

“(2) RULE OF CONSTRUCTION ON BOARD’S AUTHORITY.—This subsection shall not be construed to prohibit, modify, limit, or otherwise supersede any other provision of Federal law that provides the Board of Governors authority to issue regulations and orders relating to capital requirements for depository institution holding companies or nonbank financial companies supervised by the Board of Governors.

“(3) RULE OF CONSTRUCTION ON ACCOUNTING PRINCIPLES.—Notwithstanding any other provision of law, a depository institution holding company or nonbank financial company supervised by the Board of Governors of the Federal Reserve that is also a person regulated by a State insurance regulator or a regulated foreign subsidiary or a regulated foreign affiliate of such person that files its holding company financial statements utilizing only Statutory Accounting Principles in accordance with State law, shall not be required to prepare such financial statements in accordance with Generally Accepted Accounting Principles.”.

U.S. SENATE,

Washington, DC, November 26, 2012.

Hon. BEN S. BENANKE,
Chairman, Board of Governors of the Federal Reserve System, Washington, DC.

Hon. MARTIN J. GRUENBERG,
Acting Chairman, Federal Deposit Insurance Corporation, Washington, DC.

Hon. THOMAS J. CURRY,
Comptroller, Department of the Treasury, Office of the Comptroller, Washington, DC.

Re Regulatory Capital Rules: Regulatory Capital, Implementation of Basel III, Minimum Regulatory Capital Ratios, Capital Adequacy, Transition Provisions, and Prompt Corrective Action (RIN 3064-AD95); Regulatory Capital Rules: Standardized Approach for Risk-weighted Assets; Market Discipline and Disclosure Requirements (RIN 3064-AD96); Regulatory Capital Rules: Advanced-Approaches Risk-Based Capital Rule; Market Risk Capital Rule (RN 3064-AD87).

DEAR CHAIRMAN BERNANKE, ACTING CHAIRMAN GRUENBERG, AND COMPTROLLER CURRY: I am writing to comment on the proposed rules implementing the Basel III regulatory capital framework.

As the author of Section 171 (the “Collins Amendment”) of the Dodd-Frank Act, I believe strongly that capital requirements must ensure that firms have an adequate capital cushion in difficult economic times, and provide a disincentive to their becoming ‘too big to fail.’ To achieve this, Section 171 requires that large bank holding companies be subject, at a minimum, to the same capital requirements that small community banks have traditionally faced.

During consideration of the Dodd-Frank Act, I supported modifications to the final language to Section 171 to ensure a smooth transition to increased capital standards. Among these modifications were provisions to delay, for five years, the application of new capital requirements for savings and loan holding companies (“SLHCs”), and for certain foreign-owned bank holding companies. See subsections (b)(4)(D) and (E) of Section 171. These modifications were intended to allow these entities the time they need to adjust their balance sheets and capital levels in order to come into compliance with the new capital standards. The proposed rules implement the five year delay provided to foreign-owned bank holding companies by Section 171 (b)(4)(E), but neglect to implement the nearly identical delay for SLHCs provided by Section 171 (b)(4)(E). I do not understand why the proposed rules fail to implement this provision, as required by Con-

gressional intent and the clear language of the statute.

I am hopeful, too, that in crafting final rules, you will give further consideration to the distinctions between banking and insurance, and the implications of those distinctions for capital adequacy. It is, of course, essential that insurers with depository institution holding companies in their corporate structure be adequately capitalized on a consolidated basis. Even so, it was not Congress’s intent that federal regulators supplant prudential state-based insurance regulation with a bank-centric capital regime. Instead, consideration should be given to the distinctions between banks and insurance companies, a point which Chairman Bernanke rightly acknowledged in testimony before the House Banking Committee this summer. For example, banks and insurers typically have a different composition of assets and liabilities, since it is fundamental to insurance companies to match assets to liabilities, but this is not characteristic of most banks. I believe it is consistent with my amendment that these distinctions be recognized in the final rules.

I am hopeful you will keep these concerns in mind as you continue to implement the Dodd-Frank Act and the proposed rules referenced above implementing the Basel III regulatory capital framework.

Sincerely,

SUSAN M. COLLINS,
United States Senator.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 425—EXPRESSING SUPPORT FOR THE GOALS AND IDEALS OF “NATIONAL DONATE LIFE MONTH”

Mr. CASEY submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 425

Whereas in March 2014, over 118,800 individuals were on the official waiting list for organ donation managed by the Organ Procurement and Transplantation Network;

Whereas in 2013, 31,422 organs from 14,257 donors (including both living and deceased donors) were transplanted into 28,952 patients, yet 6,123 candidates for transplantation died while waiting for an organ transplant;

Whereas on average, 18 people die every day of every year while waiting for an organ donation;

Whereas over 100,000,000 people in the United States are registered to be organ and tissue donors, yet the demand for donated organs still outweighs the supply of organs made available each day;

Whereas many people do not know about their options for organ and tissue donation, or have not made their wishes clear to their families;

Whereas organ and tissue donation can give meaning to the tragic loss of a loved one by enabling up to 8 people to receive the gift of life from a single deceased donor;

Whereas living donors can donate a kidney or a portion of a lung or liver to save the life of another individual; and

Whereas April is traditionally recognized as ‘National Donate Life Month’: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of “National Donate Life Month”;

(2) supports promoting awareness of organ donation;

(3) encourages States, localities, and the territories and possessions of the United States to support the goals and ideals of National Donate Life Month by issuing proclamations designating April 2014 as National Donate Life Month;

(4) commends the generous gift of life provided by individuals who indicate their wish to become organ donors;

(5) acknowledges the grief of families facing the loss of a loved one and commends those families who, in their grief, choose to donate the organs of their deceased family member;

(6) recognizes the generous contribution made by each living individual who has donated an organ to save a life;

(7) acknowledges the advances in medical technology that have enabled organ transplantation with organs donated by living individuals to become a viable treatment option for an increasing number of patients;

(8) commends the medical professionals and organ transplantation experts who have worked to improve the process of living organ donation and increase the number of living donors; and

(9) salutes all individuals who have helped to give the gift of life by supporting, promoting, and encouraging organ donation.

SENATE RESOLUTION 426—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY

Mr. COONS (for himself, Mr. WICKER, Mr. BOOZMAN, Mr. BROWN, Mr. COCHRAN, Mr. INHOFE, Mr. DURBIN, Mr. RUBIO, and Mr. KIRK) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 426

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being preventable and treatable;

Whereas fighting malaria is in the national security interest of the United States, as reducing the risk of malaria protects members of the United States Armed Forces serving overseas in malaria-endemic regions, and reducing malaria deaths helps to lower risks of instability in less developed countries;

Whereas support for efforts to fight malaria is in the diplomatic and moral interests of the United States, as that support generates goodwill toward the United States and highlights the values of the people of the United States through the work of governmental, nongovernmental, and faith-based organizations of the United States;

Whereas efforts to fight malaria are in the long-term economic interest of the United States because those efforts help developing countries identify at-risk populations, provide better health services, produce healthier and more productive workforces, advance economic development, and promote stronger trading partners;

Whereas 90 percent of all malaria deaths in the world are in sub-Saharan Africa;

Whereas young children and pregnant women are particularly vulnerable to and disproportionately affected by malaria;

Whereas malaria greatly affects child health, as children under the age of 5 accounted for an estimated 77 percent of malaria deaths in 2012;

Whereas malaria poses great risks to maternal and neonatal health, causing complications during delivery, anemia, and low

birth weights, with estimates that malaria causes approximately 10,000 cases maternal deaths and over 200,000 infant deaths annually in Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria during recent years have made significant progress and helped save hundreds of thousands of lives;

Whereas the World Malaria Report 2013 by the World Health Organization states that in 2012, approximately 54 percent of households in sub-Saharan Africa owned at least one insecticide-treated mosquito net, and household surveys indicated that 86 percent of people used an insecticide-treated mosquito net if one was available in the household;

Whereas the World Malaria Report 2013 further states that between 2000 and 2012, malaria mortality rates decreased by 45 percent around the world and by 45 percent in the African Region of the World Health Organization, and an estimated 3,300,000 lives were spared from malaria globally, 90 percent of which were children under five in sub-Saharan Africa.

Whereas the World Malaria Report 2013 further states that out of 97 countries with ongoing transmission of malaria in 2013, 12 countries are classified as being in the pre-elimination phase of malaria control, 7 countries are classified as being in the elimination phase, and 7 countries are classified as being in the prevention of introduction phase;

Whereas, according to the World Malaria Report 2013, there were 207,000,000 cases of malaria globally in 2012, resulting in an estimated 627,000 deaths;

Whereas continued national, regional, and international investment in efforts to eliminate malaria, including prevention and treatment efforts, the development of a vaccine to immunize children from the malaria parasite, and advancements in insecticides, are critical in order to continue to reduce malaria deaths, prevent backsliding in areas where progress has been made, and equip the United States and the global community with the tools necessary to eliminate malaria and other global health threats;

Whereas the United States Government has played a leading role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (PMI) and the contribution of the United States to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas, in May 2011, an independent, external evaluation, prepared through the Global Health Technical Assistance Project, examining 6 objectives of the President's Malaria Initiative, found the President's Malaria Initiative to be a successful, well-led component of the Global Health Initiative that has “earned and deserves the task of sustaining and expanding the United States Government's response to global malaria control efforts”;

Whereas the United States Government is pursuing a comprehensive approach to ending malaria deaths through the President's Malaria Initiative, which is led by the United States Agency for International Development and implemented with assistance from the Centers for Disease Control and Prevention, the Department of State, the Department of Health and Human Services, the National Institutes of Health, the Department of Defense, and private sector entities;

Whereas, in 2014, the President's Malaria Initiative Report found that, in 2013, the PMI alone had protected more than 21,000,000 residents by spraying over 5,000,000 houses with insecticides, procured more than 40,000,000 long-lasting ITNs, procured more than 10,000,000 sulfadoxine-pyrimethamine treatments for intermittent preventive treatment (IPTp) in pregnant women, trained more than 16,000 health workers in IPTp, procured more than 48,000,000 treatments of artemisinin-based combination therapy (ACT) and over 51,000,000 malaria rapid diagnostic tests (RDTs), and trained more than 61,000 health workers in treatment of malaria with ACTs and more than 26,000 health workers in laboratory diagnosis of malaria;

Whereas the President's Malaria Initiative focuses on helping partner countries achieve major improvements in overall health outcomes through improved access to, and quality of, healthcare services in locations with limited resources; and

Whereas the President's Malaria Initiative, recognizing the burden of malaria on many partner countries, has set a target of reducing the burden of malaria by 50 percent for 450,000,000 people, representing 70 percent of the at-risk population in Africa, by 2015: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of World Malaria Day, including the target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria morbidity, mortality, and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) supports ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) recognizes the goals, priorities, and authorities to combat malaria set forth in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293);

(6) supports continued leadership by the United States in bilateral, multilateral, and private sector efforts to combat malaria and to work with developing countries to create long-term strategies to increase ownership over malaria programs; and

(7) encourages other members of the international community to sustain and increase their support for and financial contributions to efforts to combat malaria worldwide.

SENATE RESOLUTION 427—EXPRESSING THE SENSE OF THE SENATE ABOUT THE IMPORTANCE OF EFFECTIVE CIVIC EDUCATION PROGRAMS IN SCHOOLS IN THE UNITED STATES

Mr. CARDIN (for himself and Mr. GRASSLEY) submitted the following resolution; which was considered and agreed to:

S. RES. 427

Whereas civic education is essential to the preservation and improvement of the constitutional government of the United States;

Whereas civic education programs foster understanding of the history and principles of the constitutional government of the United States, including principles that are embodied in certain fundamental documents and speeches, such as the Declaration of Independence, the Constitution of the United States, the Bill of Rights, the Federalist Papers, the Gettysburg Address, and Dr. Martin Luther King, Jr.'s “I Have a Dream” speech;

Whereas research shows that too few people in the United States understand basic principles of the constitutional government of the United States, such as the natural rights set forth in the Declaration of Independence, the existence and functions of the 3 branches of the Federal Government, checks and balances, and other concepts fundamental to informed citizenship;

Whereas since the founding of the United States, schools in the United States have had a strong civic mission to prepare students to be informed, rational, humane, and involved citizens who are committed to the values and principles of the constitutional government of the United States;

Whereas a free society relies on the knowledge, skills, and virtue of the citizens of such society, particularly the individuals elected to public office to represent such citizens;

Whereas while many institutions help to develop the knowledge and skills and shape the civic character of people in the United States, schools in the United States, including elementary schools, bear a special and historic responsibility for the development of civic competence and civic responsibility of students;

Whereas student learning is enhanced by well-designed classroom civic education programs that—

(1) incorporate instruction in government, history, law, and democracy;

(2) promote discussion of current events and controversial issues;

(3) link community service and the formal curriculum; and

(4) encourage students to participate in simulations of democratic processes; and

Whereas research shows that the knowledge and expertise of teachers are among the most important factors in increasing student achievement: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) civic education is essential to the well-being of the constitutional government of the United States;

(2) comprehensive and formal instruction in civics and government provides students with a basis for understanding the rights and responsibilities of citizens in the constitutional government of the United States;

(3) elementary and secondary schools in the United States are encouraged to offer courses on history and theories of the constitutional government of the United States, using programs and curricula with a demonstrated effectiveness in fostering civic competence, civic responsibility, and a reasoned commitment to the fundamental values and principles underlying the constitutional government of the United States; and

(4) all teachers of civics and government are well served by having access to adequate opportunities to enrich teaching through professional development programs that enhance the capacity of such teachers to provide effective civic education in the classroom.