

A BILL

To abolish the Financial Stability Oversight Council, repeal section 111 of the Financial Stability Act of 2010, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Financial Stability Oversight Council Abolition Act of 2026”.

SECTION 2. FINDINGS.

Congress finds the following:

(1) The Financial Stability Oversight Council (FSOC), a component of the Department of the Treasury, identifies risks to financial stability and designates firms for enhanced supervision.

(2) By supervising a financial system built on fiat currency, the FSOC exceeds the power granted in Article I, Section 8, Clause 5 “To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures,” which the Founders understood to require money of fixed metallic weight and fineness, as established by the Coinage Act of 1792, and disregards Article I, Section 10, which permits the States to make nothing “but gold and silver Coin a Tender in Payment of Debts.”

(3) The functions of the FSOC are not “necessary and proper for carrying into Execution” any power vested by the Constitution in the Government of the United States and therefore find no support in Article I, Section 8, Clause 18, which Madison in Federalist No. 44 described as a means of executing powers already granted rather than a source of new ones, as the Anti-Federalist writer Brutus warned in his first essay of 1787 it would otherwise become.

(4) The FSOC exercises lawmaking power by issuing rules and standards that carry the force of law, contrary to Article I, Section 1, which vests “All legislative Powers herein granted” in the Congress alone, which may not transfer them to officers unaccountable to the people at the ballot box.

(5) By subjecting private firms to supervision through designation, the FSOC violates the Due Process Clause of the Fifth Amendment, which provides that no person shall “be deprived of life, liberty, or property, without due process of law”.

(6) In carrying out its functions, the FSOC disregards the Ninth Amendment, which provides that “The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,” including the right of the people to order their own lives, property, and affairs free of federal direction in matters the Constitution does not commit to the Federal Government.

(7) The Constitution delegates to the United States no power over private finance. By designating private firms for federal supervision, the FSOC exercises powers that the Tenth Amendment reserves “to the States respectively, or to the people,” contrary to Federalist No. 45, in which Madison described the powers delegated to the Federal Government as “few and defined” and those remaining in the States as “numerous and indefinite.”

(8) The Declaration of Independence affirms that governments are instituted to secure the unalienable rights of the people and derive “their just powers from the consent of the governed,” and it charged the Crown with having “erected a multitude of New Offices, and sent hither swarms of Officers to harass our people, and eat out their substance.” The FSOC perpetuates the centralized administration the Declaration condemned.

(9) Abolishing the Financial Stability Oversight Council and repealing section 111 of the Financial Stability Act of 2010 will reduce the size and cost of the Federal Government, return to the States and to the people the powers the Constitution reserves to them, and restore the constitutional principles of limited government and enumerated powers.

SECTION 3. ABOLITION OF THE FINANCIAL STABILITY OVERSIGHT COUNCIL.

(a) In General.—The Financial Stability Oversight Council, a component of the Department of the Treasury, is hereby abolished effective immediately following the enactment of this Act.

(b) Wind-Down Operations.—Immediately following the enactment of this Act, the President shall designate an appropriate official to expeditiously wind down the operations of the Financial Stability Oversight Council, ceasing all functions, none of which shall be transferred to any other department or agency of the Federal Government.

(c) Transfer of Assets and Liabilities.—All assets, liabilities, contracts, property, and records of the Financial Stability Oversight Council shall be transferred to the designated official under subsection (b) for appropriate disposition.

(d) Employee Transition.—Employees of the Financial Stability Oversight Council shall be offered opportunities for reassignment within the federal government or provided with severance and retraining assistance as prescribed by existing federal law.

SECTION 4. REPEAL OF PROVISIONS OF LAW ESTABLISHING THE FINANCIAL STABILITY OVERSIGHT COUNCIL.

(a) In General.—Section 111 of the Financial Stability Act of 2010 (12 U.S.C. 5321), and any other provision of law establishing the Financial Stability Oversight Council or vesting functions in the Financial Stability Oversight Council, are hereby repealed.

(b) Conforming Amendments.—The United States Code and all other relevant Federal laws are amended by—

- (1) striking all references to the Financial Stability Oversight Council and to any office, officer, or function established in or vested in the Financial Stability Oversight Council;
 - (2) terminating every function of the Financial Stability Oversight Council, no part of which shall be reassigned to any other department or agency of the Federal Government; and
 - (3) making such other conforming changes as necessary to reflect the repeal and the permanent abolition of the Financial Stability Oversight Council.
- (c) Effective Date.—The repeal under this section shall take effect immediately following the enactment of this Act.

SECTION 5. TRANSITION PROVISIONS.

- (a) No Restoration of Prior Structures.—No element of the Financial Stability Oversight Council shall revert to its organizational structure as it existed prior to the establishment of the Financial Stability Oversight Council, and no function of the Financial Stability Oversight Council shall be restored to any predecessor department, agency, or office.
- (b) Permanent Abolition.—No department, agency, office, or other entity shall be established to carry out the functions of the Financial Stability Oversight Council abolished by this Act.

SECTION 6. SEVERABILITY.

If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act and the application of such provision to other persons or circumstances shall not be affected thereby.