AMENDMENT NO. 3966

Purpose: To establish a revolving door prohibition for employees of financial regulators that receive an increased salary or benefits.

IN THE SENATE OF THE UNITED STATES—111th Cong., 2d Sess.

S. 3217

Referred to the Committee on ______________ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. GRASSLEY

Viz:

1. At the appropriate place, insert the following:

2 SEC. ___. REVOLVING DOOR PROHIBITIONS FOR FINANCIAL REGULATORS.

3. (a) IN GENERAL.—Section 207(c)(2)(A) of title 18, United States Code, is amended—

4 (1) in clause (iv), by striking “or” at the end;
(2) in clause (v), by striking the period at the end and inserting a semicolon; and

(3) by adding at the end the following:

"(vi) employed by the Securities and Exchange Commission as an officer, attorney, economist, examiner, or other employee described in section 4802(b) of title 5 and who receives increased pay or additional benefits or compensation under subsection (c) or (d) of that section; or

"(vii)(I) employed by—

"(aa) the Federal Reserve System as an employee described in section 11(l) of the Federal Reserve Act (12 U.S.C. 248(l));

"(bb) the Farm Credit Administration as an employee described in section 5.11(c)(2) of the Farm Credit Act of 1971 (12 U.S.C. 2245(c)(2));

"(cc) the Federal Deposit Insurance Corporation as an employee described in section 9(a) of the Federal Deposit Insurance Act (12 U.S.C. 1819(a));

"(dd) the National Credit Union Administra-
section 120 of the Federal Credit Union Act (12 U.S.C. 1766);

“(ee) the Office of the Comptroller of Currency as an employee described in section 5240 of the Revised Statutes (12 U.S.C. 482) or section 206 of the Bank Conservation Act (12 U.S.C. 206);

“(ff) the Office of Federal Housing Enterprise Oversight as an employee described in section 1315 of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4515);

“(gg) the Office of Thrift Supervision as an employee described in section 3(h) of the Home Owners’ Loan Act (12 U.S.C. 1462a(h)); or

“(hh) the Commodities Futures Trading Commission as an employee described in section 2(a)(7) of the Commodity Exchange Act (7 U.S.C. 2(a)(7)); and

“(II) who receives increased pay or additional benefits or compensation in excess of any pay limitation under title 5, as authorized by the board, commission, or agency.”.

(b) REVOLVING DOOR REGISTRATION.—
(1) DEFINITIONS.—In this subsection—

(A) the term "covered employee" means a former employee of a covered financial regulator who—

(i) received increased pay or additional benefits or compensation in excess of any pay limitation under title 5, United States Code, as authorized by the covered financial regulator on or after the date of enactment of this Act; and

(ii) represents any individual, corporation, or other entity with business before the covered financial regulator that employed the employee; and

(B) the term "covered financial regulator" means—

(i) the Commission

(ii) the Federal Reserve System;

(iii) the Farm Credit Administration;

(iv) the Corporation;

(v) the National Credit Union Administration;

(vi) the Office of the Comptroller of Currency;
(vii) the Office of Federal Housing Enterprise Oversight;
(viii) the Office of Thrift Supervision;
and
(ix) the Commodities Futures Trading Commission.

(2) Registration.—

(A) In General.—Not later than 120 days after the date of enactment of this Act, each covered financial regulator shall establish a website through which a covered employee may register and update information in accordance with subparagraph (B)

(B) Registration by Covered Employees.—A covered employee—

(i) shall register with the covered financial regulator that employed the covered employee before representing any individual, corporation, or other entity with business before the covered financial regulator, which shall include providing—

(I) the name of the covered employee and the last job title held by the covered employee at the covered financial regulator;
(II) the name of the individual, corporation, or other entity;

(III) a description of the purpose of the representation of the individual, corporation, or other entity;

(IV) a comprehensive list of all matters that the representation of the individual, corporation, or other entity will include;

(V) a comprehensive list of all matters in which the covered employee personally and substantially participated while employed by the covered financial regulator; and

(VI) a description of any restriction on the representation of the individual, corporation, or other entity under Federal law, rule, regulation, or order of the covered financial regulator;

(ii) shall, if any information provided under clause (i) changes, provide updated information to the covered financial regulator; and
(iii) may not, during the 2-year period beginning on the date on which the employment of the covered employee with the covered financial regulator terminates, influence any communication to, or appearance before any officer or employee of the covered financial regulator in connection with any matter on which an individual, corporation, or other entity represented by the covered employee seeks official action by any officer or employee of the covered financial regulator.

(3) ENFORCEMENT.—A covered financial regulator may impose a civil monetary penalty on any person that violates paragraph (2)(B) in an amount not less than $10,000 and not more than $100,000 for each violation.

(4) PUBLIC AVAILABILITY.—Not later than 14 days after the date on which information is provided to a covered financial regulator under paragraph (2)(B), the covered financial regulator shall make the information publicly available on the website of the covered financial regulator in a searchable form.