

119TH CONGRESS  
1ST SESSION

# H. R. 6555

To require the Comptroller of the Currency and the Federal Deposit Insurance Corporation to carry out a study on shelf charters and modified bidder qualification processes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2025

Mr. HUIZENGA introduced the following bill; which was referred to the  
Committee on Financial Services

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## A BILL

To require the Comptroller of the Currency and the Federal Deposit Insurance Corporation to carry out a study on shelf charters and modified bidder qualification processes, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Enhancing Bank Reso-  
5       lution Participation Act”.

1 **SEC. 2. STUDY ON SHELF CHARTERS AND MODIFIED BID-**  
2 **DER QUALIFICATION PROCESSES.**

3 (a) STUDY.—The Comptroller of the Currency and  
4 the Federal Deposit Insurance Corporation shall, jointly,  
5 carry out a study of—

6 (1) the use by the Comptroller of the Currency  
7 of shelf charters, including all conditional or prelimi-  
8 nary shelf charter approvals granted between Janu-  
9 ary 1, 2008, and the date of enactment of this Act;

10 (2) the use by the Federal Deposit Insurance  
11 Corporation of the modified bidder qualification  
12 process;

13 (3) whether shelf charters and modified bidder  
14 qualification processes were considered or used in  
15 connection with the receivership of any insured de-  
16 pository institution for which the Federal Deposit  
17 Insurance Corporation was appointed receiver in  
18 2023; and

19 (4) with respect to such receiverships, the ex-  
20 tent to which greater use of shelf charters and modi-  
21 fied bidder qualification processes could have—

22 (A) expanded the pool of participants in  
23 the acquisition of the assets or liabilities of such  
24 failed insured depository institutions;

25 (B) resulted in greater competition and di-  
26 versity in market outcomes;

1 (C) protected the Deposit Insurance Fund;

2 or

3 (D) strengthened financial stability and re-  
4 duced the need for any emergency determina-  
5 tion by the Secretary of the Treasury under  
6 section 13(c)(4)(G) of the Federal Deposit In-  
7 surance Act (12 U.S.C. 1823(c)(4)(G)) with re-  
8 spect to any such receivership.

9 (b) REPORT.—Not later than 270 days after the date  
10 of enactment of this Act, the Comptroller of the Currency,  
11 and the Federal Deposit Insurance Corporation shall,  
12 jointly, submit a report to the Committee on Financial  
13 Services of the House of Representatives and the Com-  
14 mittee on Banking, Housing, and Urban Affairs of the  
15 Senate containing—

16 (1) all findings and determinations made in car-  
17 rying out the study required under subsection (a);  
18 and

19 (2) an identification of statutory or regulatory  
20 barriers to the use and effectiveness of shelf charters  
21 and modified bidder qualification processes in the  
22 resolution of failed banks, including recommenda-  
23 tions for legislative and regulatory changes.

24 (c) CONSULTATION.—The Comptroller of the Cur-  
25 rency and the Federal Deposit Insurance Corporation

1 shall consult with the Board of Governors of the Federal  
2 Reserve System in carrying out the study under subsection  
3 (a) and in preparing the report under subsection (b), in-  
4 cluding with respect to the application of the Bank Hold-  
5 ing Company Act of 1956 to shelf charter proposals and  
6 to the participation of investors not organized as an in-  
7 sured depository institution in the modified bidder quali-  
8 fication process.

9 (d) DEFINITIONS.—In this section:

10 (1) INSURED DEPOSITORY INSTITUTION.—The  
11 term “insured depository institution” has the mean-  
12 ing given the term in section 3 of the Federal De-  
13 posit Insurance Act (12 U.S.C. 1813).

14 (2) MODIFIED BIDDER QUALIFICATION PROC-  
15 ESS.—The term “modified bidder qualification proc-  
16 ess” has the meaning given such term in the press  
17 release of the Federal Deposit Insurance Corpora-  
18 tion titled “FDIC Expands Bidder List for Troubled  
19 Institutions Plan Allows Those Without a Bank  
20 Charter to Participate in the Process” published No-  
21 vember 26, 2008.

22 (3) SHELF CHARTER.—The term “shelf char-  
23 ter” has the meaning given such term in the report  
24 issued by the Comptroller of the Currency titled  
25 “Activities Permissible for National Banks and Fed-

- 1 eral Savings Associations, Cumulative” published
- 2 October 2017.

