

On page 128, insert after line 2 the following:

“Sec. 172. COUNCIL APPROVAL OF CAPITAL REQUIREMENTS.

- (a) Report. Upon the adoption by any Federal banking agency of any final rule related to capital requirements for insured depository institutions, depository institution holding companies, or nonbank financial companies supervised by the Board of Governors of the Federal Reserve, the relevant Federal banking agency shall prepare the report described in section (b) and submit such report to the Financial Stability Oversight Council, the Senate Committee on Banking, Housing, and Urban Affairs, and the House Committee on Financial Services.

- (b) Contents of Report. In connection with the promulgation of any final rule related to capital requirements for insured depository institutions, depository institution holding companies, or nonbank financial companies supervised by the Board of Governors of the Federal Reserve, the relevant Federal banking agency shall prepare a report on the impact of such rule on the financial stability of the U.S. financial system and the safety and soundness of financial institutions. Such report shall include –
 - (1) A description of the rule and an explanation of the reasons for such rule.

 - (2) A quantitative impact analysis of how the rule would alter the total amount of capital held by insured depository institutions, depository institution holding companies, or nonbank financial companies supervised by the Board of Governors of the Federal Reserve, and the amount of capital held for particular asset classes.

 - (3) A dynamic forecast, with confidence intervals, of how the rule would alter the total amount of capital held by such institutions and companies and the amount of capital held for particular asset classes over the succeeding 5- and 10-year periods.

 - (4) A quantitative analysis of the impact such rule would have on credit availability, financial stability, reducing regulatory arbitrage, and the profitability of the affected institutions and companies.

 - (5) A description of any disparate impact such rule would have on small institutions and community banks, and on the international competitiveness of U.S. domiciled institutions.

 - (6) A separate section in which any Federal banking agency may provide separate comments detailing additional reasons for the adoption of such rule or, alternatively, any particular concerns with such rule.

- (c) Council Approval. No rule on capital requirements promulgated by any Federal banking agency shall take effect unless the Council approves, with the Treasury Secretary voting in the majority, such rule and certifies that such rule enhances the financial stability of the U.S. financial system and does not present undue risks to the safety and soundness of financial institutions.

- (d) Definition. For purposes of this section, the term “relevant Federal banking agency” means the Board of Governors of the Federal Reserve, the Office of the Comptroller of the Currency, or the Federal Deposit Insurance Corporation, as applicable.