 ant to section 553 of title 5, United States

1 Code, apply any prudential standard established  
2 under this section to any bank holding company  
3 or bank holding companies with total consoli-  
4 dated assets equal to or greater than  
5 \$100,000,000,000 to which the prudential  
6 standard does not otherwise apply provided that  
7 the Board of Governors—

8 “(i) determines that application of the  
9 prudential standard is appropriate—

10 “(I) to prevent or mitigate risks  
11 to the financial stability of the United  
12 States, as described in paragraph (1);  
13 or

14 “(II) to promote the safety and  
15 soundness of the bank holding com-  
16 pany or bank holding companies; and

17 “(ii) takes into consideration the bank  
18 holding company’s or bank holding compa-  
19 nies’ capital structure, riskiness, com-  
20 plexity, financial activities (including finan-  
21 cial activities of subsidiaries), size, and any  
22 other risk-related factors that the Board of  
23 Governors deems appropriate.”;

24 (2) in subsection (b)(1)—

1 (A) in subparagraph (A)(iv), by striking  
2 “and credit exposure report”; and

3 (B) in subparagraph (B)(ii), by inserting  
4 “, including credit exposure reports” before the  
5 semicolon at the end;

6 (3) in subsection (d)(2), in the matter pre-  
7 ceding subparagraph (A), by striking “shall” and in-  
8 serting “may”;

9 (4) in subsection (h)(2), by striking  
10 “\$10,000,000,000” each place that term appears  
11 and inserting “\$50,000,000,000”;

12 (5) in subsection (i)—

13 (A) in paragraph (1)(B)(i)—

14 (i) by striking “3” and inserting “2”;

15 and

16 (ii) by striking “, adverse,”; and

17 (B) in paragraph (2) ~~(A)~~—

18 *(i) in subparagraph (A)*—

19 ~~(i)~~*(I)* in the first sentence, by  
20 striking “semiannual” and inserting  
21 “periodic”; and

22 ~~(ii)~~*(II)* in the second sentence—

23 ~~(i)~~*(aa)* by striking  
24 “\$10,000,000,000” and inserting  
25 “\$250,000,000,000”; and

1 ~~(H)~~(bb) by striking “annual”

2 and inserting “periodic”; and

3 (ii) in subparagraph (C)(ii)—

4 (I) by striking “3” and inserting

5 “2”; and

6 (II) by striking “, adverse,”; and

7 (6) in subsection (j)(1), in the first sentence, by

8 striking “\$50,000,000,000” and inserting

9 “\$250,000,000,000”.

10 (b) RULE OF CONSTRUCTION.—Nothing in sub-  
11 section (a) shall be construed to limit—

12 (1) the authority of the Board of Governors of  
13 the Federal Reserve System, in prescribing pruden-  
14 tial standards under section 165 of the Financial  
15 Stability Act of 2010 (12 U.S.C. 5365) or any other  
16 law, to tailor or differentiate among companies on  
17 an individual basis or by category, taking into con-  
18 sideration their capital structure, riskiness, com-  
19 plexity, financial activities (including financial activi-  
20 ties of their subsidiaries), size, and any other risk-  
21 related factors that the Board of Governors deems  
22 appropriate; or

23 (2) the supervisory, regulatory, or enforcement  
24 authority of an appropriate Federal banking agency  
25 to further the safe and sound operation of an insti-

1       tution under the supervision of the appropriate Fed-  
 2       eral banking agency.

3       (c) TECHNICAL AND CONFORMING AMENDMENTS.—

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

7           (A) in section 115(a)(2)(B) (12 U.S.C.  
 8       5325(a)(2)(B)), by striking “\$50,000,000,000”  
 9       and inserting “the applicable threshold”;

10          (B) in section 116(a) (12 U.S.C. 5326(a)),  
 11       in the matter preceding paragraph (1), by strik-  
 12       ing “\$50,000,000,000” and inserting  
 13       “\$250,000,000,000”;

14          (C) in section 121(a) (12 U.S.C. ~~5311(a)~~  
 15       5331(a)), in the matter preceding paragraph  
 16       (1), by striking “\$50,000,000,000” and insert-  
 17       ing “\$250,000,000,000”;

18          (D) in section 155(d) (12 U.S.C. 5345(d)),  
 19       by striking “50,000,000,000” and inserting  
 20       “\$250,000,000,000”;

21          (E) in section 163(b) (12 U.S.C. 5363(b)),  
 22       by striking “\$50,000,000,000” each place that  
 23       term appears and inserting  
 24       “\$250,000,000,000”; and

1 (F) in section 164 (12 U.S.C. 5364), by  
 2 striking “\$50,000,000,000” and inserting  
 3 “\$250,000,000,000”.

4 (2) FEDERAL RESERVE ACT.—Paragraph (2) of  
 5 the second subsection (s) (relating to assessments)  
 6 of section 11 of the Federal Reserve Act (12 U.S.C.  
 7 248(s)(2)) is amended—

8 (A) in subparagraph (A)—

9 (i) by striking “\$50,000,000,000” and  
 10 inserting “\$250,000,000,000”; and

11 (ii) by inserting “and” after the semi-  
 12 colon at the end;

13 (B) by striking subparagraph (B); and

14 (C) by redesignating subparagraph (C) as  
 15 subparagraph (B).

16 (d) EFFECTIVE DATE.—

17 (1) IN GENERAL.—Except as provided in para-  
 18 graph (2), the amendments made by this section  
 19 shall take effect on the date that is 18 months after  
 20 the date of enactment of this Act.

21 (2) EXCEPTION.—Notwithstanding paragraph  
 22 (1), the amendments made by this section shall take  
 23 effect on the date of enactment of this Act with re-  
 24 spect to any bank holding company with total con-  
 25 solidated assets of less than \$100,000,000,000.

1           (3) ADDITIONAL AUTHORITY.—Before the effec-  
 2           tive date described in paragraph (1), the Board of  
 3           Governors of the Federal Reserve System may by  
 4           order exempt any bank holding company with total  
 5           consolidated assets of less than \$250,000,000,000  
 6           from any prudential standard under section 165 of  
 7           the Financial Stability Act of 2010 (12 U.S.C.  
 8           5365).

9           (4) RULE OF CONSTRUCTION.—Nothing in this  
 10          section shall be construed to prohibit the Board of  
 11          Governors of the Federal Reserve System from  
 12          issuing an order or rule making under section  
 13          165(a)(2)(C) of the Financial Stability Act of 2010  
 14          (12 U.S.C. 5365(a)(2)(C)), as added by this section,  
 15          before the effective date described in paragraph (1).

16          (e) SUPERVISORY STRESS TEST.—Beginning on the  
 17          effective date described in subsection (d)(1), the Board of  
 18          Governors of the Federal Reserve System shall, on a peri-  
 19          odic basis, conduct supervisory stress tests of bank holding  
 20          companies with total consolidated assets equal to or great-  
 21          er than \$100,000,000,000 and total consolidated assets  
 22          of ~~not more~~ *less* than \$250,000,000,000 to evaluate wheth-  
 23          er such bank holding companies have the capital, on a  
 24          total consolidated basis, necessary to absorb losses as a  
 25          result of adverse economic conditions.

1 (f) GLOBAL SYSTEMICALLY IMPORTANT BANK  
 2 HOLDING COMPANIES.—Any bank holding company, re-  
 3 gardless of asset size, that has been identified as a global  
 4 systemically important BHC under section 217.402 of  
 5 title 12, Code of Federal Regulations, shall be considered  
 6 a bank holding company with total consolidated assets  
 7 equal to or greater than \$250,000,000,000 with respect  
 8 to the application of standards or requirements under—

9 (1) this section;

10 (2) sections 116(a), 121(a), 155(d), 163(b),  
 11 164, and 165 of the Financial Stability Act of 2010  
 12 (12 U.S.C. 5326(a), 5331(a), 5345(d), 5363(b),  
 13 5364, 5365); and

14 (3) paragraph (2)(A) of the second subsection  
 15 (s) (relating to assessments) of section 11 of the  
 16 Federal Reserve Act (12 U.S.C. 248(s)(2)).

17 **SEC. 402. SUPPLEMENTARY LEVERAGE RATIO FOR CUSTO-**  
 18 **DIAL BANKS.**

19 (a) DEFINITION.—In this section, the term “custo-  
 20 dial bank” means any depository institution ~~or depository~~  
 21 ~~institution holding company for which the level of assets~~  
 22 ~~under custody is not less than 30 times the total consoli-~~  
 23 ~~dated assets of the depository institution or depository in-~~  
 24 ~~stitution holding company, as applicable.~~ *holding company*  
 25 *predominantly engaged in custody, safekeeping, and asset*



1 *servicing activities, including any insured depository insti-*  
 2 *tution subsidiary of such a holding company.*

3 (b) REGULATIONS.—

4 (1) DEFINITION.—In this subsection, the term  
 5 “central bank” means—

6 (A) the Federal Reserve System;

7 (B) the European Central Bank; and

8 (C) central banks of member countries of  
 9 the Organisation for Economic Co-operation  
 10 and Development, if—

11 (i) the ~~central bank of such~~ member  
 12 country has been assigned a zero percent  
 13 risk weight under the ~~final rule of the Of-~~  
 14 ~~fice of the Comptroller of the Currency and~~  
 15 ~~Board of Governors of the Federal Reserve~~  
 16 ~~System entitled “Regulatory Capital Rules:~~  
 17 ~~Regulatory Capital, Implementation of~~  
 18 ~~Basel III, Capital Adequacy, Transition~~  
 19 ~~Provisions, Prompt Corrective Action,~~  
 20 ~~Standardized Approach for Risk-weighted~~  
 21 ~~Assets, Market Discipline and Disclosure~~  
 22 ~~Requirements, Advanced Approaches Risk-~~  
 23 ~~Based Capital Rule, and Market Risk Cap-~~  
 24 ~~ital Rule” (78 Fed. Reg. 62018 (October~~  
 25 ~~11, 2013)) and the final rule of the Fed-~~

1           eral Deposit Insurance Corporation enti-  
 2           tled “Regulatory Capital Rules: Regulatory  
 3           Capital, Implementation of Basel III, Cap-  
 4           ital Adequacy, Transition Provisions,  
 5           Prompt Corrective Action, Standardized  
 6           Approach for Risk-Weighted Assets, Mar-  
 7           ket Discipline and Disclosure Require-  
 8           ments, Advanced Approaches Risk-Based  
 9           Capital Rule, and Market Risk Capital  
 10          Rule” (79 Fed. Reg. 20754 (April 14,  
 11          2014)) sections 3.32, 217.32, and 324.32 of  
 12          title 12, Code of Federal Regulations, or  
 13          any successor regulation; and

14           (ii) the sovereign debt of such member  
 15           country is not in default or has not been  
 16           in default during the previous 5 years.

17          (2) REGULATIONS.—The appropriate Federal  
 18          banking agencies shall promulgate regulations to  
 19          amend sections 3.10, 217.10, and 324.10 of title 12,  
 20          Code of Federal Regulations, to specify that—

21           (A) subject to subparagraph (B), funds of  
 22           a custodial bank that are deposited with a cen-  
 23           tral bank shall not be taken into account when  
 24           calculating the supplementary leverage ratio as  
 25           applied to the custodial bank; and

1 (B) with respect to the funds described in  
 2 subparagraph (A), any amount that exceeds the  
 3 total value of deposits of the custodial bank  
 4 that are linked to fiduciary or custodial and  
 5 safekeeping accounts shall be taken into ac-  
 6 count when calculating the supplementary lever-  
 7 age ratio as applied to the custodial bank.

8 (c) RULE OF CONSTRUCTION.—Nothing in sub-  
 9 section (b) shall be construed to limit the authority of the  
 10 appropriate Federal banking agencies to tailor or adjust  
 11 the supplementary leverage ratio or any other leverage  
 12 ratio for any company that is not a custodial bank.

13 **SEC. 403. TREATMENT OF CERTAIN MUNICIPAL OBLIGA-**  
 14 **TIONS.**

15 (a) IN GENERAL.—Section 18 of the Federal Deposit  
 16 Insurance Act (12 U.S.C. 1828) is amended—

17 (1) by moving subsection (z) so that it appears  
 18 after subsection (y); and

19 (2) by adding at the end the following:

20 “(aa) TREATMENT OF CERTAIN MUNICIPAL OBLIGA-  
 21 TIONS.—

22 “(1) DEFINITIONS.—In this subsection—

23 “(A) the term ‘investment grade’, with re-  
 24 spect to an obligation, has the meaning given

1 the term in section 1.2 of title 12, Code of Fed-  
 2 eral Regulations, or any successor thereto;

3 “(B) the term ‘liquid and readily-market-  
 4 able’ has the meaning given the term in section  
 5 249.3 of title 12, Code of Federal Regulations,  
 6 or any successor thereto; and

7 “(C) the term ‘municipal obligation’ means  
 8 an obligation of—

9 “(i) a State or any political subdivi-  
 10 sion thereof; or

11 “(ii) any agency or instrumentality of  
 12 a State or any political subdivision thereof.

13 “(2) MUNICIPAL OBLIGATIONS.—For purposes  
 14 of the final rule entitled ‘Liquidity Coverage Ratio:  
 15 Liquidity Risk Measurement Standards’ (79 Fed.  
 16 Reg. 61439 (October 10, 2014)), the final rule enti-  
 17 tled ‘Liquidity Coverage Ratio: Treatment of U.S.  
 18 Municipal Securities as High-Quality Liquid Assets’  
 19 (81 Fed. Reg. 21223 (April 11, 2016)), and any  
 20 other regulation that incorporates a definition of the  
 21 term ‘high-quality liquid asset’ or another substan-  
 22 tially similar term, the appropriate Federal banking  
 23 agencies shall treat a municipal obligation as a high-  
 24 quality liquid asset that is a level 2B liquid asset if  
 25 that obligation is, as of the date of calculation—

1 “(A) liquid and readily-marketable; and

2 “(B) investment grade.”.

3 (b) AMENDMENT TO LIQUIDITY COVERAGE RATIO  
 4 REGULATIONS.—Not later than 90 days after the date of  
 5 enactment of this Act, the Federal Deposit Insurance Cor-  
 6 poration, the Board of Governors of the Federal Reserve  
 7 System, and the Comptroller of the Currency shall amend  
 8 the final rule entitled “Liquidity Coverage Ratio: Liquidity  
 9 Risk Measurement Standards” (79 Fed. Reg. 61439 (Oc-  
 10 tober 10, 2014)) and the final rule entitled “Liquidity  
 11 Coverage Ratio: Treatment of U.S. Municipal Securities  
 12 as High-Quality Liquid Assets” (81 Fed. Reg. 21223  
 13 (April 11, 2016)) to implement the amendments made by  
 14 this ~~Act~~ *section*.

## 15 **TITLE V—STUDIES**

### 16 **SEC. 501. TREASURY REPORT ON RISKS OF CYBER** 17 **THREATS.**

18 Not later than 1 year after the date of enactment  
 19 of this Act, the Secretary of the Treasury shall submit  
 20 to the Committee on Banking, Housing, and Urban Af-  
 21 fairs of the Senate and the Committee on Financial Serv-  
 22 ices of the House of Representatives a report on the risks  
 23 of cyber threats to financial institutions and capital mar-  
 24 kets in the United States, including—

1           (1) an assessment of the material risks of cyber  
2       threats to financial institutions and capital markets  
3       in the United States;

4           (2) the impact and potential effects of material  
5       cyber attacks on financial institutions and capital  
6       markets in the United States;

7           (3) an analysis of how the appropriate Federal  
8       banking agencies and the Securities and Exchange  
9       Commission are addressing the material risks of  
10      cyber threats described in paragraph (1), includ-  
11      ing—

12                (A) how the appropriate Federal banking  
13      agencies and the Securities and Exchange Com-  
14      mission are assessing those threats;

15               (B) how the appropriate Federal banking  
16      agencies and the Securities and Exchange Com-  
17      mission are assessing the cyber vulnerabilities  
18      and preparedness of financial institutions;

19               (C) coordination amongst the appropriate  
20      Federal banking agencies and the Securities  
21      and Exchange Commission, and their coordina-  
22      tion with other government agencies (including  
23      with respect to regulations, examinations, lexi-  
24      con, duplication, and other regulatory tools);  
25      and

1 (D) areas for improvement; and

2 (4) a recommendation of whether any appro-  
3 priate Federal banking agency or the Securities and  
4 Exchange Commission needs additional legal au-  
5 thorities or resources to adequately assess and ad-  
6 dress the material risks of cyber threats described in  
7 paragraph (1), given the analysis required by para-  
8 graph (3).

9 **SEC. 502. SEC STUDY ON ALGORITHMIC TRADING.**

10 (a) IN GENERAL.—Not later than 18 months after  
11 the date of enactment of this Act, the staff of the Securi-  
12 ties and Exchange Commission shall submit to the Com-  
13 mittee on Banking, Housing, and Urban Affairs of the  
14 Senate and the Committee on Financial Services of the  
15 House of Representatives a report on the risks and bene-  
16 fits of algorithmic trading in capital markets in the United  
17 States.

18 (b) MATTERS REQUIRED TO BE INCLUDED.—The  
19 matters covered by the report required by subsection (a)  
20 shall include the following:

21 (1) An assessment of the effect of algorithmic  
22 trading in equity and debt markets in the United  
23 States on the provision of liquidity in stressed and  
24 normal market conditions.

1           (2) An assessment of the benefits and risks to  
2 equity and debt markets in the United States by al-  
3 gorithmic trading.

4           (3) An analysis of whether the activity of algo-  
5 rithmic trading and entities that engage in algo-  
6 rithmic trading are subject to appropriate Federal  
7 supervision and regulation.

8           (4) A recommendation of whether—

9               (A) based on the analysis described in  
10 paragraphs (1), (2), and (3), any changes  
11 should be made to regulations; and

12               (B) the Securities and Exchange Commis-  
13 sion needs additional legal authorities or re-  
14 sources to effect the changes described in sub-  
15 paragraph (A).

16 **SEC. 503. GAO REPORT ON CONSUMER REPORTING AGEN-**  
17 **CIES.**

18       (a) *DEFINITIONS.*—*In this section, the terms “con-*  
19 *sumer”, “consumer report”, and “consumer reporting agen-*  
20 *cy” have the meanings given those terms in section 603 of*  
21 *the Fair Credit Reporting Act (15 U.S.C. 1681a).*

22       (b) *REPORT.*—*Not later than 1 year after the date of*  
23 *enactment of this Act, the Comptroller General of the United*  
24 *States shall submit to the Committee on Banking, Housing,*  
25 *and Urban Affairs of the Senate and the Committee on Fi-*



1    *financial Services of the House of Representatives a com-*  
2    *prehensive report that includes—*

3            *(1) a review of the current legal and regulatory*  
4            *structure for consumer reporting agencies and an*  
5            *analysis of any gaps in that structure, including, in*  
6            *particular, the rulemaking, supervisory, and enforce-*  
7            *ment authority of State and Federal agencies under*  
8            *the Fair Credit Reporting Act (15 U.S.C. 1681 et*  
9            *seq.), the Gramm-Leach-Bliley Act (Public Law 106–*  
10          *102; 113 Stat. 1338), and any other relevant statutes;*

11          *(2) a review of the process by which consumers*  
12          *can appeal and expunge errors on their consumer re-*  
13          *ports;*

14          *(3) a review of the causes of consumer reporting*  
15          *errors;*

16          *(4) a review of the responsibilities of data fur-*  
17          *nishers to ensure that accurate information is ini-*  
18          *tially reported to consumer reporting agencies and to*  
19          *ensure that such information continues to be accurate;*

20          *(5) a review of data security relating to con-*  
21          *sumer reporting agencies and their efforts to safe-*  
22          *guard consumer data;*

23          *(6) a review of who has access to, and may use,*  
24          *consumer reports;*

1           (7) *a review of who has control or ownership of*  
2       *a consumer's credit data;*

3           (8) *an analysis of—*

4                (A) *which Federal and State regulatory*  
5       *agencies supervise and enforce laws relating to*  
6       *how consumer reporting agencies protect con-*  
7       *sumer data; and*

8                (B) *all laws relating to data security appli-*  
9       *cable to consumer reporting agencies; and*

10          (9) *recommendations to Congress on how to im-*  
11       *prove the consumer reporting system, including legis-*  
12       *lative, regulatory, and industry-specific recommenda-*  
13       *tions.*



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1<sup>ST</sup> Session

**S. 2155**

**A BILL**

To promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes.

DECEMBER 18, 2017

Reported with amendments