

114TH CONGRESS  
1ST SESSION

# H. R. 3857

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

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 29, 2015

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

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## A BILL

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

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. REQUIREMENTS RELATED TO THE FINANCIAL**  
4 **STABILITY ACT OF 2010.**

5 (a) IN GENERAL.—The Financial Stability Oversight  
6 Council may not make a determination under section 113

1 of the Financial Stability Act of 2010 (12 U.S.C. 5323)  
2 that a nonbank financial company shall be supervised by  
3 the Board of Governors of the Federal Reserve System  
4 and subject to prudential standards until 90 days after—

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

9 (2) the Board of Governors of the Federal Re-  
10 serve System promulgates regulations setting forth  
11 criteria for exempting certain types or classes of  
12 U.S. nonbank financial companies or foreign  
13 nonbank financial companies from supervision, as  
14 required by section 170 of such Act; and

15 (3) the Financial Stability Oversight Council—

16 (A) reevaluates within calendar year 2016  
17 each determination made under subsections (a)  
18 and (b) of section 113 of such Act and rescinds  
19 any such determination if the Council deter-  
20 mines that the nonbank financial company no  
21 longer meets the standards under such sub-  
22 sections, as required by section 113(d) of such  
23 Act; and

24 (B) submits a report to the Committee on  
25 Banking, Housing, and Urban Affairs of the

1 Senate and the Committee on Financial Serv-  
2 ices of the House of Representatives explaining  
3 with specificity the reasons for which the Coun-  
4 cil did not rescind any such determination.

5 (b) DEFINITIONS.—For purposes of this section, the  
6 terms “nonbank financial company”, “U.S. nonbank fi-  
7 nancial company”, and “foreign nonbank financial com-  
8 pany” have the meaning given those terms, respectively,  
9 under section 102 of the Financial Stability Act of 2010  
10 (12 U.S.C. 5311).

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