

Calendar No. 580

112TH CONGRESS
2^D SESSION

H. R. 459

IN THE SENATE OF THE UNITED STATES

JULY 26, 2012

Received

DECEMBER 30, 2012

Read the first time

JANUARY 1, 2013

Read the second time and placed on the calendar

AN ACT

To require a full audit of the Board of Governors of the Federal Reserve System and the Federal reserve banks by the Comptroller General of the United States, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Reserve
3 Transparency Act of 2012”.

4 **SEC. 2. AUDIT REFORM AND TRANSPARENCY FOR THE**
5 **BOARD OF GOVERNORS OF THE FEDERAL RE-**
6 **SERVE SYSTEM.**

7 (a) IN GENERAL.—Notwithstanding section 714 of
8 title 31, United States Code, or any other provision of law,
9 an audit of the Board of Governors of the Federal Reserve
10 System and the Federal reserve banks under subsection
11 (b) of such section 714 shall be completed within 12
12 months of the date of enactment of this Act.

13 (b) REPORT.—

14 (1) IN GENERAL.—A report on the audit re-
15 quired under subsection (a) shall be submitted by
16 the Comptroller General to the Congress before the
17 end of the 90-day period beginning on the date on
18 which such audit is completed and made available to
19 the Speaker of the House, the majority and minority
20 leaders of the House of Representatives, the major-
21 ity and minority leaders of the Senate, the Chairman
22 and Ranking Member of the committee and each
23 subcommittee of jurisdiction in the House of Rep-
24 resentatives and the Senate, and any other Member
25 of Congress who requests it.

1 (2) **CONTENTS.**—The report under paragraph
2 (1) shall include a detailed description of the find-
3 ings and conclusion of the Comptroller General with
4 respect to the audit that is the subject of the report,
5 together with such recommendations for legislative
6 or administrative action as the Comptroller General
7 may determine to be appropriate.

8 (c) **REPEAL OF CERTAIN LIMITATIONS.**—Subsection
9 (b) of section 714 of title 31, United States Code, is
10 amended by striking all after “in writing.”.

11 (d) **TECHNICAL AND CONFORMING AMENDMENT.**—
12 Section 714 of title 31, United States Code, is amended
13 by striking subsection (f).

14 **SEC. 3. AUDIT OF LOAN FILE REVIEWS REQUIRED BY EN-**
15 **FORCEMENT ACTIONS.**

16 (a) **IN GENERAL.**—The Comptroller General of the
17 United States shall conduct an audit of the review of loan
18 files of homeowners in foreclosure in 2009 or 2010, re-
19 quired as part of the enforcement actions taken by the
20 Board of Governors of the Federal Reserve System
21 against supervised financial institutions.

22 (b) **CONTENT OF AUDIT.**—The audit carried out pur-
23 suant to subsection (a) shall consider, at a minimum—

24 (1) the guidance given by the Board of Gov-
25 ernors of the Federal Reserve System to inde-

1 pendent consultants retained by the supervised fi-
2 nancial institutions regarding the procedures to be
3 followed in conducting the file reviews;

4 (2) the factors considered by independent con-
5 sultants when evaluating loan files;

6 (3) the results obtained by the independent con-
7 sultants pursuant to those reviews;

8 (4) the determinations made by the independent
9 consultants regarding the nature and extent of fi-
10 nancial injury sustained by each homeowner as well
11 as the level and type of remediation offered to each
12 homeowner; and

13 (5) the specific measures taken by the inde-
14 pendent consultants to verify, confirm, or rebut the
15 assertions and representations made by supervised
16 financial institutions regarding the contents of loan
17 files and the extent of financial injury to home-
18 owners.

19 (c) REPORT.—Not later than the end of the 6-month
20 period beginning on the date of the enactment of this Act,
21 the Comptroller General shall issue a report to the Con-
22 gress containing all findings and determinations made in
23 carrying out the audit required under subsection (a).

Passed the House of Representatives July 25, 2012.

Attest:

KAREN L. HAAS,

Clerk.

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