## AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE TO H.R. 2392 OFFERED BY MS. WATERS OF CALIFORNIA

In section 4, add at the end the following:

1	(f) Treatment Under the Bank Holding Com-
2	PANY ACT OF 1956 AND SIMILAR PROVISIONS.—
3	(1) Insured depository institutions.—
4	(A) In general.—An insured depository
5	institution with a subsidiary that is a payment
6	stablecoin issuer shall be considered a bank for
7	purposes of the Bank Holding Company Act of
8	1956.
9	(B) Exceptions.—Subparagraph (A)
10	shall not apply to an insured depository institu-
11	tion that is a savings association (as defined in
12	section 2 of the Home Owners' Loan Act (12
13	U.S.C. 1462), that is deemed by the appro-
14	priate Federal banking agency to be a savings
15	association for purposes of section 10(l) of the
16	Home Owners' Loan Act (12 U.S.C. 1467a(l)),
17	that is a Federal credit union, or that is a State
18	credit union

1	(2) Other entities.—The Board shall issue
2	regulations to apply the following to a payment
3	stablecoin issuer that is a State qualified payment
4	stablecoin issuer or a subsidiary of a nonbank entity
5	approved under section 5 to issue payment
6	stablecoins:
7	(A) A prohibition on a non-financial com-
8	mercial company controlling the payment
9	stablecoin issuer. For purposes of the previous
10	sentence, "control" of payment stablecoin issuer
11	is determined using the framework set out in
12	section 2(a) of the Bank Holding Company Act
13	of 1956 (12 U.S.C. 1841(a)).
14	(B) A requirement that, as determined by
15	the Board, the activities of all affiliates of the
16	payment stablecoin issuer be financial activities
17	or incidental to such financial activities, if the
18	Board determines such requirement is con-
19	sistent with purposes of this Act.
20	(C) Restrictions on transactions with affili-
21	ates similar to those applicable to a member
22	bank under sections 23A and 23B of the Fed-
23	eral Reserve Act. For purposes of this subpara-
24	graph, the Board may apply different restric-
25	tions on transactions with affiliates than those

1	that apply to a member bank based on the risk
2	profiles of payment stablecoin issuers.
3	(3) Rule of construction.—Nothing in
4	paragraph (2) may be construed as affecting section
5	4 of the Bank Holding Company Act of 1956 (12
6	U.S.C. 1843) or any rules or orders issued there-
7	under.



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