AMENDMENT TO THE AMENDMENT IN THE
NATURE OF A SUBSTITUTE TO H.R. 10
OFFERED BY MR. HENSA RLING 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 redesignate the subsequent paragraph accordingly):

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

Amend section 361 to read as follows:

SEC. 361. BRINGING THE FEDERAL DEPOSIT INSURANCE CORPORATION INTO THE APPROPRIATIONS PROCESS.

(a) IN GENERAL.—Section 10(a) of the Federal Deposit Insurance Act (12 U.S.C. 1820(a)) is amended—

(1) by striking “(a) The” and inserting the following:

“(a) POWERS.—

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

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

“(2) Appropriations requirement.—Except as provided under paragraph (3), the Corporation may, only to the extent as provided in advance by appropriations Acts, cover the costs incurred in carrying out the provisions of this Act, including with respect to the administrative costs of the Corporation and the costs of the examination and supervision of insured depository institutions.

“(3) Exception for certain programs.—Paragraph (2) shall not apply to the Corporation’s Insurance Business Line Programs and Receivership Management Business Line Programs, as in existence on the date of enactment of this paragraph, and the proportion of the administrative costs of the Corporation related to such programs.”.

(b) Examination Fees.—Section 10(e)(1) of the Federal Deposit Insurance Act (12 U.S.C. 1820(e)(1)) is amended by striking “to meet the expenses of the Corporation in carrying out such examinations” and inserting “and may be expended by the Board only to the extent
as provided in advance by appropriations Acts to cover the

costs incurred in carrying out such examinations’’.

(c) Offset of Additional Fees.—The Federal
Deposit Insurance Corporation shall reduce the amount
of insurance premiums charged by the Corporation under
the Federal Deposit Insurance Act in an amount equal
to any additional fees charged by the Corporation by rea-
son of the amendments made by this section.

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

Amend section 363 to read as follows:

SEC. 363. BRINGING THE EXAMINATION AND SUPERVISION
FUNCTIONS OF THE NATIONAL CREDIT
UNION ADMINISTRATION INTO THE APPROP-
PRIATIONS PROCESS.

(a) Operating Fees.—Section 105(d) of the Fed-
eral Credit Union Act (12 U.S.C. 1755(d)) is amended—
(1) by striking “All” and inserting “(1) All”;
(2) by striking “for the account of the Adminis-
tration and may be expended by the Board to defray
the expenses incurred in carrying out the provisions
of this Act including the examination and supervi-
sion of Federal credit unions” and inserting “and
may be expended by the Board only to the extent as
provided in advance by appropriations Acts, to cover the costs incurred in carrying out the provisions of this Act with respect to the costs of the examination and supervision of Federal credit unions and the proportion of the administrative costs of the Board related to the examination and supervision of Federal credit unions’; and

(3) by adding at the end the following:

“(2)(A) The Board may only use amounts in the NCUA Operating Fund to the extent as provided in advance by appropriations Acts, including to pay for the costs incurred by the Board in carrying out the examination and supervision of Federal credit unions and the proportion of the administrative costs of the Board related to the examination and supervision of Federal credit unions.

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

(b) STAFF FUNDING.—Section 120(j)(3) of the Federal Credit Union Act (12 U.S.C. 1766(j)(3)) is amended—

(1) by inserting “related to the examination and supervision of Federal credit unions under this Act and the proportion of the administrative costs of the Board related to the examination and super-
vision of Federal credit unions under this Act” be-

before “shall be paid”; and

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

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

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

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

(d) EFFECTIVE DATE.—The amendments made by
this section shall apply with respect to expenses paid and
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”.