

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**  
**TO H.R. 1653**  
**OFFERED BY MR. BARR OF KENTUCKY**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

2       This Act may be cited as the “Civil Investigative De-  
3 mand Reform Act of 2026”.

**4 SEC. 2. CIVIL INVESTIGATIVE DEMANDS.**

5       (a) DEMAND PERIOD.—Section 1052(c)(1) of the  
6 Consumer Financial Protection Act of 2010 (12 U.S.C.  
7 5562(c)(1)) is amended by inserting after “before the in-  
8 stitution of any proceedings under the Federal consumer  
9 financial law” the following: “, but not later than 6 years  
10 after the date of such violation”.

11       (b) DEMAND REQUIREMENTS.—Section 1052(c)(2)  
12 of the Consumer Financial Protection Act of 2010 (12  
13 U.S.C. 5562(c)(2)) is amended by inserting after “con-  
14 duct” the following: “, with specific reference to particular  
15 facts,”.

16       (c) ATTORNEY REPRESENTATION.—Section  
17 1052(c)(13)(D) of the Consumer Financial Protection Act

1 of 2010 (12 U.S.C. 5562(c)(13)(D)) is amended by adding  
2 at the end the following:

3 “(v) QUESTION AND RESPONSE.—

4 “(I) ADVISING ATTORNEY.—An  
5 attorney advising a person described  
6 in clause (i) may submit to the Bu-  
7 reau questions related to the scope or  
8 breadth of the demand.

9 “(II) BUREAU RESPONSE.—The  
10 Bureau shall submit to the attorney  
11 advising a person described in clause  
12 (i) a response to any question sub-  
13 mitted under subclause (I) during the  
14 shorter of—

15 “(aa) a period that is 20  
16 days after the date that the ques-  
17 tions are submitted; or

18 “(bb) a period equal to the  
19 period beginning on the date of  
20 service of the civil investigative  
21 demand and ending on the return  
22 date specified in the demand.

23 “(III) EXTENSION OF RETURN  
24 DATE AND PETITION DEADLINE.—In  
25 a case in which questions are sub-

1                   mitted under subclause (I), the Bu-  
2                   reau may include with the response  
3                   required under subclause (II) an ex-  
4                   tension of the return date and the  
5                   deadline to file a petition with the Bu-  
6                   reau for an order modifying or setting  
7                   aside the demand.”.

8           (d) CONFIDENTIAL TREATMENT OF PETITIONS.—  
9   Section 1052(d)) of the Consumer Financial Protection  
10   Act of 2010 (12 U.S.C. 5562(d)) is amended—

11           (1) in the subsection heading, by inserting “and  
12           petitions” after “demand material”; and

13           (2) in paragraph (1), strike “and tangible  
14           things” and insert “, tangible things, and the con-  
15           tents of any petition submitted to the Bureau in ac-  
16           cordance with subsection (f)”.

17           (e) SPECIFIC GROUNDS TO SET ASIDE.—Section  
18   1052(f)(3) of the Consumer Financial Protection Act of  
19   2010 (12 U.S.C. 5562(f)(3)) is amended by striking  
20   “upon any failure” and all that follows through the period  
21   at the end and inserting the following: “upon any—

22                   “(A) failure of the demand to comply with  
23                   the provisions of this section;

24                   “(B) constitutional or other legal right or  
25                   privilege of such person; or

1 “(C) demonstration that the demand is—

2 “(i) unduly burdensome, dispropor-  
3 tionately expensive, and outside the scope  
4 of the inquiry; or

5 “(ii) unreasonably cumulative or du-  
6 plicative, or can be obtained from some  
7 other source that is more convenient, less  
8 burdensome, or less expensive.”.

9 (f) JUDICIAL REVIEW.—Section 1052(f) of the Con-  
10 sumer Financial Protection Act of 2010 (12 U.S.C.  
11 5562(f)) is amended by adding at the end the following:

12 “(4) JUDICIAL REVIEW OF PETITION TO MODIFY OR  
13 SET ASIDE A DEMAND.—In the case that the Bureau de-  
14 nies a petition to modify or set aside a demand, such de-  
15 nial shall be subject to judicial review.”.

