

McHenry Radanovich Smith (TX) Jackson (IL) Miller, George Serrano Shadegg Tancredo Weldon (FL)
 McHugh Ramstad Souder Jefferson Mitchell Sestak Shays Terry Weller
 McKeon Regula Stearns Johnson (GA) Mollohan Shea-Porter Shimkus Thornberry Westmoreland
 McMorris Rehberg Sullivan Johnson, E. B. Moore (KS) Sherman Shuster Tiahrt Whitfield (KY)
 Rodgers Renzi Tancredo Kenzi Shuler Simpson Tiberti Wilson (NM)
 Mica Reynolds Terry Kanjorski Sires Murphy (CT) Smith (NJ) Turner Wilson (SC)
 Miller (FL) Rogers (AL) Thornberry Kaptur Murphy, Patrick Skelton Smith (NJ) Upton Wittman (VA)
 Miller (MI) Rogers (KY) Tiahrt Kennedy Murtha Nadler Smith (WA) Souder Walden (OR) Wolf
 Miller, Gary Rogers (MI) Tiberi Kildee Nadler Smith (WA) Souder Walden (OR) Wolf
 Moran (KS) Rohrabacher Kilpatrick Napolitano Snyder Solis Stearns Walsh (NY) Young (AK)
 Murphy, Tim Roskam Upton Kind Neal (MA) Solis Stearns Walsh (NY) Young (FL)
 Musgrave Royce Walberg Klein (FL) Oberstar Space Speier
 Myrick Ryan (WI) Walden (OR) Kucinich Obey Speier
 Nunes Sali Walsh (NY) Langevin Oliver Spratt
 Nunes Sali Walsh (NY) Langevin Oliver Spratt
 Paul Saxton Wamp Larsen (WA) Ortiz Stark
 Pence Scalise Weldon (FL) Pallone Stupak
 Peterson (PA) Schmidt Weller Pascrell Suttton
 Petri Sensenbrenner Westmoreland Levin Pastor Tanner
 Pickering Sessions Whitfield (KY) Lewis (GA) Payne Tauscher
 Pitts Shadegg Wilson (NM) Lipinski Perlmutter Taylor
 Platts Shimkus Wilson (SC) Loeb sack Lofgren, Zoe Lowey Lynch
 Poe Shuster Wittman (VA) Wolf
 Porter Simpson Young (AK) Mahoney (FL)
 Price (GA) Smith (NE) Young (FL) Maloney (NY)
 Putnam Smith (NJ) Young (FL)

NOT VOTING—20

Cooper Herseht Sandlin Pearce
 Cubin Hulshof Pryce (OH)
 Davis, Lincoln Jackson-Lee Reyes
 Giffords (TX) Rush
 Gonzalez Johnson (IL) Salazar
 Gordon Moran (VA) Tierney
 Graves Neugebauer Udall (NM)

□ 1153

Mr. FLAKE changed his vote from "yea" to "nay."
 Mr. ISRAEL changed his vote from "nay" to "yea."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. SESSIONS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 194, not voting 19, as follows:

[Roll No. 620]

AYES—220

Abercrombie Castor Ellsworth
 Ackerman Cazayoux Emanuel
 Allen Chandler Engel
 Altire Childers Eshoo
 Andrews Clarke Etheridge
 Arcuri Clay Farr
 Baca Cleaver Fattah
 Baird Clyburn Filner
 Baldwin Cohen Foster
 Barrow Conyers Frank (MA)
 Becerra Costa Gillibrand
 Berkley Costello Green, Al
 Berman Courtney Green, Gene
 Berry Cramer Grijalva
 Bishop (GA) Crowley Gutierrez
 Bishop (NY) Cuellar Hall (NY)
 Blumenauer Cummings Hare
 Boren Davis (AL) Harman
 Boswell Davis (CA) Hastings (FL)
 Boucher Davis (IL) Herseht Sandlin
 Boyd (FL) DeFazio Higgins
 Boyda (KS) DeGette Hinchey
 Brady (PA) Delahunt Hinojosa
 Braley (IA) DeLauro Hirono
 Brown, Corrine Dicks Hodes
 Butterfield Dingell Holden
 Capps Doggett Holt
 Capuano Donnelly Honda
 Cardoza Doyle Hooley
 Carnahan Edwards (MD) Hoyer
 Carney Edwards (TX) Inslee
 Carson Ellison Israel

Jefferson Johnson (GA) Johnson, E. B. Moore (KS) Moore (WI) Murphy (CT) Kaptur
 Kennedy Murtha Nadler Napolitano Neal (MA) Oberstar
 Kucinich Langevin Larson (CA) Lee
 Marshall Matheson Matsui McCarthy (NY) McCollum (MN) McDermott
 McGovern McIntyre McNeerney McNulty Meek (FL) Meeks (NY)
 Melancon Michaud Miller (NC) English (PA) Everett
 Fallon Feeney Ferguson Flake Forbes Fortenberry Fossella
 Foxx Franks (AZ) Frelinghuysen Gallegly Garrett (NJ) Gerlach
 Gilchrest Gingrey Gohmert Goode Goodlatte Granger
 Graves Hall (TX) Hastings (WA) Hayes Heller
 Hensarling Herger Hill Hobson Hoekstra Hunter
 Inglis (SC) Issa Johnson, Sam Jones (NC) Jordan Keller
 King (IA) King (NY) Kingston Kirk Kline (MN) Knollenberg
 Kuhl (NY) LaHood Lamborn Lampson Latham Latta
 Lewis (CA) Lewis (KY) Linder LoBiondo Lucas

NOES—194

Aderholt English (PA) Lungren, Daniel
 E. Mack
 Manzullo Marchant McCarthy (CA) McCaul (TX) McCotter
 McCrery McHenry McHugh McKeon McMorris Rodgers
 Mica Miller (FL) Miller (MI) Miller, Gary Moran (KS) Murphy, Tim
 Musgrave Myrick Nunes Paul Pence Peterson (PA) Petri
 Pickering Pitts Platts Poe Porter Price (GA) Putnam
 Radanovich Ramstad Regula Rehberg Reichert Renzi Reynolds
 Rogers (AL) Rogers (KY) Rogers (MI) Rohrabacher Ros-Lehtinen
 Roskam Royce Ryan (WI) Sali Saxton Scalise Schmidt
 Sensenbrenner Sessions

Shadegg Tancredo Weldon (FL)
 Terry Weller
 Westmoreland Whitfield (KY)
 Wilson (NM) Wilson (SC)
 Wittman (VA) Wolf
 Young (AK) Young (FL)
 NOT VOTING—19
 Bean Hulshof Pearce
 Cooper Jackson-Lee Pryce (OH)
 Cubin (TX) Reyes
 Davis, Lincoln Johnson (IL) Rush
 Giffords LaTourette Tierney
 Gonzalez Moran (VA) Udall (NM)
 Gordon Neugebauer

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
 The SPEAKER pro tempore (during the vote). Two minutes remain.

□ 1201

So the resolution was agreed to. The result of the vote was announced as above recorded. A motion to reconsider was laid on the table.

GREAT LAKES-ST. LAWRENCE RIVER BASIN WATER RESOURCES COMPACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the Senate joint resolution, S.J. Res. 45.

The Clerk read the title of the Senate joint resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the Senate joint resolution, S.J. Res. 45.

The question was taken. The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. STUPAK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered. The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 390, nays 25, not voting 18, as follows:

[Roll No. 621]

YEAS—390

Abercrombie Bishop (NY) Calvert
 Ackerman Bishop (UT) Camp (MI)
 Aderholt Blackburn Campbell (CA)
 Akin Blumenauer Cannon
 Alexander Blunt Cantor
 Allen Boehner Capito
 Andrews Bonner Capps
 Arcuri Bono Mack Cardoza
 Baca Boozman Carnahan
 Bachmann Boren Carney
 Bachus Boswell Carson
 Baird Boucher Carter
 Baldwin Boustany Castle
 Barrett (SC) Boyd (FL) Castor
 Barrow Boyda (KS) Chabot
 Bartlett (MD) Brady (PA) Clarke
 Barton (TX) Brady (TX) Clay
 Bean Brown (SC) Cleaver
 Becerra Brown, Corrine Clyburn
 Berkley Brown-Waite, Coble
 Berman Ginny Cohen
 Biggert Buchanan Cole (OK)
 Bilbray Burgess Conaway
 Bilirakis Butterfield Conyers
 Bishop (GA) Buyer Costa

Costello	Jackson (IL)	Perlmutter	Walz (MN)	Weiner	Wittman (VA)
Courtney	Jefferson	Peterson (MN)	Wamp	Weldon (FL)	Wolf
Cramer	Johnson (GA)	Peterson (PA)	Wasserman	Weller	Woolsey
Crenshaw	Johnson, E. B.	Petri	Schultz	Westmoreland	Wu
Crowley	Johnson, Sam	Pickering	Waters	Wexler	Yarmuth
Cuellar	Jones (NC)	Pitts	Watson	Wilson (NM)	Young (AK)
Culberson	Jordan	Platts	Watt	Wilson (OH)	Young (FL)
Cummings	Kagen	Pomeroy	Waxman	Wilson (SC)	
Davis (AL)	Kanjorski	Porter			
Davis (CA)	Keller	Price (GA)			
Davis (IL)	Kennedy	Price (NC)			
Davis (KY)	Kildee	Putnam			
Davis, David	Kilpatrick	Radanovich			
Davis, Tom	Kind	Rahall			
Deal (GA)	King (IA)	Ramstad			
DeGette	King (NY)	Rangel			
Delahunt	Kingston	Regula			
DeLauro	Kirk	Rehberg			
Dent	Klein (FL)	Reichert			
Diaz-Balart, L.	Kline (MN)	Renzi			
Diaz-Balart, M.	Knollenberg	Reynolds			
Dicks	Kuhl (NY)	Richardson			
Dingell	LaHood	Rodriguez			
Doggett	Lamborn	Rogers (AL)			
Donnelly	Langevin	Rogers (KY)			
Doyle	Larsen (WA)	Rogers (MI)			
Drake	Larson (CT)	Rohrabacher			
Dreier	Latham	Ros-Lehtinen			
Duncan	LaTourette	Roskam			
Edwards (MD)	Latta	Ross			
Edwards (TX)	Lee	Rothman			
Ehlers	Levin	Roybal-Allard			
Ellsworth	Lewis (CA)	Royce			
Emanuel	Lewis (KY)	Ruppersberger			
Emerson	Lipinski	Ryan (OH)			
Engel	LoBiondo	Ryan (WI)			
English (PA)	Loebsock	Salazar			
Eshoo	Lofgren, Zoe	Sali			
Etheridge	Lowe	Sánchez, Linda			
Everett	Lucas	T.			
Fallin	Lungren, Daniel	Sanchez, Loretta			
Farr	E.	Sarbanes			
Fattah	Lynch	Saxton			
Feeney	Mack	Scalise			
Ferguson	Mahoney (FL)	Schakowsky			
Filner	Maloney (NY)	Schiff			
Flake	Manzullo	Schmidt			
Forbes	Marchant	Schwartz			
Fortenberry	Markey	Scott (GA)			
Fossella	Marshall	Scott (VA)			
Foster	Matheson	Sensenbrenner			
Fox	Matsui	Serrano			
Frank (MA)	McCarthy (CA)	Sessions			
Frank (AZ)	McCarthy (NY)	Sestak			
Frelinghuysen	McCaul (TX)	Shadegg			
Gallely	McCotter	Shays			
Garrett (NJ)	McCrery	Shea-Porter			
Gerlach	McGovern	Sherman			
Gilchrest	McHenry	Shimkus			
Gillibrand	McHugh	Shuster			
Gingrey	McIntyre	Simpson			
Gohmert	McKeon	Sires			
Goode	McMorris	Skelton			
Goodlatte	Rodgers	Slaughter			
Granger	McNerney	Smith (NE)			
Graves	McNulty	Smith (NJ)			
Green, Al	Meek (FL)	Smith (TX)			
Green, Gene	Meeks (NY)	Smith (WA)			
Grijalva	Mica	Snyder			
Gutierrez	Michaud	Solis			
Hall (NY)	Miller (FL)	Souder			
Hall (TX)	Miller (MI)	Space			
Hare	Miller (NC)	Speier			
Harman	Miller, Gary	Spratt			
Hastings (FL)	Miller, George	Stark			
Hastings (WA)	Mitchell	Stearns			
Hayes	Moore (KS)	Sullivan			
Heller	Moore (WI)	Sutton			
Hensarling	Moran (KS)	Tanner			
Hерger	Moran (VA)	Tauscher			
Herseth Sandlin	Murphy (CT)	Taylor			
Higgins	Murphy, Patrick	Terry			
Hill	Murphy, Tim	Thompson (CA)			
Hinches	Murtha	Thompson (MS)			
Hinojosa	Myrick	Thornberry			
Hirono	Nadler	Tiahrt			
Hobson	Napolitano	Tiberi			
Hodes	Neal (MA)	Towns			
Hoekstra	Nunes	Tsongas			
Holden	Oberstar	Turner			
Holt	Obey	Udall (CO)			
Honda	Olver	Udall (NM)			
Hooley	Ortiz	Upton			
Hoyer	Pallone	Van Hollen			
Hunter	Pascrell	Velázquez			
Inglis (SC)	Pastor	Vislowsky			
Inslee	Paul	Walberg			
Israel	Payne	Walden (OR)			
Issa	Pence	Walsh (NY)			

increase, other than actions or omissions of the consumer that are directly related to such account.”

(b) ANY-TIME ANY-REASON CHANGES IN TERMS ELIMINATED.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (a) (as added by subsection (a)) the following new subsection:

“(b) ANY-TIME ANY-REASON CHANGES IN TERMS ELIMINATED.—

“(1) IN GENERAL.—No creditor may change any term of the contract or agreement applicable with respect to any credit card account of the consumer under an open end consumer credit plan until renewal of the contract or agreement except for the specific material reasons, and subject to specific limitations, that are contained in the contract or agreement with respect to such term at the time the account is opened.

“(2) EXCEPTION FOR INCREASES IN CREDIT LIMIT.—Paragraph (1) shall not apply with respect to any increase in the amount of credit authorized to be extended under an account described in such paragraph.”

(c) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES AND RIGHT TO CANCEL ACCOUNT.—Section 127B of the Truth in Lending Act is amended by inserting after subsection (b) (as added by subsection (b)) the following new subsection:

“(c) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES AND RIGHT TO CANCEL ACCOUNT.—

“(1) ADVANCE NOTICE OF CREDIT CARD ACCOUNT RATE INCREASES REQUIRED.—In the case of any credit card account under an open end consumer credit plan, no increase in any annual percentage rate of interest, for any reason other than an increase due to the expiration of any introductory percentage rate of interest, or due solely to a change in another rate of interest to which such rate is indexed, may take effect before the end of the 45-day period beginning on the date notice of such increase is sent to the cardholder.

“(2) RIGHT TO CANCEL WITHOUT INCREASE IN APR ON OUTSTANDING BALANCE.—Any consumer who receives a notice from a creditor pursuant to paragraph (1) with respect to a credit card account under an open end consumer credit plan shall have the right—

“(A) to cancel the credit card, by mail, telephone, or electronic communication and without penalty or the imposition of any fee with respect to such cancellation, at any time during the period beginning on the date the consumer receives the notice pursuant to paragraph (1) and ending on the date the consumer receives the third periodic statement with respect to such account after the effective date of the increase; and

“(B) to pay any outstanding balance on the credit card account that accrued before the effective date of the increase at the annual percentage rate and repayment period in effect before the notice was received.

“(3) NOTICE REQUIREMENTS.—

“(A) INITIAL NOTICE REQUIREMENT.—The notice required under paragraph (1) with respect to an increase in any annual percentage rate of interest shall—

“(i) be made in a clear and conspicuous manner; and

“(ii) contain a brief statement of the right of the consumer to cancel the account and pay the balance at the annual percentage rate in effect before the increase in accordance with paragraph (2) and the mailing address, telephone number, and Internet address and Worldwide Web site at which the consumer may make any such cancellation.

“(B) SUBSEQUENT NOTICES REQUIRED IN PERIODIC STATEMENTS.—Each periodic statement provided to the consumer with respect to the credit card account after a notice is provided under paragraph (1) until the third periodic

NAYS—25

Altmire	DeFazio	Mollohan
Berry	Doolittle	Poe
Braley (IA)	Ellison	Shuler
Broun (GA)	Kaptur	Stupak
Burton (IN)	Kucinich	Tancredo
Capuano	Lewis (GA)	Welch (VT)
Cazayoux	McCollum (MN)	Whitfield (KY)
Chandler	McDermott	
Childers	Melancon	

NOT VOTING—18

Cooper	Jackson-Lee	Pearce
Cubin	(TX)	Pryce (OH)
Davis, Lincoln	Johnson (IL)	Reyes
Giffords	Lampson	Rush
Gonzalez	Linder	Tierney
Gordon	Musgrave	
Hulshof	Neugebauer	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Less than 2 minutes remain in this vote.

□ 1209

Mr. POE changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate joint resolution was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2008

Mrs. MALONEY of New York. Madam Speaker, pursuant to House Resolution 1476, I call up the bill (H.R. 5244) to amend the Truth in Lending Act to establish fair and transparent practices relating to the extension of credit under an open end consumer credit plan, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5244

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 “Credit Cardholders’ Bill of Rights Act of 2008”.

SEC. 2. CREDIT CARDS ON TERMS CONSUMERS CAN REPAY.

(a) UNIVERSAL DEFAULT ELIMINATED.—Chapter 2 of the Truth in Lending Act (15 U.S.C. 1631 et seq.) is amended by inserting after section 127A the following new section:

“§ 127B. Additional requirements for credit card accounts under an open end consumer credit plan

“(a) UNIVERSAL DEFAULT ELIMINATED FOR CREDIT ALREADY OUTSTANDING.—No creditor may use any adverse information concerning any consumer, including any information in any consumer report (as defined in section 603) or any change in the credit score of the consumer, as the basis for increasing any annual percentage rate of interest applicable to the outstanding balance on a credit card account of the consumer under an open end consumer credit plan at the time of any such