

# Union Calendar No. 459

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 6555

[Report No. 119-534]

To require the Comptroller of the Currency and the Federal Deposit Insurance Corporation to carry out a study on shelf charters and modified bidder qualification processes, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2025

Mr. HUIZENGA introduced the following bill; which was referred to the  
Committee on Financial Services

FEBRUARY 25, 2026

Additional sponsors: Mr. GOTTHEIMER and Mr. LAWLER

FEBRUARY 25, 2026

Reported with an amendment, committed to the Committee of the Whole  
House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on December 10, 2025]

# **A BILL**

To require the Comptroller of the Currency and the Federal Deposit Insurance Corporation to carry out a study on shelf charters and modified bidder qualification processes, 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. SHORT TITLE.**

4        *This Act may be cited as the “Enhancing Bank Reso-*  
5 *lution Participation Act”.*

6 **SEC. 2. STUDY ON SHELF CHARTERS AND MODIFIED BID-**  
7 **DER QUALIFICATION PROCESSES.**

8        (a) *STUDY.*—*The Comptroller of the Currency, the*  
9 *Federal Deposit Insurance Corporation, and the Board of*  
10 *the Governors of the Federal Reserve System shall, jointly,*  
11 *carry out a study of—*

12            (1) *the use by the Comptroller of the Currency*  
13 *of shelf charters, including all conditional or prelimi-*  
14 *nary shelf charter approvals granted between Janu-*  
15 *ary 1, 2008, and the date of enactment of this Act;*

16            (2) *the use by the Federal Deposit Insurance*  
17 *Corporation of the modified bidder qualification proc-*  
18 *ess;*

19            (3) *the application of the Bank Holding Com-*  
20 *pany Act of 1956 (12 U.S.C. 1841 et seq.) and section*  
21 *10 of the Home Owners’ Loan Act (12 U.S.C. 1467a)*  
22 *to shelf charter proposals;*

23            (4) *whether shelf charters and modified bidder*  
24 *qualification processes were considered or used in con-*  
25 *nection with the receivership of any insured deposi-*

1 *tory institution for which the Federal Deposit Insur-*  
2 *ance Corporation was appointed receiver in 2023;*

3 *(5) with respect to such receiverships, the extent*  
4 *to which greater use of shelf charters and modified*  
5 *bidder qualification processes could have—*

6 *(A) expanded the pool of participants in the*  
7 *acquisition of the assets or liabilities of such*  
8 *failed insured depository institutions;*

9 *(B) resulted in greater competition and di-*  
10 *versity in market outcomes;*

11 *(C) protected the Deposit Insurance Fund;*

12 *or*

13 *(D) strengthened financial stability and re-*  
14 *duced the need for any emergency determination*  
15 *by the Secretary of the Treasury under section*  
16 *13(c)(4)(G) of the Federal Deposit Insurance Act*  
17 *(12 U.S.C. 1823(c)(4)(G)) with respect to any*  
18 *such receivership;*

19 *(6) the impact of the use of shelf charters and*  
20 *modified bidder qualification processes since January*  
21 *1, 2008, including on financial stability, the safety*  
22 *and soundness of affected insured depository institu-*  
23 *tions, and the availability of financial products and*  
24 *services provided to consumers by such institutions;*  
25 *and*

1           (7) *any benefits and risks of private equity own-*  
2           *ership of banks through the use of shelf charters and*  
3           *modified bidder qualification processes.*

4           (b) *REPORT.*—*Not later than 1 year after the date of*  
5           *enactment of this Act, the Comptroller of the Currency, the*  
6           *Federal Deposit Insurance Corporation, and the Board of*  
7           *the Governors of the Federal Reserve System shall, jointly,*  
8           *submit a report to the Committee on Financial Services of*  
9           *the House of Representatives and the Committee on Bank-*  
10          *ing, Housing, and Urban Affairs of the Senate con-*  
11          *taining—*

12                  (1) *all findings and determinations made in car-*  
13                  *rying out the study required under subsection (a);*  
14                  *and*

15                  (2) *an identification of statutory or regulatory*  
16                  *barriers to the use and effectiveness of shelf charters*  
17                  *and modified bidder qualification processes in the res-*  
18                  *olution of failed insured depository institutions, in-*  
19                  *cluding recommendations for legislative and regu-*  
20                  *latory changes.*

21           (c) *DEFINITIONS.*—*In this section:*

22                  (1) *INSURED DEPOSITORY INSTITUTION.*—*The*  
23                  *term “insured depository institution” has the mean-*  
24                  *ing given the term in section 3 of the Federal Deposit*  
25                  *Insurance Act (12 U.S.C. 1813).*

1           (2) *MODIFIED BIDDER QUALIFICATION PROC-*  
2           *ESS.—The term “modified bidder qualification proc-*  
3           *ess” has the meaning given such term in the press re-*  
4           *lease of the Federal Deposit Insurance Corporation ti-*  
5           *tled “FDIC Expands Bidder List for Troubled Insti-*  
6           *tutions Plan Allows Those Without a Bank Charter to*  
7           *Participate in the Process” published November 26,*  
8           *2008.*

9           (3) *SHELF CHARTER.—The term “shelf charter”*  
10          *has the meaning given such term in the report issued*  
11          *by the Comptroller of the Currency titled “Activities*  
12          *Permissible for National Banks and Federal Savings*  
13          *Associations, Cumulative” published October 2017.*



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