

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 1210) TO AMEND THE TRUTH IN LENDING ACT TO PROVIDE A SAFE HARBOR FROM CERTAIN REQUIREMENTS RELATED TO QUALIFIED MORTGAGES FOR RESIDENTIAL MORTGAGE LOANS HELD ON AN ORIGINATING DEPOSITORY INSTITUTION'S PORTFOLIO, AND FOR OTHER PURPOSES; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 3189) TO AMEND THE FEDERAL RESERVE ACT TO ESTABLISH REQUIREMENTS FOR POLICY RULES AND BLACKOUT PERIODS OF THE FEDERAL OPEN MARKET COMMITTEE, TO ESTABLISH REQUIREMENTS FOR CERTAIN ACTIVITIES OF THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM, AND TO AMEND TITLE 31, UNITED STATES CODE, TO REFORM THE MANNER IN WHICH THE BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM IS AUDITED, AND FOR OTHER PURPOSES; AND PROVIDING FOR PROCEEDINGS DURING THE PERIOD FROM NOVEMBER 20, 2015, THROUGH NOVEMBER 27, 2015

NOVEMBER 17, 2015.—Referred to the House Calendar and ordered to be printed

Mr. STIVERS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 529]

The Committee on Rules, having had under consideration House Resolution 529, by a record vote of 7 to 1, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 1210, the Portfolio Lending and Mortgage Access Act, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114-34 shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only the amendment printed in part A of this report, if offered by Representative Norcross of New Jersey, or his designee, which shall be considered as read, shall be debatable for 10 minutes equally divided and con-

trolled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendment printed in part A of this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 3189, the Fed Oversight Reform and Modernization Act of 2015, under a structured rule. The resolution provides one hour of general debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 114–35, modified by the amendment printed in part B of this report, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against in the bill, as amended. The resolution makes in order only those further amendments printed in part C of this report. Each such amendment may be offered only in the order printed in this report, may be offered only by a Member designated in this report, shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The resolution waives all points of order against the amendments printed in part C of this report. The resolution provides one motion to recommit with or without instructions.

Section 3 of the resolution provides that on any legislative day during the period from November 20, 2015, through November 27, 2015: the Journal of the proceedings of the previous day shall be considered as approved; and the Chair may at any time declare the House adjourned to meet at a date and time to be announced by the Chair in declaring the adjournment.

Section 4 of the resolution provides that the Speaker may appoint Members to perform the duties of the Chair for the duration of the period addressed by section 3.

EXPLANATION OF WAIVERS

The waiver of all points of order against consideration of H.R. 1210 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or repealing statutes to show, by typographical device, parts of statute affected.

Although the resolution waives all points of order against provisions in H.R. 1210, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment to H.R. 1210 printed in part A of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waiver of all points of order against consideration of H.R. 3189 includes a waiver of clause 3(e)(1) of rule XIII (“Ramseyer”), requiring a committee report accompanying a bill amending or re-

pealing statutes to show, by typographical device, parts of statute affected.

Although the resolution waives all points of order against provisions in H.R. 3189, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendments to H.R. 3189 printed in part C of this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

The waivers of clause 3(e)(1) of rule XIII are provided because the submissions provided by the Committee on Financial Services were insufficient to meet the standards established by the rule in its current form. The Committee on Rules continues to work with the House Office of Legislative Counsel and committees to determine the steps necessary to comply with the updated rule.

COMMITTEE VOTES

The results of each record vote on an amendment or motion to report, together with the names of those voting for and against, are printed below:

Rules Committee record vote No. 122

Motion by Mr. Woodall to report the rule. Adopted: 7–1

Majority Members	Vote	Minority Members	Vote
Ms. Foxx	Ms. Slaughter	Nay
Mr. Cole	Mr. McGovern
Mr. Woodall	Yea	Mr. Hastings of Florida
Mr. Burgess	Yea	Mr. Polis
Mr. Stivers	Yea		
Mr. Collins	Yea		
Mr. Byrne	Yea		
Mr. Newhouse	Yea		
Mr. Sessions, Chairman	Yea		

SUMMARY OF THE AMENDMENT TO H.R. 1210 IN PART A MADE IN ORDER

Norcross (NJ): Clarifies that systemically important financial institutions (SIFI) are excluded from the safe harbor provisions under the bill. (10 minutes)

SUMMARY OF THE AMENDMENT TO H.R. 3189 IN PART B CONSIDERED AS ADOPTED

Hensarling (TX): Executes a liquidation of the Federal Reserve surplus account and remittance of funds to the U.S. Treasury. Dissolves the existence of the surplus account on a go-forward basis. Ensures future net earnings of the Federal Reserve, in excess of dividend paid, are remitted to the U.S. Treasury. Strikes a superfluous date from the text of H.R. 2912 as printed in Rules Committee Print 114–35 and strikes a “such sums” authorization of appropriations.

SUMMARY OF THE AMENDMENTS TO H.R. 3189 IN PART C MADE IN ORDER

1. Heck, Denny (WA): Suspends the requirement for rules-based decisionmaking when unemployment or inflation significantly diverges from targets. (10 minutes)
2. Heck, Denny (WA): Requires FOMC to use fully revised data rather than the initial readings that are first available. (10 minutes)
3. Grayson (FL): Provides for an annual audit of the Federal Reserve. (10 minutes)
4. King, Steve (IA): Requires study of the effects of the GDP output section of the “dual mandate” on the US economy, Fed Actions, and federal debt. (10 minutes)
5. Grayson (FL): Establishes three new Federal Reserve districts: one for Northern California (located in San Francisco); one for Southern California (located in Los Angeles); and one for Florida (located in Orlando). (10 minutes)
6. King, Steve (IA): Requires the FOMC to make public the full transcriptions of their meetings. (10 minutes)

PART A—TEXT OF AMENDMENT TO H.R. 1210 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE NORCROSS OF NEW JERSEY OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 3, line 17, insert “, and does not include an entity that has been designated as systemically important by the Financial Stability Oversight Council or is a wholly owned subsidiary of such an entity” before the period at the end.

Page 3, after line 21, insert the following:

(D) MORTGAGE ORIGINATOR.—The term “mortgage originator” does not include an entity that has been designated as systemically important by the Financial Stability Oversight Council or is a wholly owned subsidiary of such an entity.

PART B—TEXT OF AMENDMENT TO H.R. 3189 CONSIDERED AS ADOPTED

Add at the end of the bill the following new section:

SEC. 17. ELIMINATION OF SURPLUS FUNDS OF FEDERAL RESERVE BANKS.

(a) IN GENERAL.—Section 7 of the Federal Reserve Act (12 U.S.C. 289 et seq.) is amended—

(1) in subsection (a)—

(A) in the heading of such subsection, by striking “AND SURPLUS FUNDS”; and

(B) in paragraph (2), by striking “deposited in the surplus fund of the bank” and inserting “transferred to the Board of Governors of the Federal Reserve System for transfer to the Secretary of the Treasury for deposit in the general fund of the Treasury”; and

(C) by striking the first subsection (b) (relating to a transfer for fiscal year 2000).

(b) TRANSFER TO THE TREASURY.—The Federal reserve banks shall transfer all of the funds of the surplus funds of such banks to the Board of Governors of the Federal Reserve System for trans-

fer to the Secretary of the Treasury for deposit in the general fund of the Treasury.

Page 54, beginning on line 24, strike “not before January 5, 2015, and”.

Page 59, beginning on line 19, strike “are authorized to be appropriated such sums as may be necessary to carry out this section and such sums” and insert “is authorized to be appropriated to carry out this section \$1,000,000, which”.

PART C—TEXT OF AMENDMENTS TO H.R. 3189 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 5, line 8, strike “Not”.

Page 5, line 9, insert the following:

“(1) IN GENERAL.—Not”.

Page 5, after line 15, insert the following:

“(2) EXCEPTION.—The requirements of paragraph (1) shall not apply if the Federal Open Market Committee determines at the end of a meeting that the current conditions represent a significant divergence from the goals of maximum employment and stable prices described in section 2A.”.

2. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE HECK OF WASHINGTON OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 6, line 25, strike “and”.

Page 7, line 3, strike the period at the end and insert “; and”.

Page 7, after line 3, insert the following:

“(9) include a plan to use the most accurate data, subject to all historical revisions, for inputs into the Directive Policy Rule and the Reference Policy Rule.”.

3. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 44, line 25, insert “annually” after “shall”.

Page 45, line 7, strike “the audit” and insert “each audit”.

4. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KING OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 53, line 4, strike “and”.

Page 53, line 11, strike the period and insert “; and”.

Page 53, after line 11, insert the following:

(F) consider the effects of the GDP output and employment targets of the “dual mandate” (both from the creation of the dual mandate in 1977 until the present time and estimates of the future effect of the dual mandate) on—

- (i) United States economic activity;
- (ii) Federal Reserve actions; and
- (iii) Federal debt.

Page 53, line 18, add at the end the following: “In making such report, the Commission shall specifically report on the considerations required under paragraph (1)(F).”.

5. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE GRAYSON OF FLORIDA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end of the bill the following:

SEC. 17. AMENDMENT TO FEDERAL RESERVE DISTRICTS.

(a) IN GENERAL.—Section 2 of the Federal Reserve Act, (12 U.S.C. 222 et seq.) is amended—

(1) by striking “twelve” each place such term appears and inserting “fifteen”;

(2) by inserting after the fourth sentence the following: “One such Federal reserve districts shall be for Northern California (located in San Francisco), one such district shall be for Southern California (located in Los Angeles), and one such district shall be for Florida (located in Orlando). The border between the two California districts shall be drawn so that the districts are contiguous and compact, the population of the districts is approximately equal, and the districts do not divide any California county border as in existence on the date of enactment of this sentence.”

(b) CONFORMING AMENDMENTS.—Section 16 of such Act is amended by striking “twelve” and inserting “fifteen”.

6. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE KING OF IOWA OR HIS DESIGNEE, DEBATABLE FOR 10 MINUTES

Add at the end the following:

SEC. 17. PUBLIC TRANSCRIPTS OF FOMC MEETINGS.

Section 12A of the Federal Reserve Act (12 U.S.C. 263), as amended by this Act, is further amended by adding at the end the following:

“(e) PUBLIC TRANSCRIPTS OF MEETINGS.—The Committee shall—
 “(1) record all meetings of the Committee; and
 “(2) make the full transcript of such meetings available to the public.”