

Regulatory Developments and Emerging Risks for Financial Institutions

U.S. Financial Services Regulatory Center

2026 Financial Institutions Virtual Symposium

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Today’s Agenda: Three Questions for Leadership Teams

Learning objectives and session flow

01 What Has Been Done to Date?

02 How Do the Midterm Elections Change the Regulatory Outlook?

03 What Key Developments Should Leadership Watch After the Election?

Learning objectives

- Distinguish final rules, proposals, guidance, and signals issued since January 2025.
- Identify which changes apply by charter and asset size.
- Explain how the election changes the legislative and oversight picture.
- Prioritize open items for 2027 planning.

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01

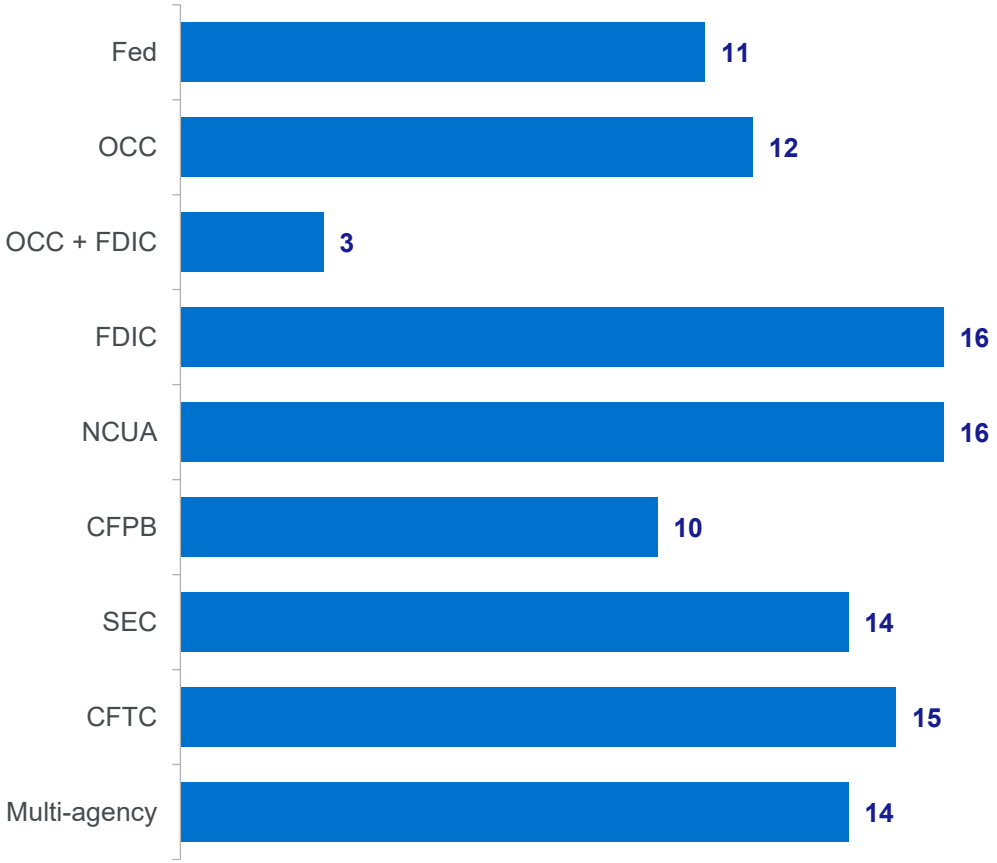
Section

What Has Been Done to Date?

Many Actions Have Reduced Regulatory Burden, While Others Have Added or Signaled New Requirements

Regulatory change under the current administration: what we have tracked

Actions tracked by agency, Jan. 20, 2025 to Nov. 3, 2026 (111 total)



41

Burden reduced

Raised thresholds, simplified requirements, extended dates, narrowed scope

29

Rescinded, withdrawn, or dropped

Rules, guidance, and proposals removed

11

New or expanded

Added obligations, e.g., GENIUS Act rules

8

Directional signals

RFIs, agendas, remarks; no rule yet

Our read: the direction is toward material risk supervision and tailored thresholds, not a uniform rollback.

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Supervision Is Narrowing to Material Risk, While Documentation Expectations Are Increasing

Key developments your organization should understand

Supervision Reset

FINAL RULE | GUIDANCE + PROPOSAL

OCC/FDIC final rule (effective Nov. 2, 2026) limits unsafe-or-unsound and matters requiring attention (MRA) findings to material risk. Fed principles focus on significant harm. FFIEC CAMELS proposal would end M-rating "special consideration."

Thresholds in Motion

PROPOSAL | LEGISLATION (PENDING)

Agency-established applicability thresholds are moving toward $30B, while statutory $10B thresholds (e.g., CFPB supervision, Regulation II (Durbin Amendment), community bank leverage ratio (CBLR)) remain but could move if Congress acts.

Deposit Insurance Pricing

PROPOSAL

FDIC proposal would raise the small/large assessment line from $10B to **$30B; if finalized,** banks under $30B move to small-bank pricing. Credit unions (NCUA share insurance) are outside the proposal.

AML/CFT Program Reform

PROPOSAL

FinCEN and OCC/FDIC/NCUA anti-money laundering and countering the financing of terrorism (AML/CFT) proposals (Apr. 10, 2026), plus a Fed proposal (July 9, 2026): risk-based programs tied to FinCEN Priorities; enforcement targets significant or systemic failures.

Digital Assets

FINAL RULE | PROPOSAL

GENIUS Act implementation: OCC final rule (Oct. 21, 2026, effective Jan. 18, 2027); Fed, FDIC, NCUA, and Treasury proposals pending on stablecoin issuer frameworks and applications.

Capital and Liquidity

PROPOSAL | INTERIM FINAL RULE

March 2026 OCC/Fed/FDIC proposals revise the **standardized approach** outside Category I/II, with an option to elect the expanded risk-based approach (ERBA). NCUA: not issued. Liquidity focus: operational funding readiness.

Key Considerations

- Does management maintain a single threshold register covering every legal entity (bank or credit union and any holding company)?
- Are open proposals reflected in the 2027 budget, strategic plan, and acquisition analysis?

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Who It Applies To: The Same Topic Can Have a Different Status by Charter

Status of key developments by primary federal regulator

Development	National Banks / FSAs (OCC)	State Member Banks (Fed)	State Nonmember Banks (FDIC)	Credit Unions (NCUA)*
Unsafe-or-Unsound / MRA Rule	Final	Not joined	Final	—
Reputation Risk Removed	Final	Proposed	Final	Final
CAMELS (UFIRS) Revisions	Proposed	Proposed	Proposed	—
CRA Rule Changes	Proposed	1995 rules apply; rescission proposed	Proposed	—
GENIUS Act Implementing Rules	Final (eff. 1/18/2027)	Proposed	Proposed	Proposed
Model Risk Guidance (SR 26-2)	Guidance	Guidance	Guidance	—
Third-Party Risk Guidance	Proposed	Proposed	Proposed	Proposed
AML/CFT Program Rules	Proposed	Proposed (separate)	Proposed	Proposed
AI Examiner Framework	Issued (OCC only)	Not issued	Not issued	Not issued

Key: green = final or current rule; orange = proposed; teal = guidance or examiner framework; grey = not joined, not issued, or not applicable.

**NCUA did not join the FFIEC UFIRS proposal or SR 26-2, and CRA does not apply to credit unions. FSAs = federal savings associations.*

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Statutory $10B Thresholds Stay, While Agency-Set Thresholds Move Toward $30B

Agency-set thresholds are rising and indexed; statutory lines require Congress

Topic	Current Threshold (Measure)	Proposed / Final Change	Suggested Action
FDIC Part 363 Audit / Internal Control over Financial Reporting (ICFR) (Agency-set)	Audit $500M; ICFR attestation $1B	$1B / $5B; indexed every two years	Confirm audit/ICFR scope
CRA Asset Categories (Agency-set)	Small bank <$1.649B (2026)	OCC/FDIC: <$1B / $1B–$10B / >$10B	Which CRA tier applies after growth?
Community Bank Leverage Ratio (CBLR) (Statutory)	<$10B total consolidated assets; >8% leverage	$15B (H.R. 6955 committee text); not in House-passed bill	Watch for future CBLR eligibility
CFPB Supervision (Statutory)	>$10B total assets (insured depository institution)	$30B, indexed to GDP (H.R. 10184)	Keep compliance resources tied to obligations
Regulation II (Durbin Amendment) Debit Interchange (Statutory)	Issuer + affiliates ≥$10B assets (prior year-end)	Fee cap vacated; remanded to Fed for new standard	Model interchange revenue scenarios
TIER Act (S. 5452) (Statutory)	$10B in BHC Act §4(k)(6)(B)(ii) and FSA §163(b)	$15B plus periodic indexing	Track bank vs. holding company separately
FDIC Assessments: Small vs. Large (Agency-set)	$10B total assets	$30B; indexed every 4 years	Model both methods; one-time election
Deposit Data: §360.9 / Part 370 (Agency-set)	≥$2B deposits + ≥250k accts or ≥$20B assets; Part 370: ≥2M accts	Rescind Part 370; revise §360.9; index dollar thresholds	Monitor account count and asset growth
Third-Party Risk (Agency guidance)	2023 interagency guidance (all banks)	All-bank guidance + Fed guide for traditional banks <$30B	Which framework fits our partnerships?
Model Risk (SR 26-2) (Agency guidance)	“Most relevant” >$30B; may apply below if significant	Replaces SR 11-7 and SR 21-8	Is the model inventory risk-tiered?
Insider Lending: Reg O / FDIC Part 337 (Agency-set)	Board approval line $500K; executive officer loans $100K	$2M and $400K; indexed	Inventory insider credits against new limits
18-Month Exam Cycle (Agency-set)	1- and 2-rated, well-capitalized banks <$3B	<$6B (ROAD to Housing Act §903)	Confirm eligibility with primary regulator

Pending bills (H.R. 10184, H.R. 6955, S. 5452) would change statutory lines only if enacted; none is law. Agency-set thresholds can move by rule and increasingly are indexed.

Key Considerations

- Does management track each threshold at the bank, holding company, and affiliate level?
- Which threshold would growth or an acquisition cross next?

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Supervision: Reduced Duplication and Fewer Findings, Not Lower Expectations

Examination and supervisory approach across the Federal Reserve, OCC, FDIC, and NCUA

GUIDANCE

Federal Reserve: Updated Supervisory Operating Principles (Sept. 24, 2026)

- Examiners rely on satisfactory internal audit validation rather than duplicating it; fully remediated matters requiring attention and matters requiring immediate attention (MRIAs) close without delay.
- Attention shifts to risks with a significant probability of significant harm; MRAs/MRIAs use a probability and severity framework.

FINAL RULE

OCC/FDIC: Unsafe or Unsound Practice and MRA Standards

- Defines “unsafe or unsound practice”; MRAs must address risk of harm that is “more than speculative or merely possible.”
- Issued Aug. 27, 2026; effective Nov. 2, 2026.
- Federal Reserve and NCUA: not joined.

PROPOSAL

FFIEC CAMELS (UFIRS) Revisions (May 19, 2026): OCC, Fed, and FDIC Ratings

- Emphasizes material financial risk over policies and documentation; removes “special consideration” of the Management (M) rating in the composite.
- **NCUA:** uses its own CAMELS system; no comparable proposal.

FINAL RULE

Reputation Risk Removed – All Federal Bank Agencies

- **OCC/FDIC:** joint final rule prohibits use of reputation risk (Apr. 7, 2026).
- **Federal Reserve:** removed from exam programs (guidance, June 23, 2025); proposal to codify (Feb. 23, 2026).
- **NCUA:** Agency ceases using reputational risk and equivalent concepts (September 2025).

Reduced duplication ≠ reduced expectations. Reliance on internal audit is conditional, and examiners retain authority to test and validate. Fewer findings are expected to be more consequential.

Key Considerations

- Is internal audit’s issue validation documented to a standard examiners can rely on?
- Are open MRAs mapped to the materiality standard of our primary regulator?
- Do self-identified issues reach the board with owners, dates, and evidence of sustainable remediation?

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BSA/AML, Model, and Third-Party Risk: Risk-Tiered Frameworks, Same Core Duties

Bank Secrecy Act (BSA) AML/CFT, model risk, and third-party risk management (TPRM) across all charters

BSA/AML and Financial Crime

PROPOSAL

- **FinCEN AML/CFT proposal** (91 FR 18704, Apr. 10, 2026): applies to all financial institutions under the BSA, including credit unions.
- **OCC/FDIC/NCUA joint proposal** (Apr. 10, 2026) conforms program rules; FinCEN consulted before significant AML actions.
- **Fed separate proposal** (July 9, 2026; comments closed Sept. 8); Fed did not join the April package.
- Fed proposal: significant actions limited to "significant or systemic" failures.

Model Risk Management

FINAL GUIDANCE

- **SR 26-2 / OCC Bulletin 2026-13 / FDIC FIL-15-2026** (Apr. 17, 2026): interagency final guidance; replaces SR 11-7 and SR 21-8.
- Non-binding and risk-based; Fed: **"most relevant" above $30B**; applies to smaller institutions with significant model risk.
- Generative and agentic AI models are **outside its scope**; transaction monitoring and sanctions screening models are covered.
- NCUA did not join; not issued for credit unions.

Third-Party Risk Management

PROPOSAL

- **Interagency proposed guidance** (Sept. 11, 2026) from the Fed, FDIC, NCUA, and OCC; principles-based, tiered to each relationship's risk.
- **Fed guide** for traditional community banking organizations under $30B; not intended for complex bank-fintech partnerships.
- Credit unions included (NCUA co-issuer); joint statement on core service providers issued the same day.
- Until final, the 2023 interagency guidance remains in place.

Key Considerations

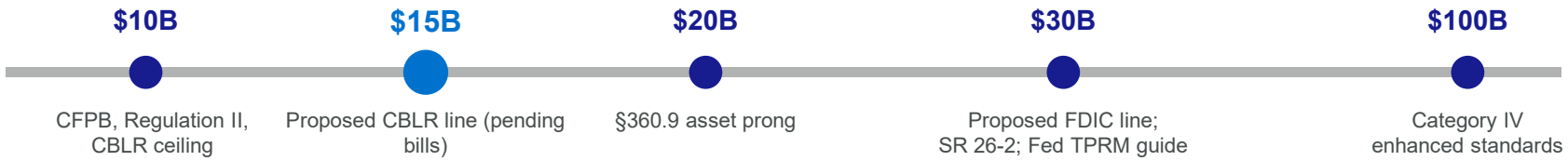
- Are model and third-party inventories complete and risk-tiered, including vendor-provided and AI tools?
- Has the AML/CFT risk assessment been mapped to FinCEN Priorities, with independent testing scoped to higher-risk areas?
- Do fintech, banking-as-a-service (BaaS), and cloud contracts preserve data access, audit rights, incident notice, and exit options?

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Capital: CBLR Eased Under $10B; Larger Banks Face Standardized-Approach Changes

Capital proposals, CBLR, and applicability by size and charter



CURRENT RULE — **Bank level:** Generally applicable risk-based and leverage requirements and prompt corrective action apply to national banks, FSAs, state member and state nonmember banks.

CURRENT RULE — **Holding company level:** Consolidated capital requirements (Regulation Q) apply separately to the bank holding company; do not net or combine with bank-level ratios.

PROPOSAL — **Capital proposals** (OCC/Fed/FDIC joint; Mar. 19, 2026; comments closed June 18): Revised standardized approach for organizations other than Category I/II, with an option to elect ERBA. No final rule. Would remove the mortgage servicing assets deduction for all banks; accumulated other comprehensive income (AOCI) inclusion applies only to Category III/IV, not to organizations under $100B. Dollar thresholds would be indexed.

FINAL RULE — **CBLR** (eff. July 1, 2026): Requirement lowered from 9% to 8%; grace period extended to four quarters. Eligibility remains <$10B total consolidated assets. Credit unions: not applicable (NCUA's CCULR is separate).

LEGISLATION (PENDING) — **H.R. 6955 / S. 5452:** A $15B CBLR provision was in the committee-reported Main Street Act but not the House-passed text. Institutions $10B–$15B would gain CBLR eligibility only if enacted. **Assess** whether CBLR would be preferable if eligible.

Key Considerations

- Has management modeled risk-weighted assets (RWA) under the proposed standardized approach and ERBA to understand the potential impact if final rules are issued?
- Are capital plans and limits set separately for bank-level and holding-company ratios?
- Do acquisition models test the $20B and $30B lines, not only $10B?

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Deposit Insurance: The FDIC Proposal Would Move Banks Under $30B to Small-Bank Pricing

Deposit insurance assessments and deposit-related requirements

PROPOSAL *FDIC notice of proposed rulemaking (NPR), 91 FR 39794 (June 30, 2026); comments closed Aug. 31, 2026*

$10B → $30B

Small/large institution line; indexed every four years

−2 bps

Initial base rate schedules for small institutions (−1 bp for large) while reserve ratio <2%

One-time

Election for reclassified banks to be temporarily priced on the large-bank scorecard

Changes for all banks

- Would remove the option for a small institution to request large institution pricing.
- Small-bank pricing uses a different methodology and data inputs; **the net effect requires institution-specific modeling** (FDIC has published rate calculators).
- **Applies to all FDIC-insured banks.**

Impacts for large banks (≥$30B)

- **Smaller rate cut:** −1 bp vs. the −2 bps for small banks (reserve ratio <2%).
- **New add-on:** resolution readiness adjustment (up to 1 bp), large and highly complex banks only; could offset the cut.
- **Near the line:** banks nearing $30B face scorecard pricing plus the add-on.

Key Considerations

- Has management modeled assessments under both methods and evaluated the one-time election?
- Is the 2027 budget sensitive to the timing of a final rule?
- For large banks, does the resolution readiness adjustment offset the 1 bp rate cut?

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Deposit Insurance Determination: FDIC Would Rescind Part 370 and Revise §360.9

Deposit insurance determination and recordkeeping requirements

PROPOSAL *FDIC proposal announced October 30, 2026; published November 4, 2026*

≥$2B

§360.9 deposit threshold, plus ≥250,000 accounts or ≥$20B assets

2 million

Part 370 account trigger; the rule would be rescinded

Indexed

§360.9 dollar thresholds would be indexed going forward

PROPOSAL **Today vs. Proposed**

	Today	Proposed
Framework	Two rules: §360.9 and Part 370	One rule: revised §360.9; Part 370 rescinded
§360.9 trigger	≥$2B deposits and ≥250,000 accounts or ≥$20B assets	Revised; dollar thresholds indexed
Part 370 trigger	≥2 million accounts	Rescinded
Status	In effect	Proposed Oct. 30, 2026; comments due Jan. 4, 2027

Key Considerations

- Which Part 370 systems and controls could be retired or repurposed?
- Does current recordkeeping meet the revised §360.9 requirements on its own?
- Could asset or account growth cross a §360.9 trigger within the planning horizon?
- Should the bank submit comments before the Jan. 4, 2027 deadline?

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CRA Rules Diverge by Charter; CFPB Priorities Shift, Obligations Unchanged

CRA and CFPB updates

Status by Topic

CRA and Strategic Plans

CURRENT RULE

All three banking agencies still apply the **1995 framework**; the 2023 rule was enjoined and never took effect. Large bank today: ≥$1.649B (2026).

Credit unions: CRA does not apply (NCUA).

PROPOSAL

Joint OCC/Fed/FDIC proposal to rescind the 2023 rule (July 16, 2025) remains pending.

PROPOSAL (OCC/FDIC)

July 31, 2026 (91 FR 52114): small <$1B, intermediate $1B–$10B, large >$10B; ≤$10B exempt from data reporting. Fed did not join, so state member banks stay on 1995 rules.

CURRENT RULE

Strategic plan option (12 CFR 228.27 Fed; 25.27 OCC; 345.27 FDIC): measurable goals, public comment, agency approval. May fit digital, specialized, or dispersed models. CRA performance weighs in branch and merger applications.

CFPB Supervision and Changes

CURRENT RULE

Supervises insured depository institutions >$10B and affiliates; institutions ≤$10B are examined for consumer compliance by their prudential regulator (OCC, Fed, FDIC, NCUA) or state.

GUIDANCE

Supervision and Examination Manual updated **July 2026** (internal, non-binding guidance).

COURT DECISION

Personal financial data rights (§1033) compliance dates stayed by court; CFPB is reconsidering the rule.

LEGISLATION (PENDING)

H.R. 10184 would raise the CFPB threshold to $30B; not enacted.

FINAL RULE

§1071 reconsideration rule (May 1, 2026); compliance Jan. 1, 2028.

Regulation B final rule (eff. July 21, 2026): no disparate impact under ECOA; special-purpose credit programs limited.

Key Considerations

- Are compliance testing, complaint management, and fair lending resourced to obligations rather than exam frequency?
- Would a CRA strategic plan better reflect the institution's business model, and does its approval timing fit branching and acquisition plans?

Note: An internal CFPB memo (Apr. 16, 2025) directed a 50% reduction in supervisory "events" and refocused on the largest banks and depository institutions. Reduced exam activity does not reduce legal obligations.

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Liquidity: Recent Actions Focus on Operational Funding Readiness

Liquidity, funding, and balance sheet resilience

INTERIM FINAL RULE

FDIC reciprocal deposits (effective Sept. 1, 2026)

Applies to all FDIC-insured banks. Implements ROAD to Housing Act §902: tiered, liability-based cap on reciprocal deposits excluded from brokered treatment (up to $30B); “agent institution” now includes 3-rated, well-capitalized banks; Call Reports to be updated via FFIEC.

OPERATIONAL CHANGE

Fed discount window: Borrower-in-Custody updates (Sept. 8, 2026)

Available to depository institutions of all charters, including credit unions. Streamlined loan pledging program; updated collateral margins effective July 1, 2026.

GUIDANCE

Fed operating principles (Sept. 24, 2026)

Cites preliminary findings that supervisors did not act promptly on Silicon Valley Bank’s interest rate and deposit-run vulnerability. Signals focus on these risks.

LEGISLATION (PENDING)

Discount Window Preparedness Act (introduced May 20, 2026)

Pending legislation, not law: would require semiannual test borrowing for banks of $10B–$100B and credit for prepositioned collateral in liquidity evaluations.

Key Considerations

- Are liquidity stress scenarios aligned with actual uninsured and concentrated deposits and with collateral already pledged?
- Has management tested discount window borrowing and Borrower-in-Custody pledging end to end?
- Is reliance on reciprocal and brokered funding tracked against the new caps?

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GENIUS Act Implementation Is Split: OCC Is Final; Other Agencies Are Still Proposing

Payment stablecoin rules by agency under the GENIUS Act

Agency	Issuance	Status	Key Dates	Applies To
OCC	• Final rule, new 12 CFR Part 15 (OCC Bulletin 2026-50; 91 FR 67000); BSA/AML parts to follow	Final rule	Issued 10/21/2026; effective 1/18/2027	National banks, FSAs, and subsidiaries; federal qualified issuers
Federal Reserve	• Two proposals: framework and subsidiary applications (91 FR 61580)	Proposal	Comments due 11/30/2026	State member banks and Board-supervised issuers
FDIC	• Application procedures (12/19/2025); • Standards, deposit insurance, tokenized deposits (91 FR 18534)	Proposals	Standards comments closed 6/9/2026	State nonmember banks and FDIC-supervised issuers
NCUA	• Licensing (91 FR 6531); • Standards (91 FR 28956)	Proposals	Comments closed 4/13 and 7/17/2026	Credit union subsidiaries
Treasury	• Issuance, offer, and sale rules (91 FR 53368)	Proposal	Comments closed 10/19/2026	Issuers and digital asset service providers
State regulators	• Statute: state regimes for state qualified issuers ≤$10B outstanding	Statute; state rules vary	Not announced	State-chartered issuers; >$10B must transition to federal oversight unless waived



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Direct vs. Indirect Exposure: Digital Assets May Affect Institutions Even Without Direct Participation

Where payment stablecoin and related activity can enter the balance sheet and operations

Direct Participation

Requires approval and a governance decision

- Issuing payment stablecoins through a subsidiary (application required)
- Custody or safekeeping of reserve assets or stablecoins
- Tokenized deposits (FDIC proposal: treated like other deposits)

Indirect Exposure

Can arrive without a strategic decision

- Deposits from issuers held as reserves (FDIC proposal: insured to the issuer, not pass-through to holders)
- Fintech, BaaS, and payment partners
- Customer activity, flows, and collateral
- Vendors and core providers adding digital-asset features

What to Monitor

Even with no plans to issue or custody

- Deposit concentrations from issuers or intermediaries
- BSA/AML and sanctions controls for related flows
- Partner and vendor contracts
- Board triggers before any direct participation

Terminology matters: payment stablecoins, tokenized deposits, and other crypto assets are treated differently in the issuances. Do not treat them as interchangeable.

Key Considerations

- Has management mapped indirect exposure through deposits, partners, and customers?
- What would trigger board review before direct participation?

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AI: Institutions Should Consider Risks Associated With Use and Non-Use

As of November 11, 2026, federal banking regulators had not issued a comprehensive AI risk framework for institutions

Bottom line: AI risk sits inside existing risk categories, not apart from them. Institutions should consider risks associated with adopting AI as well as potential risks associated with delayed or limited adoption.. Recent issuances tell examiners how to look at AI; however, none yet tells institutions how to build an AI risk framework.

1

AI Cuts Both Ways

OCC Semiannual Risk Perspective (Spring 2026)

- AI raises the speed, scale, and sophistication of cyberattacks and fraud against banks.
- AI is also a defense; risk comes from both using it and not using it.
- Banks are using generative and agentic AI cautiously, with guardrails and human oversight.

2

A Gap in Model Risk Coverage

Revised model risk management (MRM) guidance (Apr. 17, 2026)

- SR 26-2 / OCC 2026-13 / FDIC FIL-15-2026 **scope out generative and agentic AI**.
- The highest-autonomy uses fall outside the MRM program unless the institution governs them elsewhere.
- The agencies have said they plan an AI request for information.

3

Examiner Direction, Not an Institution Framework

OCC Bulletin 2026-54 (Nov. 4, 2026); Conference of State Bank Supervisors (CSBS) framework (Sept. 16, 2026)

- Both direct examiners on how to analyze AI programs; neither sets a risk framework for institutions.
- OCC framework is OCC-only, not joint interagency, and sets **no supervisory expectations** for banks.
- CSBS framework is discretionary; each state decides whether to use it.
- No Fed, FDIC, or NCUA AI framework issued as of Nov. 11, 2026.

What Institutions Should Consider

- Inventory AI use, including tools embedded in vendor products
- Tier use cases by consequence, autonomy, and human oversight
- Assign ownership for generative and agentic AI outside the model risk program
- Weigh the risk of not adopting, especially for fraud and cyber defense

Key Considerations: Who owns AI risk outside model risk guidance? Which uses could act without human approval? Has management assessed the risk of not using AI?

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02

Section

What Do the Midterm Elections Change?

“Elections have consequences”

– Barack Obama

Balance of Power Flipped: Divided Government Begins in January 2027

Democrats won both chambers

A Republican White House will work with a Democratic Congress.

2025 – 2026 (119th Congress)

SENATE
53–47
Republican majority

HOUSE
218–214
Republican majority

Unified government: Republican President and Congress.

- No 60-vote cloture supermajority and no veto-proof majority.
- Most of the deregulatory change came through agency action, not statute.
- Threshold bills passed one chamber at most; none enacted.

2027 – 2028 (120th Congress)

SENATE
54+
Democratic seats (incl. 2 independents)

HOUSE
254
Democratic seats; 19 uncalled (AP, Nov. 8)

Divided government: Republican President, Democratic Congress.

- Still short of 60 for cloture and two-thirds to override a veto.
- New committee chairs set the oversight agenda; Senate controls confirmations.
- Party-line bills would likely face a presidential veto.

What could swing: pending bills and open proposals are most exposed; final agency rules largely stand unless an agency or court changes them.

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What the Election Could Swing: Bills Exposed; Final Rules Largely Stand

Process mechanics to watch; outcomes are not predicted

Mechanism	What Happens / How It Could Swing	What It Means / What Stays in Place
Lame-Duck Session & Pending Bills (now to 1/3/2027)	The 119th Congress can still act; bills not enacted expire 1/3/2027 and must be reintroduced	H.R. 6955, S. 5452, H.R. 10184 are not law; do not plan on them. Statutory $10B lines stay unless Congress acts
Committee Control (1/2027)	Majority party chairs House Financial Services and Senate Banking and sets hearings and the legislative agenda	Expect a different oversight and hearing agenda; reintroduction depends on new chairs
Senate Confirmations & Agency Leadership	Senate majority controls confirmation of nominees, including financial regulatory agency leadership	Pending and future nominations face a different Senate; confirmed officials remain, priorities could shift
Agency Rulemaking & Open Proposals	Agencies keep authority to propose and finalize rules; hearings and appropriations language could slow or reshape them	OCC, Fed, FDIC, NCUA, and CFPB can still finalize open proposals; final-rule dates not announced
Final Rules & Congressional Review Act	Late-session rules get a fresh review window; disapproval needs the President's signature or a two-thirds override	Final rules stay in effect unless an agency or court changes them; A joint resolution of disapproval would require presidential approval or sufficient votes to override a veto
GENIUS Act	Enacted statute; changes need new legislation signed by the President; Congress oversees implementing rules	Effective 1/18/2027 (or 120 days after final regs); OCC final rule stands

Key Considerations

- Which 2025–2026 changes does the 2027 plan depend on, and how exposed is each?
- Is the 2027 plan built on final rules, with proposals and bills treated as scenarios?
- Which open items would matter most if finalized, or never finalized?
- Does the board know how a reversal of a recent change would affect the institution?

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03

Section

Key Developments to Watch After the Election

Action Agenda: Several Open Items Could Change Obligations in 2027

Open items with an identifiable official basis; plan on final rules, treat proposals and bills as scenarios

Expected Development	Official Basis	Who Is Affected	Current Management Action
Final FDIC Assessment Rule	FDIC NPR, 91 FR 39794 (proposal)	FDIC-insured banks $10B–$30B; not credit unions	Model both methods; prepare election analysis
Final AML/CFT Program Rules	FinCEN NPR (4/10/2026); Fed NPR (7/9/2026) (proposal)	All banks and credit unions (FinCEN; OCC/FDIC/NCUA; Fed)	Gap assessment against FinCEN Priorities
CAMELS (UFIRS) Revisions	FFIEC notice, 91 FR 29128 (proposal)	Banks rated by OCC, Fed, FDIC; NCUA not issued	Align board reporting to material financial risk
Final Regulation O and Part 337 Insider-Lending Amendments	Fed NPR, Regulation O; FDIC NPR, 91 FR 50730 (proposals)	Fed-supervised and FDIC-supervised banks' insider lending	Inventory insider credits against proposed limits
GENIUS Act Implementing Rules	Statute; OCC final rule (10/21/2026); Fed NPRs (proposal)	Any institution with issuer, partner, or customer exposure	Map exposure via deposits, partners, customers
Regulation II Fee Standard	Corner Post, 8th Cir. 10/26/2026 (court decision); 12 CFR 235	Debit issuers ≥$10B	Revenue scenarios in 2027 budget
Threshold Indexing; Community-Bank Scope	Vice Chair Bowman, 10/6/2026 (speech, directional)	Fed-supervised organizations; directional only	Maintain threshold register
Threshold Legislation	H.R. 6955 (passed House); S. 5452; H.R. 10184 (legislation, pending)	Institutions near $10B statutory lines; holding companies (S. 5452)	Track; no planning reliance until enacted
Final Third-Party Risk Guidance	Interagency and Fed guidance, 9/11/2026 (proposal)	All banks and credit unions (NCUA co-issued)	Map current program to proposal
Capital proposals	91 FR 15332 (proposal); compliance date not announced	Banks other than Category I/II; NCUA not issued	RWA impact analysis
CRA Rule Revisions	OCC/FDIC NPR, 91 FR 52114 (proposal); Fed not joined	OCC/FDIC banks; ≤$10B exempt from data reporting; not credit unions	Model asset category under proposed $1B/$10B lines
Merger Review and State-Bank Parity	FDIC NPRs, 91 FR 60196 and 91 FR 60018 (proposals); 2025 rescission of OCC and FDIC merger policy statements	FDIC-supervised banks; state banks operating across state lines	Reflect in acquisition analysis

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Appendix

Regulatory Inventory and Sources

Appendix: Regulatory Inventory by Agency (1 of 6)

Agency	Issuance	Date	Status
Congress	S. 5452 (TIER Act); H.R. 10184 (CFPB reform; $30B CFPB threshold)	9/22/2026	Legislation (pending); introduced, not enacted
Congress	H.R. 6955 (Main Street Capital Access Act)	7/21/2026	Legislation (pending); passed House, pending Senate
Congress	GENIUS Act, Pub. L. 119-27	7/18/2025	Statute; effective earlier of 1/18/2027 or 120 days after final regs
Treasury/FinCEN	AML/CFT Programs NPR, 91 FR 18704 (all BSA financial institutions)	4/10/2026	Proposal; comments closed 6/9/2026
OCC	Bulletin 2026-54, “Super Intelligence: Supervisory Framework” (AI; OCC only)	11/4/2026	Examiner framework; no new expectations for banks
OCC	GENIUS Act implementing rule, new 12 CFR Part 15 (Bulletin 2026-50)	10/21/2026	Final rule; effective 1/18/2027
Fed	Speech, Vice Chair for Supervision Bowman, Modernizing the Regulatory and Supervisory Landscape	10/6/2026	Speech (directional)
Fed	GENIUS Act implementing NPR, 91 FR 61580; application NPR	9/29/2026	Proposal; comments due 11/30/2026
Fed	Updated Statement of Supervisory Operating Principles	9/24/2026	Guidance; supersedes 4/21/2026 version
Reserve Banks	Borrower-in-Custody program updates	9/8/2026	Operational change

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Appendix: Regulatory Inventory by Agency (2 of 6)

Agency	Issuance	Date	Status
Fed	Regulation O proposal (R-1896); comment extension 91 FR 64121	7/31/2026; 10/7/2026	Proposal; comments closed 11/4/2026
Fed	AML/CFT Programs NPR, 91 FR 42363 (R-1835)	7/9/2026	Proposal; comments closed 9/8/2026
Fed	SR 26-3, Fraud-related information sharing under §314(b)	7/9/2026	Guidance
Fed	Reputation risk proposal, 91 FR 9499	2/26/2026	Proposal; comments closed 4/27/2026
Fed	CRA: Board continues to apply 1995 regulations; rescission NPR, 90 FR 34086	7/18/2025	Proposal; 1995 rules remain in effect
FDIC	Large-Bank Deposit Insurance Determination Modernization (Part 370/§360.9)	11/4/2026	Proposal; comments due 1/4/2027
FDIC	Reciprocal Deposits IFR, 91 FR 56022	9/1/2026	Interim final rule; effective 9/1/2026
FDIC	Assessments Thresholds, Rate Schedules, and Adjustments, 91 FR 39794	6/30/2026	Proposal; comments closed 8/31/2026
FDIC	Adjusting and Indexing Certain Regulatory Thresholds (Part 363), 90 FR 55789	11/25/2025	Final rule; effective 1/1/2026

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Appendix: Regulatory Inventory by Agency (3 of 6)

Agency	Issuance	Date	Status
Fed/FDIC/NCUA/OCC	Proposed third-party risk management (TPRM) guidance; Fed community bank guide; core provider statement	9/11/2026	Proposal; statement issued; 2023 guidance remains until final
OCC/FDIC	Unsafe-or-unsound practice and MRA standards, 91 FR 56004 (Bulletin 2026-40)	8/27/2026	Final rule; effective 11/2/2026; Fed, NCUA not joined
OCC/FDIC	CRA NPR ($1B/$10B tiers), 91 FR 52114 (Fed did not join)	7/31/2026	Proposal; N/A to credit unions
FFIEC	Uniform Financial Institutions Rating System (CAMELS), 91 FR 29128	5/19/2026	Proposal; comments closed 8/17/2026
OCC/Fed/FDIC	CBLR final rule, 91 FR 22973	4/29/2026	Final rule; effective 7/1/2026
Fed/OCC/FDIC	SR 26-2 / OCC Bulletin 2026-13 / FDIC FIL-15-2026, Revised Guidance on Model Risk Management	4/17/2026	Guidance (final; non-binding); NCUA not joined
OCC/FDIC/NCUA	AML/CFT program rules NPR, 91 FR 18304 (Bulletin 2026-11; Fed did not join)	4/10/2026	Proposal
OCC/FDIC	Reputation risk rule (Bulletin 2026-12)	4/7/2026	Final rule; effective 6/9/2026
NCUA	Deregulation Project: 11 final rules approved	8/5/2026	Final rule; effective 9/8/2026
NCUA	Management interlocks: major-assets threshold raised to $10B	5/6/2026	Proposal

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Appendix: Regulatory Inventory by Agency (4 of 6)

Agency	Issuance	Date	Status
CFPB	Institutions subject to CFPB supervisory authority; Supervision & Exam Manual	2026; 7/2026	Guidance; current list and internal exam manual
State (CSBS)	CSBS AI Supervisory Framework: discretionary tool for state examiners; each state decides adoption	9/16/2026	Examiner framework
8th Cir.	Corner Post, Inc. v. Board of Governors, No. 25-3000	10/26/2026	Court decision; vacatur affirmed, remanded
CFTC	Regulation CTX/CAM: retail leveraged crypto framework; new “crypto asset market” category	10/13/2026	Proposal (advance notice, ANPRM; no rule text); comments due 12/14/2026
SEC/CFTC	Joint interpretation: five crypto asset categories; only digital securities are securities	3/17/2026	Guidance (joint interpretation)
SEC	Staff statement on broker-dealer custody of crypto asset securities (Rule 15c3-3(b)(1))	12/17/2025	Guidance (SEC staff statement)
CFTC	Tokenized collateral guidance and futures commission merchant (FCM) pilot (BTC, ETH, payment stablecoins as margin)	12/8/2025	Guidance; pilot program
SEC	Staff statement on covered stablecoins (not securities if redeemable 1:1, low-risk reserves)	4/4/2025	Guidance (SEC staff statement; nonbinding)

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Appendix: Regulatory Inventory by Agency (5 of 6)

Agency	Issuance	Date	Status
OCC/Fed/FDIC	Capital proposals: revised standardized approach with ERBA option, 91 FR 15332	3/19/2026	Proposal; comments closed 6/18/2026; NCUA not issued
OCC/Fed/FDIC	18-month exam cycle for eligible banks <$6B, 91 FR 58009	9/14/2026	Interim final rule
FDIC	Extensions of Credit to Insiders (Part 337), 91 FR 50730	8/6/2026	Proposal; comments closed 10/5/2026
FDIC	State Bank Parity NPR, 91 FR 60018	9/22/2026	Proposal; comments due 11/23/2026
FDIC	Merger transactions NPR, 91 FR 60196	9/22/2026	Proposal; comments due 11/23/2026
OCC/FDIC	Rescission of merger policy statements	2025	Rescinded
FDIC	GENIUS Act application procedures; Standards, deposit insurance, and tokenized deposits NPR, 91 FR 18534	12/19/2025; 2026	Proposals; Standards comments closed 6/9/2026
NCUA	GENIUS Act Licensing NPR, 91 FR 6531; Standards NPR, 91 FR 28956	2026	Proposals; comments closed 4/13/2026 and 7/17/2026
NCUA	Complex Credit Union Leverage Ratio (CCULR); $500M complex credit union risk-based capital threshold	Current	Rules in effect; separate from the bank CBLR
Treasury	GENIUS Act issuance, offer, and sale rules NPR, 91 FR 53368	2026	Proposal; comments closed 10/19/2026

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Appendix: Regulatory Inventory by Agency (6 of 6)

Agency	Issuance	Date	Status
CFPB	Small business lending data (§1071) reconsideration rule	5/1/2026	Final rule; compliance 1/1/2028
CFPB	Regulation B (ECOA): disparate impact removed; special-purpose credit programs limited	2026	Final rule; effective 7/21/2026
CFPB	Personal financial data rights rule (§1033)	2026	Compliance dates stayed by court; CFPB reconsidering
CFPB	Internal memo directing 50% reduction in supervisory events	4/16/2025	Internal guidance
Congress	Congressional Review Act repeal of CFPB overdraft and digital-payments supervision rules	2025	Enacted (repealed)
Congress	Discount Window Preparedness Act	5/20/2026	Legislation (pending); introduced, not enacted
White House	Executive order, “Guaranteeing Fair Banking for All Americans”	8/2025	Executive order; directs removal of reputation risk
OCC	Semiannual Risk Perspective	Spring 2026	Report; supervisory focus
CRS	Reports on the lame-duck session and Congressional Review Act	N/A	Research (non-binding)

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