

AMENDMENT TO H.R. 5823

OFFERED BY MS. BEAN OF ILLINOIS

and Mr. Kanjorski of Pennsylvania

Page 3, beginning on line 20, strike “the Comptroller of the Currency” and insert “an eligible issuer’s primary Federal financial regulator”.

Page 6, line 13, strike “regulator” and insert “regulators jointly”.

Page 6, beginning on line 13, strike “and in consultation with the applicable primary financial regulatory agencies”.

Page 6, line 24, strike “regulator” and insert “regulators jointly”.

Page 7, beginning on line 1, strike “and in consultation with the applicable primary financial regulatory agencies”.

Page 8, strike lines 1 through 5 and insert the following:

1 (12) PRIMARY FEDERAL FINANCIAL REGU-
2 LATOR.—

3 (A) IN GENERAL.—The term “primary
4 Federal financial regulator” means—

1 (i) the appropriate Federal banking
2 agency, as defined in section 3(q) of the
3 Federal Deposit Insurance Act; and

4 (ii) with respect to any eligible issuer
5 that is not subject to the jurisdiction of an
6 appropriate Federal banking agency, the
7 Securities and Exchange Commission.

8 (B) SEC CONSULTATIONS.—When acting
9 in the role of the covered bond regulator, the
10 Securities and Exchange Commission shall con-
11 sult with the appropriate State regulator or reg-
12 ulators for that eligible issuer.

Page 9, line 6, strike “regulator” and insert “regu-
lators jointly”.

Page 9, beginning on line 7, strike “and in consulta-
tion with the applicable primary financial regulatory
agencies”.

Page 9, line 16, strike “180 days” and insert “one
year”.

Page 9, line 18, strike “regulator shall” and insert
“regulators shall jointly”.

Page 9, beginning on line 18, strike “and in con-
sultation with the applicable primary financial regulatory
agencies”.

Page 10, after line 8, insert the following new subparagraph:

1 (D) In the event that the covered bond
2 regulators fail to issue joint regulations within
3 one year after the date of the enactment of this
4 Act, the Secretary of the Treasury shall issue
5 rules required in this subsection within the 180-
6 day period beginning on the date that is one
7 year after the date of the enactment of this Act.

Page 10, strike line 24 and all that follows through
page 11, line 6, and insert the following:

8 (C) CONSULTATION WITH THE CORPORA-
9 TION.—Before approving any covered bond pro-
10 gram of any eligible issuer who is an insured
11 depository institution, the covered bond regu-
12 lator shall consult with the Corporation and
13 shall confirm to the Corporation that the cov-
14 ered bond program is not reasonably expected
15 to materially increase the risk of losses or ac-
16 tual losses to the Deposit Insurance Fund or
17 the receivership of any insured depository insti-
18 tution.

Page 12, beginning on line 4, strike “regulator” and
insert “regulators”.

Page 12, line 18, strike “regulator” and insert “regulators”.

Page 13, strike lines 19 through 20 (and redesignate subsequent subparagraphs accordingly).

Page 14, beginning on line 15, strike “the primary financial regulatory agency of the issuer, if any,”.

Page 16, after line 18, insert the following new subsection:

1 (e) RULEMAKING CONDITIONS.—Before issuing any
2 rules, regulations, policy statements, or interpretative
3 guidelines, or amendments thereto, in the implementation
4 or operation of the covered bond regulatory oversight pro-
5 gram created pursuant to this section, the covered bond
6 regulator shall consult with the Corporation for issuers
7 who are insured depository institutions and shall confirm
8 to the Corporation that such rules, regulations, policy
9 statements, or interpretative guidelines, or amendments
10 thereto, is not reasonably expected to materially increase
11 risk of losses or actual losses to the Deposit Insurance
12 Fund or the receivership of any insured depository institu-
13 tion.

