

[DISCUSSION DRAFT]

116TH CONGRESS
1ST SESSION

H. R. _____

To require the Federal financial regulators to issue guidance encouraging financial institutions to work with consumers and businesses affected by a Federal Government shutdown, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. WEXTON introduced the following bill; which was referred to the
Committee on _____

A BILL

To require the Federal financial regulators to issue guidance encouraging financial institutions to work with consumers and businesses affected by a Federal Government shutdown, 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. SHUTDOWN GUIDANCE FOR FINANCIAL INSTI-**
4 **TUTIONS.**

5 (a) GUIDANCE.—Not later than the end of the 90-
6 day period beginning on the date of enactment of this Act,
7 the Federal financial regulators shall, jointly, in consulta-

1 tion with State banking regulators and other appropriate
2 Federal and State agencies, issue shutdown guidance to
3 the financial institutions they regulate encouraging the fi-
4 nancial institutions to—

5 (1) work with consumers and businesses af-
6 fected by a shutdown;

7 (2) recognize that consumers and businesses af-
8 fected by a shutdown may lose access to credit and
9 face temporary hardship in making payments on
10 debts such as mortgages, student loans, car loans,
11 business loans, or credit cards;

12 (3) consider prudent efforts to modify terms on
13 existing loans or extend new credit to help con-
14 sumers and businesses affected by a shutdown, con-
15 sistent with safe-and-sound lending practices; and

16 (4) take steps to prevent adverse information
17 being reported and utilized in any manner that
18 harms consumers affected by a shutdown, including
19 by preventing modified credit arrangements intended
20 to help consumers fulfill their financial obligations
21 from being reported to, and coded by, consumer re-
22 porting agencies on a consumer's credit report in a
23 manner that hurts the creditworthiness of the con-
24 sumer.

1 (b) NOTICE OF GUIDANCE DURING A SHUTDOWN.—
2 Not later than the end of the 24-hour period beginning
3 at the start of a shutdown, the Federal financial regu-
4 lators shall, jointly, issue a press release to alert financial
5 institutions, consumers, and businesses to the existence,
6 and content, of the guidance issued pursuant to subsection
7 (a).

8 (c) POST-SHUTDOWN REPORT.—Not later than the
9 end of the 90-day period beginning on the date a shutdown
10 ends, the Federal financial regulators shall, jointly, issue
11 a report to Congress containing an analysis of the effec-
12 tiveness of the guidance issued pursuant to subsection (a)
13 and what steps financial institutions took during the shut-
14 down.

15 (d) DEFINITIONS.—In this section:

16 (1) CONSUMERS AFFECTED BY A SHUTDOWN.—
17 The term “consumers affected by a shutdown”
18 means an individual who is an employee of—

19 (A) the Federal Government, and who is
20 furloughed or excepted from a furlough during
21 the shutdown;

22 (B) the District of Columbia, and who is
23 not receiving pay because of the shutdown; or

24 (C) a Federal contractor (as defined under
25 section 7101 of title 41, United States Code) or

1 other business, and who has experienced a sub-
2 stantial reduction in pay due to the shutdown.

3 (2) CONSUMERS AND BUSINESSES AFFECTED
4 BY A SHUTDOWN.—The term “consumers and busi-
5 nesses affected by a shutdown” means—

6 (A) a consumer affected by a shutdown;
7 and

8 (B) a Federal contractor (as defined under
9 section 7101 of title 41, United States Code) or
10 other business that has experienced substantial
11 economic hardship due to the shutdown.

12 (3) FEDERAL FINANCIAL REGULATORS.—The
13 term “Federal financial regulators” means the
14 Board of Governors of the Federal Reserve System,
15 the Bureau of Consumer Financial Protection, the
16 Comptroller of the Currency, the Federal Deposit
17 Insurance Corporation, and the National Credit
18 Union Administration.

19 (4) SHUTDOWN.—The term “shutdown” means
20 any period in which there is more than a 24-hour
21 lapse in appropriations as a result of a failure to
22 enact a regular appropriations bill or continuing res-
23 olution.