

**AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 10
OFFERED BY MR. HENSARLING OF TEXAS**

Page 48, beginning on line 15, strike “meetings of the Council, whether or not open to the public,” and insert “public meetings of the Council”.

Page 48, after line 19, insert the following (and re-designate the subsequent paragraph accordingly):

1 “(5) TRANSCRIPTION REQUIREMENT FOR NON-
2 PUBLIC MEETINGS.—The Council shall create and
3 preserve transcripts for all non-public meetings of
4 the Council.”.

Amend section 361 to read as follows:

5 **SEC. 361. BRINGING THE FEDERAL DEPOSIT INSURANCE**
6 **CORPORATION INTO THE APPROPRIATIONS**
7 **PROCESS.**

8 (a) IN GENERAL.—Section 10(a) of the Federal De-
9 posit Insurance Act (12 U.S.C. 1820(a)) is amended—
10 (1) by striking “(a) The” and inserting the fol-
11 lowing:

12 “(a) POWERS.—

13 “(1) IN GENERAL.—The”;

1 (2) by inserting “, subject to paragraph (2),”
2 after “The Board of Directors of the Corporation”;
3 and

4 (3) by adding at the end the following new
5 paragraph:

6 “(2) APPROPRIATIONS REQUIREMENT.—Except
7 as provided under paragraph (3), the Corporation
8 may, only to the extent as provided in advance by
9 appropriations Acts, cover the costs incurred in car-
10 rying out the provisions of this Act, including with
11 respect to the administrative costs of the Corpora-
12 tion and the costs of the examination and super-
13 vision of insured depository institutions.

14 “(3) EXCEPTION FOR CERTAIN PROGRAMS.—
15 Paragraph (2) shall not apply to the Corporation’s
16 Insurance Business Line Programs and Receivership
17 Management Business Line Programs, as in exist-
18 ence on the date of enactment of this paragraph,
19 and the proportion of the administrative costs of the
20 Corporation related to such programs.”.

21 (b) EXAMINATION FEES.—Section 10(e)(1) of the
22 Federal Deposit Insurance Act (12 U.S.C. 1820(e)(1)) is
23 amended by striking “to meet the expenses of the Cor-
24 poration in carrying out such examinations” and inserting
25 “and may be expended by the Board only to the extent

1 as provided in advance by appropriations Acts to cover the
2 costs incurred in carrying out such examinations”.

3 (c) OFFSET OF ADDITIONAL FEES.—The Federal
4 Deposit Insurance Corporation shall reduce the amount
5 of insurance premiums charged by the Corporation under
6 the Federal Deposit Insurance Act in an amount equal
7 to any additional fees charged by the Corporation by rea-
8 son of the amendments made by this section.

9 (d) EFFECTIVE DATE.—The amendments made by
10 this section shall apply with respect to expenses paid and
11 fees collected on or after October 1, 2017.

Amend section 363 to read as follows:

12 **SEC. 363. BRINGING THE EXAMINATION AND SUPERVISION**
13 **FUNCTIONS OF THE NATIONAL CREDIT**
14 **UNION ADMINISTRATION INTO THE APPRO-**
15 **PRIATIONS PROCESS.**

16 (a) OPERATING FEES.—Section 105(d) of the Fed-
17 eral Credit Union Act (12 U.S.C. 1755(d)) is amended—

18 (1) by striking “All” and inserting “(1) All”;

19 (2) by striking “for the account of the Adminis-
20 tration and may be expended by the Board to defray
21 the expenses incurred in carrying out the provisions
22 of this Act including the examination and super-
23 vision of Federal credit unions” and inserting “and
24 may be expended by the Board only to the extent as

1 provided in advance by appropriations Acts, to cover
2 the costs incurred in carrying out the provisions of
3 this Act with respect to the costs of the examination
4 and supervision of Federal credit unions and the
5 proportion of the administrative costs of the Board
6 related to the examination and supervision of Fed-
7 eral credit unions”; and

8 (3) by adding at the end the following:

9 “(2)(A) The Board may only use amounts in the
10 NCUA Operating Fund to the extent as provided in ad-
11 vance by appropriations Acts, including to pay for the
12 costs incurred by the Board in carrying out the examina-
13 tion and supervision of Federal credit unions and the pro-
14 portion of the administrative costs of the Board related
15 to the examination and supervision of Federal credit
16 unions.

17 “(B) Subparagraph (A) shall not apply to the
18 Board’s activities carried out pursuant to title II.”.

19 (b) STAFF FUNDING.—Section 120(j)(3) of the Fed-
20 eral Credit Union Act (12 U.S.C. 1766(j)(3)) is amend-
21 ed—

22 (1) by inserting “related to the examination
23 and supervision of Federal credit unions under this
24 Act and the proportion of the administrative costs of
25 the Board related to the examination and super-

1 vision of Federal credit unions under this Act” be-
2 fore “shall be paid”; and

3 (2) by striking “insured credit unions under
4 this Act” and inserting “Federal credit unions under
5 this title, only to the extent as provided in advance
6 by appropriations Acts”.

7 (c) USE OF DEPOSIT FUNDS.—Section
8 202(c)(1)(B)(iv) of the Federal Credit Union Act (12
9 U.S.C. 1782(c)(1)(B)(iv)) is amended—

10 (1) by striking “The” and inserting “To the ex-
11 tent provided for in advance by appropriations Acts,
12 the”; and

13 (2) by adding at the end the following new sen-
14 tence: “This clause shall not apply to the Board’s
15 activities carried out pursuant to this title.”.

16 (d) EFFECTIVE DATE.—The amendments made by
17 this section shall apply with respect to expenses paid and
18 fees collected on or after October 1, 2017.

Page 297, line 18, strike “Council” and insert “Sec-
retary of the Treasury”.

Page 326, line 6, strike “A” and insert “P”.

Page 327, line 9, strike “B” and insert “Q”.

Page 329, line 3, strike “C” and insert “R”.

Page 330, line 5, strike “D” and insert “S”.

Page 370, beginning on line 24, strike “DEADLINE FOR APPOINTMENT.—Not later than 60 days after the date of the enactment of this Act, the” and insert “APPOINTMENT.—The”.

Page 527, line 2, strike “Independent Member” and insert “President”.

