



# Current Legislative and Regulatory Activity



United States  
of America

December 25, 2017

No. 115-41

For the week ending December 23, 2017

NOTE: The U.S. Senate and the U.S. House of Representatives will be having only pro-forma sessions until the start of the 2<sup>nd</sup> session of the 115<sup>th</sup> Congress beginning on January 3, 2018 for the Senate and January 8, 2018, for the House.

## SELECTED NEW PUBLIC LAW:

PUBLIC LAW 115-96: On December 22, 2017, the President signed into law [H.R. 1370](#), to provide further continuing appropriations for the Federal government through Friday, January 19, 2018 (131 Stat. 2044; 10 pages)

PUBLIC LAW 115-97: On December 22, 2017, the President signed into law [H.R. 1](#), Tax Cuts and Jobs Act, to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018 (131 Stat. 2054; 185 pages).

## SELECTED FLOOR/CHAMBER ACTIONS:

ON THE FLOOR OF THE HOUSE AND SENATE: On December 19, 2017, the House agreed to the conference report to accompany the Tax Cuts and Jobs Act, [H.R. 1](#), to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, by a yea-and-nay vote of 227 yeas to 203 nays, [Roll No. 692](#). See v. 163 Cong. Record, [pages H10189–10215](#), December 19, 2017. That same day the Senate began and completed consideration of the conference report to accompany [H.R. 1](#), and by 51 yeas to 48 nays (Vote No. 323), agreed to the motion to recede from the Senate amendment to [H.R. 1](#) and concur therein with a further amendment. See v. 163 Cong. Record, [pages S8088–S8142](#), December 19, 2017. The next day on December 20, 2017, the House agreed to the motion to concur in the Senate amendment to [H.R. 1](#), by a yea-and-nay vote of 224 yeas to 201 nays, [Roll No. 699](#), thus clearing the measure for the President. See v. 163 Cong. Record, [pages H10252–H10312](#), December 20, 2017.

ON THE FLOOR OF THE HOUSE: On December 20, 2017, the House passed the Corporate Governance Reform and Transparency Act of 2017, [H.R. 4015](#), to improve the quality of proxy advisory firms for the protection of investors and the U.S. economy, and in the public interest, by fostering accountability, transparency, responsiveness, and competition in the proxy advisory firm industry, by a yea-and-nay vote of 238 yeas to 182 nays, [Roll No. 702](#). See v. 163 Cong. Record, [pages H10313–30](#), December 20, 2017.

ON THE FLOORS OF THE HOUSE AND THE SENATE: On December 21, 2017, the House agreed to the motion to concur in the Senate amendment to Department of Homeland Security Blue Campaign Authorization Act of 2017, [H.R. 1370](#), with an amendment consisting of the text of [Rules Committee Print 115–52](#), which provides stop gap funding for the Federal government through Friday, January 19, 2018, by a yea-and-nay vote of 231 yeas to 188 nays, [Roll No. 708](#). The same day, on December 21, by 66 yeas to 32 nays (Vote No. 325), the Senate agreed to the motion to concur in the amendment of the House to the amendment of the Senate to [H.R. 1370](#), , having achieved 60 affirmatives votes, be agreed to.) See v. 163 Cong. Record, [pages H10349–60, H10394–H10403, pages S8235–36](#), December 21, 2017.

ON THE FLOOR OF THE HOUSE: On December 19, 2017, the House passed the Systemic Risk Designation Improvement Act of 2017, [H.R. 3312](#), to amend the Dodd-Frank Wall Street Reform and Consumer Protection Act to specify when bank holding companies may be subject to certain enhanced supervision, by a yea-and-nay vote of 288 yeas to 130 nays, [Roll No. 694](#). See v. 163 Cong. Record, [pages H10220–29](#), December 19, 2017.

ON THE FLOOR OF THE SENATE: On December 21, 2017, the Senate passed the Federal Register Printing Savings Act, [H.R. 195](#), to amend title 44, United States Code, to restrict the distribution of free printed copies of the Federal Register to Members of Congress and other officers and employees of the United States, after agreeing to the McConnell (for Grassley) Amendment No. 1864, to amend the Violent Crime Control and Law Enforcement Act of 1994, to reauthorize the Missing Alzheimer's Disease Patient Alert Program, and to promote initiatives that will reduce the risk of injury and death relating to the wandering characteristics of some children with autism. See v. 163 Cong. Record, [page S8271](#), December 21, 2017.

ON THE FLOOR OF THE SENATE: On December 21, 2017, the Senate passed the Connected Government Act, [H.R. 2331](#), to require a new or updated Federal website that is intended for use by the public to be mobile friendly. See v. 163 Cong. Record, [page S8279](#).

ON THE FLOOR OF THE HOUSE: On December 21, 2017, the House passed [H.R. 4667](#), making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, by a yea-and-nay vote of 251 yeas to 169 nays, [Roll No. 709](#). See v. 163 Cong. Record, [pages H10364–94, H10403–04](#), December 21, 2017.

## **SELECTED MEASURE REPORTED FROM COMMITTEE:**

SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: On December 18, 2017, Chairman Crapo, R-ID, reported to the full Senate, with amendments but without written report, the Economic Growth, Regulatory Relief, and Consumer Protection Act, [S. 2155](#), a bill to promote economic growth, provide tailored regulatory relief, and enhance consumer protections, and for other purposes

## **SELECTED COMMITTEE ACTIONS/HEARINGS:**

HOUSE COMMITTEE ON RULES: On December 20, 2017, the full Committee held a [hearing](#) on the Senate amendment to the Tax Cuts and Jobs Act, [H.R. 1](#), an Act to provide for reconciliation pursuant to titles II and V of the concurrent resolution on the budget for fiscal year 2018, The Committee granted, by record vote of 8–4, a rule providing for the consideration of the Senate amendment to [H.R. 1](#). The rule makes in order a motion offered by the chair of the Committee on Ways and Means or his designee that the House concur in the Senate amendment to [H.R. 1](#). The rule waives all points of order against consideration of the motion. The rule provides that the Senate amendment and the motion shall be considered as read. The rule provides 20 minutes of debate on the motion equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. The rule provides that clause 5(b) of rule XXI shall not apply to the motion.

HOUSE COMMITTEE ON RULES: On December 21, 2017, the Full Committee held a [hearing](#) on [H.R. 4667](#), making further supplemental appropriations for the fiscal year ending September 30, 2018, for disaster assistance for Hurricanes Harvey, Irma, and Maria, and calendar year 2017 wildfires, and for other purposes; and concluded a [hearing](#) on the Senate amendment to [H.R. 1370](#), the "Department of Homeland Security Blue Campaign Authorization Act of 2017" [[Further Continuing Resolution](#)]. The Committee granted, by record vote of 8–4, a rule providing for the consideration of the Senate amendment to [H.R. 1370](#). The rule makes in order a motion offered by the chair of the Committee on Appropriations or his designee that the House concur in the Senate amendment with an amendment consisting of the text of Rules Committee Print 115–52. The rule waives all points of order against consideration of the motion.

SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: On December 19, 2017, the Committee ordered favorably reported the nominations of Kimberly A. Reed, of West Virginia, to be First Vice President, Mark L. Greenblatt, of Maryland, to be Inspector General, and Spencer Bachus III, of Alabama, Judith Delzoppo Pryor, of Ohio, and Claudia Slacik, of New York, each to be a Member of the Board of Directors, all of the Export-Import Bank. The Committee voted down the nomination of Scott Garrett to the Bank.

## **SELECTED MEASURES INTRODUCED IN THE HOUSE:**

By Mr. McCAUL, R-TX:

[H.R. 4676](#). A bill to direct the Secretary of the Treasury to prescribe regulations to expand sanctions against persons owned or controlled by Iran's Revolutionary Guard Corps, and for other purposes; to the Committee on Foreign Affairs. Introduced December 18, 2017.\

By Mr. POLIS, R-FL:

[H. Con. Res. 97](#). Concurrent resolution Directing the Clerk of the House of Representatives to make corrections in the enrollment of [H.R. 1](#); to the Committee on Ways and Means, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned. Introduced December 18, 2017.

By Mr. BEYER, D-VA (for himself and 26 cosponsors):

[H.R. 4694](#). A bill to provide for the compensation of Federal employees furloughed during a Government shutdown; to the Committee on Oversight and Government Reform. Introduced December 20, 2017.

By Mr. BARR, R-KY (for himself, Mr. Himes, and Mr. Polis):

[H.R. 4711](#). A bill to create protections for depository institutions that provide financial services to industrial hemp legitimate businesses, and for other purposes; to the Committee on Financial Services. Introduced December 21, 2017.

By Mr. HULTGREN, R-IL (for himself and Mr. Barr, R-KY):

[H.R. 4725](#). A bill to amend the Federal Deposit Insurance Act to require short form call reports for certain depository institutions; to the House Committee on Financial Services. Introduced December 21, 2017.

By Mrs. CAROLYN B. MALONEY, D-NY (for herself and 12 cosponsors):

[H.R. 4729](#). A bill to require annual reporting by employers of the number of settlements with employees regarding claims of discrimination on the basis of sex, including verbal and physical sexual harassment, and for other purposes; to the Committee on Education and the Workforce. Introduced December 21, 2017.

#### **SELECTED MEASURES INTRODUCED IN THE SENATE:**

By Mr. HATCH, R-UT (for himself and five cosponsors):

[S. 2256](#). A bill to amend the Internal Revenue Code of 1986 to extend expiring provisions, and for other purposes; to the Committee on Finance. Introduced December 18, 2017.

By Ms. HARRIS, D-CA (for herself and three cosponsors):

[S. 2272](#). A bill to amend the Revised Statutes to grant State attorneys general the ability to issue subpoenas to investigate suspected violations of State laws that are applicable to national banks; to the Committee on the Judiciary. Introduced December 21, 2017.

By Mr. CARDIN, D-MD (for himself and 20 cosponsors):

[S. 2274](#). A bill to provide for the compensation of Federal employees affected by lapses in appropriations; read the first time. Introduced December 21, 2017.

#### **SELECTED STUDIES/REPORTS PRESENTED TO CONGRESS**

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: See the Board's [Annual Report](#) to Congress and [other reports](#) presented to Congress on the Board's Publications website such as the [Availability of Credit to Small Business](#) and the [Presidential \\$1 Coin Program](#). See also [periodic required reports](#) to Congress by the Board (Intranet site).

OFFICE OF INSPECTOR GENERAL - BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM and the CONSUMER FINANCIAL PROTECTION BUREAU: See latest OIG activity by agency at <https://oig.federalreserve.gov/>.

GOVERNMENT ACCOUNTABILITY OFFICE: The GAO released a report entitled Large Bank Supervision: Improved Implementation of Federal Reserve Policies Could Help Mitigate Threats to Independence. [GAO-18-118](#), November 6, 2017, 97 pages.

CONGRESSIONAL RESEARCH SERVICE – LIBRARY OF CONGRESS: The CRS released an insight report by Marc Labonte and David W. Perkins Bank Systemic Risk Regulation: The \$50 Billion Threshold in the Dodd-Frank Act. [R45036](#). December 6, 2017. 42 pages. For Key Findings, see [IN10840](#), 3 pages.

CONGRESSIONAL RESEARCH SERVICE – LIBRARY OF CONGRESS: The CRS released an insight report by David W. Perkins entitled Financial Regulation: The Economic Growth, Regulatory Relief, and Consumer Protection Act (S. 2155). [IN10833](#). December 1, 2017. 2 pages.

CONGRESSIONAL RESEARCH SERVICE – LIBRARY OF CONGRESS: The CRS released an insight report by Baird Webel and Marc Labonte entitled Financial Regulation: FY2018 Appropriations and the Financial CHOICE Act (H.R. 10). [IN10769](#). December 7, 2017. 5 pages.

CONGRESSIONAL BUDGET OFFICE: The CBO produces dozens of publications and legislative cost estimates every year on a variety of topics including those on the [Budget](#), on the [Economy](#), on [Employment and Labor Markets](#), on [Finance](#), on [Housing](#), on [Income Distribution](#), on [Taxes](#), and on other topics. See especially its analysis of the [American Health Care Act](#), H.R. 1628 as well as a [CRS report](#) on H.R. 1628.

## **SELECTED FEDERAL REGULATORY ACTIONS:**

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: On December 18, 2017, the Board announced the repeal of its Regulation C (Home Mortgage Disclosure), which has been superseded by final rules issued by the CFPB. The Board is also publishing a proposal to revise its Regulation M (Consumer Leasing) to reflect changes in the coverage of the Board's rule under the Dodd-Frank Wall Street Reform and Consumer Protection Act. Prior to enactment of the Dodd-Frank Act, the Consumer Leasing Act (CLA) was implemented solely by the Board's Regulation M, which applied to all types of lessors. Rulemaking authority for the CLA currently rests with the CFPB with the exception of rules applicable to certain motor vehicle dealers. The proposed amendments to the Board's Regulation M would clarify the scope of the Board's rule, which applies only to lessors that are excluded under the Dodd-Frank Act from coverage by the CFPB's leasing regulation. See [December 18, 2017 press release and attached notices](#) soon be published in the *Federal Register*.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: The Board is repealing its Regulation C, which was issued to implement the Home Mortgage Disclosure Act (HMDA). Title X of the Dodd-Frank Wall Street Reform and Consumer Protection Act (Dodd-Frank Act) transferred rulemaking authority for a number of consumer financial protection laws, including HMDA, from the Board to the Bureau of Consumer Financial Protection (Bureau). HMDA requires covered financial institutions to collect and report loan data in connection with residential mortgage applications and loans. Although the Board retains authority to issue some consumer financial protection rules, all rulemaking authority under HMDA concerning mortgage loan transactions was transferred to the Bureau. In December 2011, the Bureau published an interim final rule establishing its own Regulation C to implement HMDA, which superseded the Board's Regulation C. In October 2015, the Bureau revised its own Regulation C to expand and revise the data collection and reporting regime required under HMDA, as amended by the Dodd-Frank Act. In April 2016, the Bureau published a final rule adopting the December 2011 interim final rule, as revised by the October 2015 final rule. Accordingly, the Board is repealing its Regulation C and the Official Staff Commentary that accompanies the regulation. The final rule is effective January 22, 2018. See v. 82 Fed. Register, pages 60673-60674, December 22, 2017 ([FR Doc No 2017-27491](#)).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: The Board has adopted final amendments to its Regulation A to reflect the Board's approval of an increase in the rate for primary credit at each Federal Reserve Bank. The secondary credit rate at each Reserve Bank automatically increased by formula as a result of the Board's primary credit rate action. The amendments to part 201 (Regulation A) are effective December 20, 2017. The rate changes for primary and secondary credit were applicable on December 14, 2017. See v. 82 Fed. Register, pages 60281-60282, December 20, 2017 ([FR Doc No 2017-27392](#)).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: The Board has amended Regulation D (Reserve Requirements of Depository Institutions) to revise the rate of interest paid on balances maintained to satisfy reserve balance requirements ("IORR") and the rate of interest paid on excess balances ("IOER") maintained at Federal Reserve Banks by or on behalf of eligible institutions. The final amendments specify that IORR is 1.50 percent and IOER is 1.50 percent, a 0.25 percentage point increase from their prior levels. The amendments are intended to enhance the role of such rates of interest in moving the Federal funds rate into the target range established by the Federal Open Market Committee ("FOMC" or "Committee"). The amendments to part 204 (Regulation D) are effective December 20, 2017. The IORR and IOER rate changes were applicable on December 14, 2017. See v. 82 Fed. Register, pages 60282-60283, December 20, 2017 ([FR Doc No 2017-27393](#)).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, FEDERAL DEPOSIT INSURANCE CORPORATION, OFFICE OF THE COMPTROLLER OF THE CURRENCY: On December 21, 2017, to adjust for inflation and changes in average loan size, the federal banking agencies announced that, effective January 1, 2018, the aggregate loan commitment threshold for inclusion in the Shared National Credit (SNC) program will increase from \$20 million to \$100 million. This change will reduce reporting burden for a substantial number of banking institutions, with no material impact on the size of the portfolio evaluated. The reporting change provides regulatory relief to 82 financial institutions while reducing the

dollar amount of loans identified as SNCs by 2 percent. As a result, the SNC program will continue to reflect a portfolio of more than \$4.2 trillion in credit commitments. The table below provides details for the planned change. The SNC program is an interagency review and assessment of risk in the largest and most complex credits shared by multiple financial institutions. The interagency program began in 1977. This is the first increase in the dollar threshold for inclusion as a SNC since the program's inception. Further, the agencies announced that, starting in 2018, annual SNC results will be reported after the third quarter examination, reflecting data as of June 30. Previously the annual report was issued after the first quarter examination, reflecting data as of December 31, 2017. See [December 21, 2017 press release](#).

**COMMODITY FUTURES TRADING COMMISSION:** The CFTC has issued a proposed interpretation of the term "actual delivery" as set forth in a certain provision of the Commodity Exchange Act pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act. Specifically, the proposed interpretation is being issued to inform the public of the Commission's views as to the meaning of actual delivery within the specific context of retail commodity transactions in virtual currency. The Commission requests comment on this proposed interpretation and further invites comment on specific questions related to the Commission's treatment of virtual currency transactions. Comments must be received on or before March 20, 2018. See v. 82 Fed. Register, pages 60335-60341, December 20, 2017 ([FR Doc No 2017-27421](#)).

**FEDERAL DEPOSIT INSURANCE CORPORATION:** Pursuant to the Federal Deposit Insurance Act, the Board of Directors of the Federal Deposit Insurance Corporation designates that the Designated Reserve Ratio (DRR) for the Deposit Insurance Fund shall remain at 2 percent for 2018. The Board is publishing this notice as required by section 7(b)(3)(A)(i) of the Federal Deposit Insurance Act. See v. 82 Fed. Register, page 60724, December 22, 2017 ([FR Doc No 2017-27539](#)).

**FEDERAL BANKING AGENCIES:** A website of the Federal Reserve Bank of St. Louis lays out recent updates to [Federal Banking Regulations](#). See also the news releases from the public websites of the [FRB](#), the [OCC](#), the [FDIC](#), the [CFPB](#), the [CFTC](#) and the [SEC](#).

## **HOW TO OBTAIN DOCUMENTS:**

Most of the legislative and regulatory material noted above can be obtained on the Internet (see links within each item) through [Congress.gov](#), the legislative database of the Library of Congress, or through the United States Government Publishing Office via [FDsys](#) and [GovInfo.gov](#). Congressional hearings are normally published several months after a hearing occurs, but prepared statements of witnesses, as well as archived webcasts, can be obtained on most Congressional [committee websites](#). Board prepared statements before Congress and press releases on its regulatory actions are available on the [Board's public Web site](#). Selected unofficial transcripts of congressional hearings may also be available on certain commercial databases.

This document is for information purposes only, and Federal Reserve staff members are not necessarily following any item listed.