NOTE: The House and Senate were both in session during the past two weeks, but in a modified manner. Due to retirement, the next issuance of this newsletter may be many weeks later.

SELECTED PUBLIC LAWS ENACTED:


PUBLIC LAW 115-240: On September 17, 2018, the President approved H.R. 2147, Veterans Treatment Court Improvement Act of 2018 (132 Stat. 2888; 4 pages).


PUBLIC LAW 115-238: On September 7, 2018, the President approved S. 899, Veterans Providing Healthcare Transition Improvement Act (132 Stat. 2450; 1 pages).

SELECTED HOUSE AND SENATE FLOOR ACTIONS:


ON THE FLOOR OF THE HOUSE: On September 12, 2018, the House passed the Financial Crimes Enforcement Network Improvement Act of 2018, H.R. 6411, to amend the duties of the Financial Crimes Enforcement Network (FinCEN) to ensure FinCEN works with Tribal law enforcement agencies, protects against all forms of terrorism, and focuses on virtual currencies. See v. 164 Cong. Record, pages H8127–28, September 12, 2018.

ON THE FLOOR OF THE SENATE: On September 12, the Senate confirmed the following nomination: By 64 yeas 33 nays (Vote No. EX. 206), Charles P. Rettig, of California, to be Commissioner of Internal Revenue for the term expiring November 12, 2022. See v. Cong. Record, page S6133, September 12, 2018.
ON THE FLOOR OF THE HOUSE: On September 13, 2018, the House agreed to take from the Speaker's table and pass the Anti-Terrorism Clarification Act of 2018, S. 2946, to amend title 18, United States Code, to clarify the meaning of the terms ``act of war'' and ``blocked asset''. See v. 164 Cong. Record, page H8245, September 13, 2018.

ON THE FLOOR OF THE SENATE: On September 17, 2018, by 98 yeas to 2 nays (Vote No. 209), the Senate passed the Patient Right to Know Drug Prices Act, S. 2554, to ensure that health insurance issuers and group health plans do not prohibit pharmacy providers from providing certain information to enrollees, after agreeing to the committee amendment in the nature of a substitute. See v. 164 Cong. Record, page S6180, September 17, 2018.

ON THE FLOOR OF THE SENATE: On September 17, 2018, by 99 yeas to 1 nay (Vote No. 210), the Senate passed the Opioid Crisis Response Act, H.R. 6, to provide for opioid use disorder prevention, recovery, and treatment, after adopting on the Portman (for Alexander) Amendment No. 4013, in the nature of a substitute. See v. 164 Cong. Record, pages S6159–80, September 17, 2018.

ON THE FLOOR OF THE SENATE On September 18, 2018, by 93 yeas to 7 nays (Vote No. 212), the Senate agreed to the conference report to accompany the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, H.R. 6157, making appropriations for various Departments for the fiscal year ending September 30, 2019. See v. 164 Cong. Record, page S6208, September 18, 2018.

ON THE FLOOR OF THE SENATE AND THE HOUSE: On September 12, 2018, by 92 yeas to 5 nays (Vote No. 207), the Senate agreed to the conference report to accompany the Energy and Water, Legislative Branch, and Military Construction and Veterans Affairs Appropriations Act, H.R. 5895, making appropriations for energy and water development and related agencies for the fiscal year ending September 30, 2019. The next day the House also agreed to the conference report by a yea-and-nay vote of 377 yeas to 20 nays, Roll No. 399. See v. 164 Cong. Record pages S6134–35, H8239–45, September 12 and 13, 2018.

SELECTED MEASURES REPORTED FROM COMMITTEE:

HOUSE COMMITTEE ON SMALL BUSINESS: On September 12, 2018, Chairman Chabot, R-OH, filed a report to accompany H.R. 6347, a bill to adjust the real estate appraisal thresholds under the 7(a) program to bring them into line with the thresholds used by the Federal banking regulators, and for other purposes (S. Rept. 115-940). Referred to the Committee of the Whole House on the state of the Union.9/12

SENATE COMMITTEE ON THE JUDICIARY: On September 17, 2018, Chairman Grassley, R-IA, filed a report to accompany S. 2823, a bill to modernize copyright law, and for other purposes (S. Rept. No. 115-339).
SELECTED COMMITTEE ACTIONS/HEARINGS:


SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: On September 18, 2018, the Committee held and concluded a hearing to examine Fintech, focusing on digitization, data, and technology, including S. 2854, to establish requirements for use of a driver's license or personal identification card by certain financial institutions for opening an account or obtaining a financial product or service, after receiving testimony from Steven Boms, Allon Advocacy, LLC, on behalf of the Consumer Financial Data Rights Group, and Brian Knight, George Mason University Mercatus Center, both of Washington, D.C.; Stuart Rubinstein, Fidelity Wealth Technologies, Boston, Massachusetts; and Saule T. Omarova, Cornell University, Ithaca, New York.

SENATE COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS: On September 12, 2018, the Committee held and concluded a hearing to examine countering Russia, focusing on assessing new tools, including S. 2785, to designate foreign persons who improperly interfere in United States elections as inadmissible aliens, after receiving testimony from Leon Aron, American Enterprise Institute, Elizabeth Rosenberg, Center for a New American Security, and Daleep Singh, Atlantic Council, all of Washington, D.C.

HOUSE COMMITTEE ON WAYS AND MEANS: On September 13, 2018, the full Committee held a markup on H.R. 6760, the "Protecting Family and Small Business Tax Cuts Act of 2018"; H.R. 6757, the "Family Savings Act of 2018"; and H.R. 6756 the "American Innovation Act of 2018". H.R. 6760, H.R. 6757, and H.R. 6756 were ordered reported, as amended.

HOUSE COMMITTEE ON THE JUDICIARY: On September 13, 2018, the Committee held a markup on H.R. 5634, the "Medical Cannabis Research Act of 2018"; H.R. 6755, the "Judiciary ROOM Act"; H.R. 6754, the "CIRCUIT Act"; H.R. 6730, the "Injunctive Authority Clarification Act of 2018"; and H.R. 6758, the "Study of Underrepresented Classes Chasing Engineering and Science Success Act of 2018". H.R. 5634, H.R. 6755, H.R. 6754, H.R. 6730, and H.R. 6758 were ordered reported, as amended.
SELECTED MEASURES INTRODUCED IN THE HOUSE:

By Mr. KELLY, R-PA (for himself and 29 cosponsors):
H.R. 6757. A bill to amend the Internal Revenue Code of 1986 to encourage retirement and family savings, and for other purposes; to the Committee on Education and the Workforce, 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 September 10, 2018.

By Mr. RODNEY DAVIS, R-IL (for himself and 40 cosponsors):
H.R. 6760. A bill to amend the Internal Revenue Code of 1986 to make permanent certain provisions of the Tax Cuts and Jobs Act affecting individuals, families, and small businesses; to the Committee on Ways and Means. Introduced September 10, 2018.

By Mr. CICILLINE, D-RI:
H.R. 6761. A bill to direct the Judicial Conference to provide electronic public access to exhibits in Federal cases, and for other purposes; to the Committee on the Judiciary. Introduced September 10, 2018.

By Mr. CICILLINE, D-RI (for himself, Mr. Goodlatte, and Mr. Nadler):
H.R. 6762. A bill to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code; to the Committee on the Judiciary. Introduced September 10, 2018.

By Mr. PALMER, R-AL:
H.R. 6777. A bill to amend chapter 3 of title 5, United States Code, to require the publication of settlement agreements, and for other purposes; to the Committee on Oversight and Government Reform. Introduced September 12, 2018.

By Mr. DONOVAN, R-NY (for himself, Mr. Budd, and Mr. McCaul):
H.R. 6783. A bill to require the Secretary of the Treasury to confiscate interest paid on certain frozen bank accounts, to require the Secretary to confiscate certain frozen assets, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committee on Homeland Security, 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 September 12, 2018.

By Mr. JODY B. HICE, R-GA (for himself, Mr. Meadows, and Mr. Mitchell):
H.R. 6787. A bill to provide for reforming agencies of the Federal Government to improve efficiency and effectiveness, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Rules, 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 September 12, 2018.
By Mr. MEEKS, D-NY:

**H.R. 6789.** A bill to require certain Federal financial regulators to carry out an independent study of their regulated entities' processes for allowing third parties to access consumer-authorized financial data; to the Committee on Financial Services. Introduced September 12, 2018.

By Mrs. CAROLYN B. MALONEY, D-NY

**H.R. 6817.** A bill to amend the Internal Revenue Code of 1986 to reinstate the deduction for interest on home equity indebtedness; to the Committee on Ways and Means. Introduced September 13, 2018.

By Mr. HILL, R-AR:

**H.R. 6853.** A bill to amend title 31, United States Code, with respect to sharing of suspicious activity reports within a financial group, and for other purposes; to the Committee on Financial Services. Introduced September 20, 2018.

By Mr. PEARCE, R-NE:

**H.R. 6858.** A bill to require the Treasury to take a more prominent role in coordinating Anti-Money Laundering/Combating the Financing of Terrorism (AML/CFT) policy and examinations across the Government, and for other purposes; to the Committee on Financial Services. Introduced September 20, 2018.

By Mr. ZELDIN, R-NY:

**H.R. 6861.** A bill to amend title 31, United States Code, with respect to FinCEN no-action letters, and for other purposes; to the Committee on Financial Services. Introduced September 20, 2018.

**SELECTED MEASURES INTRODUCED IN THE SENATE:**

By Mr. PETERS, D-MI (for himself and Mr. Hoeven, R-ND):

**S. 3437.** A bill to establish a Federal rotational cyber workforce program for the Federal cyber workforce; to the Committee on Homeland Security and Governmental Affairs. Introduced September 12, 2018.

By Mr. PORTMAN, R-OH (for himself and Ms. Klobuchar, D-MN):

**S. 3438.** A bill to require the Director of the Government Publishing Office to establish and maintain a website accessible to the public that allows the public to obtain electronic copies of all congressionally mandated reports in one place, and for other purposes; to the Committee on Homeland Security and Governmental Affairs. Introduced September 12, 2018.

By Mr. SCHUMER, D-NY (for himself and 23 cosponsors):

**S. 3440.** A bill to require the Bureau of Economic Analysis of the Department of Commerce to provide estimates relating to the distribution of aggregate economic growth across specific percentile groups of income; to the Committee on Commerce, Science, and Transportation. Introduced September 17, 2018.
By Mr. HATCH, R-UT (for himself and Mr. Lankford, R-OK):
S. 3443. A bill to amend the Consumer Financial Protection Act of 2010 to provide procedures for guidance issued by the Bureau of Consumer Financial Protection, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs. Introduced September 17, 2018.

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 including reports on the Dodd-Frank Act Stress Test. See also periodic required reports to Congress by the Board (Intranet site).


GOVERNMENT ACCOUNTABILITY OFFICE: The GAO released a report entitled Federal Acquisitions: Congress and the Executive Branch Have Taken Steps to Address Key Issues, but Challenges Endure. GAO-18-627. September 12, 2018, 63 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.

SELECTED FEDERAL REGULATORY ACTIONS:

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, OFFICE OF THE COMPTROLLER OF THE CURRENCY, FEDERAL DEPOSIT INSURANCE CORPORATION, NATIONAL CREDIT UNION ADMINISTRATION, BUREAU OF CONSUMER FINANCIAL PROTECTION: On September 11, 2018, the above agencies issued a joint statement explaining the role of supervisory guidance for regulated institutions. The statement from the agencies confirms that supervisory guidance does not have the force and effect of law, and the agencies do not take enforcement actions based on supervisory guidance. The joint statement explains that supervisory guidance can outline the agencies' supervisory expectations or priorities and articulate the agencies' general views regarding appropriate
practices for a given subject area. See Interagency Statement Clarifying the Role of Supervisory Guidance (SR 18-5 / CA 18-7, 2 pages).


OFFICE OF THE COMPTROLLER OF THE CURRENCY, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, FEDERAL DEPOSIT INSURANCE CORPORATION: On September 18, 2018, the above agencies invited public comment on a proposal to modify the agencies' capital rules for high volatility commercial real estate exposures, as required by the Economic Growth, Regulatory Relief, and Consumer Protection Act. The proposal also asks for comment on certain terms contained in the revised definition of high volatility commercial real estate. The changes, when finalized, would apply to all banking organizations subject to the agencies' capital rules. Comments will be accepted for 60 days after publication in the Federal Register. See attached proposed rule.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: On September 12, 2018, the Board approved final amendments to the liability provisions of Regulation CC, which governs availability of funds and collection of checks. These amendments continue the Board's efforts to update Regulation CC to reflect the evolution of the nation's check collection system from one that is largely paper-based to one that is virtually all electronic. See press release and its attached final rule to be published in the Federal Register.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM: The Board has published a final rule that amends Subpart C of Regulation CC to address situations where there is a dispute as to whether a check has been altered or was issued with an unauthorized signature, and the original paper check is not available for inspection. The rule adopts a presumption of alteration for disputes between banks over whether a substitute check or electronic check contains an alteration or is derived from an original check that was issued with an unauthorized signature of the drawer. Effective January 1, 2019. See v. 83 Fed. Register, pages 46849-46853, September 17, 2018 (FR Doc No: 2018-20029).

OFFICE OF THE COMPTROLLER OF THE CURRENCY, BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, FEDERAL DEPOSIT INSURANCE CORPORATION, COMMODITY FUTURES TRADING COMMISSION, COMMODITY FUTURES TRADING COMMISSION: The above agencies on July 17, 2018, published in the Federal Register (83 FR 33432) a notice of proposed rulemaking (proposal) that would amend the regulations implementing section 13 of the Bank Holding Company Act. Section 13 contains certain restrictions on the ability of a banking entity and nonbank financial company supervised by the Board to engage in proprietary trading and have certain interests in, or relationships with, a hedge fund or private equity fund. The proposed amendments are intended to provide banking entities with clarity about what activities are prohibited and to improve supervision and
Office of the Comptroller of the Currency: The OCC is inviting comment on a proposed rule to implement a new section of the Home Owners' Loan Act (HOLA). The Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA) amended HOLA to add a new section that allows a Federal savings association with total consolidated assets of $20 billion or less, as of December 31, 2017, to elect to operate as a covered savings association. A covered savings association has the same rights and privileges as a national bank and is subject to the same duties and restrictions as a national bank. A covered savings association retains its Federal savings association charter and existing governance framework. The new section of HOLA requires the OCC to issue rules that, among other things, establish streamlined standards and procedures for elections to operate as covered savings associations and clarify requirements for the treatment of covered savings associations. Comments must be received on or before November 19, 2018. See v. 83 Fed. Register, pages 47101-47113, September 18, 2018 (FR Doc No: 2018-19955).

Office of the Comptroller of the Currency - Department of the Treasury: The OCC is proposing to amend its enforceable guidelines relating to recovery planning standards for insured national banks, insured federal savings associations, and insured federal branches (Guidelines) to increase the average total consolidated assets threshold for applying the Guidelines from $50 billion to $250 billion. In addition, the proposed change to the Guidelines would decrease from 18 months to 12 months the time within which a bank should comply with the Guidelines after the bank becomes subject to them. Finally, the proposal would make technical amendments to remove outdated compliance dates. Comments must be received by November 5, 2018. See v. Fed. Register, pages 47313-47315, September 19, 2018 (FR Doc No: 2018-20166).

Bureau of Consumer Financial Protection: The Bureau has issued an interim final rule to update the Bureau's model forms for the Summary of Consumer Identity Theft Rights and the Summary of Consumer Rights to incorporate a notice of rights required by a new provision of the Fair Credit Reporting Act, added by the Economic Growth, Regulatory Relief, and Consumer Protection Act. This interim final rule is effective on September 21, 2018. Comments must be received on or before November 19, 2018. See v. 83 Fed. Register, September 18, 2018 (FR Doc No: 2018-20184).

Bureau of Consumer Financial Protection: The Bureau invites the public to take this opportunity to comment on its proposal to create a Disclosure Sandbox through its revised Policy to Encourage Trial Disclosure Programs (Policy or TDP Policy), which is intended to carry out the Bureau's authority under Section 1032(e) of the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010 (Dodd-Frank Act). Written comments are encouraged and must be received on or before October 10, 2018. See v. 883 Fed. Register, pages 45574-45578, September 10, 2018 (FR Doc No: 2018-19385).
BUREAU OF CONSUMER FINANCIAL PROTECTION: The Bureau has amended the procedures used by the public to obtain information from the Bureau of Consumer Financial Protection (Bureau) under the Freedom of Information Act, the Privacy Act of 1974, and in legal proceedings. This final rule is effective October 12, 2018. See v. 83 Fed. Register, pages 46075-46098, September 12, 2018 (Fr Doc No: 2018-19384).

FEDERAL HOUSING FINANCE AGENCY: The FHFA is providing notice and inviting comment on a proposed rule to improve the liquidity of the Federal National Mortgage Association (Fannie Mae) and the Federal Home Loan Mortgage Corporation (Freddie Mac) (the Enterprises) To-Be-Announced (TBA) eligible mortgage-backed securities (MBS) by requiring the Enterprises to maintain policies that promote aligned investor cash flows both on current TBA-eligible MBS, and, upon its implementation, on the Uniform Mortgage-Backed Security (UMBS)--a common, fungible MBS that will be eligible for trading in the TBA market for fixed-rate mortgage loans backed by 1-4 unit (single-family) properties. Written comments must be received on or before November 16, 2018. See v. 83 Fed. Register, pages 46889-46895, September 17, 2018 (FR Doc No: 2018-20124).

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.

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