

PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 4566) TO AMEND THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT TO PROVIDE RELIEF TO NONBANKS FROM CERTAIN STRESS TEST REQUIREMENTS UNDER SUCH ACT; PROVIDING FOR CONSIDERATION OF THE BILL (H.R. 5247) TO AUTHORIZE THE USE OF ELIGIBLE INVESTIGATIONAL DRUGS BY ELIGIBLE PATIENTS WHO HAVE BEEN DIAGNOSED WITH A STAGE OF A DISEASE OR CONDITION IN WHICH THERE IS REASONABLE LIKELIHOOD THAT DEATH WILL OCCUR WITHIN A MATTER OF MONTHS, OR WITH ANOTHER ELIGIBLE ILLNESS, AND FOR OTHER PURPOSES; AND FOR OTHER PURPOSES

MARCH 19, 2018.—Referred to the House Calendar and ordered to be printed

Mr. BURGESS, from the Committee on Rules,
submitted the following

R E P O R T

[To accompany H. Res. 787]

The Committee on Rules, having had under consideration House Resolution 787, by a nonrecord vote, report the same to the House with the recommendation that the resolution be adopted.

SUMMARY OF PROVISIONS OF THE RESOLUTION

The resolution provides for consideration of H.R. 4566, the Alleviating Stress Test Burdens to Help Investors Act, under a structured rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services. The resolution waives all points of order against consideration of the bill. The resolution provides that an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-65, shall be considered as adopted and the bill, as amended, shall be considered as read. The resolution waives all points of order against provisions in the bill, as amended. The resolution makes in order only the further amendment printed in this report, if offered by the Member designated in this report, which shall be considered as read, shall be debatable for the time specified in this report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The resolution waives all points of order against the amendment printed in this report. The resolution provides one motion to recommit with or without instructions.

Section 2 of the resolution provides for consideration of H.R. 5247, the Trickett Wendler, Frank Mongiello, Jordan McLinn, and Matthew Bellina Right to Try Act of 2018, under a closed rule. The resolution provides one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. The resolution waives all points of order against consideration of the bill. The resolution provides that the bill shall be considered as read. The resolution waives all points of order against provisions in the bill. The resolution provides for one motion to recommit.

Section 3 of the resolution waives clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against any resolution reported from the Rules Committee through the legislative day of March 23, 2018.

Section 4 of the resolution provides that it shall be in order at any time on the legislative day of March 22, 2018, or March 23, 2018, for the Speaker to entertain motions that the House suspend the rules and that the Speaker or his designee shall consult with the Minority Leader or her designee on the designation of any matter for consideration pursuant to this section.

Section 5 of resolution extends the Holman Rule standing order through the end of the 115th Congress. This section amends section 3(a) of H. Res. 5 (115th Congress) by striking “the first session of”.

EXPLANATION OF WAIVERS

Although the resolution waives all points of order against consideration of H.R. 4566, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against provisions in H.R. 4566, as amended, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the amendment to H.R. 4566 printed in this report, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against consideration of H.R. 5247, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

Although the resolution waives all points of order against the provisions in H.R. 5247, the Committee is not aware of any points of order. The waiver is prophylactic in nature.

SUMMARY OF THE AMENDMENT TO H.R. 4566 MADE IN ORDER

1. Waters (CA): Restores the Federal Reserve Board’s discretionary authority to stress test any non-designated non-bank, provided that certain conditions are met. It would also allow the Fed to use alternatives to capital, as appropriate, when stress-testing SIFI-designated non-banks, and eliminates the bill’s \$10 billion threshold for the SEC’s and CFTC’s authority to issue stress testing rules for entities under their purview. (10 minutes)

TEXT OF AMENDMENT TO H.R. 4566 MADE IN ORDER

1. AN AMENDMENT TO BE OFFERED BY REPRESENTATIVE WATERS OF CALIFORNIA OR HER DESIGNEE, DEBATABLE FOR 10 MINUTES

Page 1, strike lines 8 and 9 and insert the following:

(1) in paragraph (1)(B)—

(A) by redesignating clauses (ii) through (v) as clauses (iii) through (vi), respectively;

(B) by inserting after clause (i) the following:

“(ii) may conduct the evaluation required by this subsection utilizing alternatives to the capital adequacy test described in subparagraph (A), as the Board may determine appropriate;”;

(C) in clause (iii), as so redesignated, by inserting before the semicolon the following: “, provided that such tests of any nonbank financial company—

“(I) are requested by a majority vote of the Council;

“(II) are conducted in accordance with the company’s business model, including by utilizing alternatives to the capital adequacy test described in subparagraph (A), as the Board may determine appropriate; and

“(III) are not already required by the company’s Federal primary financial regulatory agency”;

Page 2, beginning on line 10, strike “and that have total consolidated assets of more than \$10,000,000,000”.