



Legislative Bulletin.....September 23, 2008

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H.R. 5244—Rule for the Consideration of the Credit Cardholders’ Bill of Rights Act

H.R. 5244, the Credit Cardholders’ Bill of Rights Act (sponsored by Rep. Carolyn Maloney, D-NY), is scheduled to be considered on the House floor on Tuesday, September 23, 2008, subject to a closed rule ([H.Res. 1476](#)), allowing NO amendments.

The rule waives all points of order against consideration of the bill, except those regarding PAYGO and earmarks, waives all points of order against the bill itself—except the PAYGO rule—and allows the Chair to postpone consideration of the legislation at any time during its consideration. The rule allows one motion to recommit with or without instructions.

EARMARKS HEADS-UP: Totally unrelated to the credit card mandate legislation, this rule also allows the Chairman of the Committee on Armed Services to insert into the *Congressional Record*, at any time during the remainder of the second session of the 110th Congress, “such material as he may deem explanatory of defense authorization measures for the fiscal year 2009.”

This provision would give Armed Services Chairman Ike Skelton (D-MO) the ability to insert the Joint Explanatory Statement for the Defense Authorization bill, **including a list of earmarks**, into the *Congressional Record* at any time this year (including after the November elections), rather than when the bill is actually considered (likely this week). Even if a statement is filed this week, as some reports indicate it might be, this provision would allow for an undefined number of changes after the election.

Some conservatives may be concerned that, not only will the earmarks not be in the legislative text of the Defense Authorization bill, but they may not even be revealed until after the November elections, and Members will have no ability to amend or strike them.

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