

187

**AMENDMENT TO H.R. 4173
(FINANCIAL REGULATORY REFORM)**

OFFERED BY MR. HENSARLING OF TEXAS

Page 283, after line 21, insert the following new subsection:

1 (e) **AUTOMATIC DETERMINATION FOR CERTAIN**
2 **COMPANIES.**—Notwithstanding any other provision of Federal law or the
3 law of any State, for any financial company not exempt under section 1104,
4 the Secretary must take action under section 1604(a), the Corporation must
5 act in accordance with section 1604(b), and the Corporation may take one or
6 more actions specified in section 1604(c) in accordance with the
7 requirements of that subsection, if such company—

8 (1) has had at least 1,000,000 shares of Senior Preferred
9 Stock owned by the Department of the Treasury for at least 365
10 days,

11 (2) has received, in aggregate, funds or the commitments
12 for funds from the Department of the Treasury of at least
13 \$50,000,000,000 since October 3, 2008, and

14 (3) had at least \$1,000,000,000,000 in outstanding
15 mortgage backed securities as of October 3, 2008,

1 and such company shall be deemed a covered financial company for which a
2 determination has been made under subsection (b).

Page 284, after line 7 insert the following new paragraph:

1 (3) EXTENDED TIME LIMIT ON RECEIVERSHIP
2 AUTHORITY FOR CERTAIN COMPANIES SUBJECT TO
3 AUTOMATIC DETERMINATION.—For any financial company
4 placed in receivership pursuant to section 1603(e), the appointment of
5 the Corporation as a receiver under paragraph (1) shall terminate on
6 the date that is the end of the 5-year period beginning on the date such
7 appointment is made.