

116TH CONGRESS
1ST SESSION

H. R. 2572

To amend the Federal Deposit Insurance Act to clarify the definition of
a deposit broker, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 8, 2019

Mr. FOSTER (for himself and Mr. STIVERS) introduced the following bill;
which was referred to the Committee on Financial Services

A BILL

To amend the Federal Deposit Insurance Act to clarify the
definition of a deposit broker, 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. AMENDMENT TO DEFINITION OF DEPOSIT**

4 **BROKER.**

5 Section 29 of the Federal Deposit Insurance Act (12
6 U.S.C. 1831f) is amended—

7 (1) in subsection (g)(2)—

8 (A) in subparagraph (H), by striking “or”

9 at the end;

1 (B) in subparagraph (I), by striking the
2 period at the end and inserting “; or”; and

3 (C) by adding at the end the following new
4 subparagraph:

5 “(J) an affiliate of the insured depository
6 institution, with respect to funds of an account
7 or benefit plan described in section
8 3(a)(4)(B)(viii)(I)(ee) of the Securities Ex-
9 change Act of 1934 for which the insured de-
10 pository institution acts as custodian or di-
11 rected trustee, to the extent the affiliate pro-
12 vides brokerage, advisory, or agency services to
13 participants or beneficiaries of such account or
14 benefit plan and such services result in the in-
15 vestment of the assets of such benefit plan or
16 account as deposits of such insured depository
17 institution.”; and

18 (2) by adding at the end the following new sub-
19 section:

20 “(i) CONSIDERATION OF CERTAIN INFORMATION
21 SHARED WITH AFFILIATES.—Information regarding de-
22 posit accounts shared by an insured depository institution
23 with its affiliates that is a communication described under
24 section 603(d)(2)(ii) of the Fair Credit Reporting Act
25 shall not be a factor in determining whether—

1 “(1) an affiliate of an insured depository insti-
2 tution, including an individual employed by such af-
3 filiate, is considered to be a deposit broker; or

4 “(2) deposits resulting from referrals of cus-
5 tomers to an affiliate of an insured depository insti-
6 tution are subject to the restrictions of subsections
7 (a) and (b).”.

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