Revised #25

AMENDMENT TO H.R. 627, AS REPORTED
OFFERED BY MR. FRANK OF MASSACHUSETTS

After section 8, insert the following new section (and redesignate subsequent sections accordingly):

1 **SEC. 9. BOARD REVIEW OF CONSUMER CREDIT PLANS AND**
2 **REGULATIONS.**

3 (a) REQUIRED REVIEW.—Not later than 2 years
4 after the effective date of this Act and every 2 years there-
5 after, except as provided in subsection (c)(2), the Board
6 shall conduct a review of the consumer credit card market
7 including—

8 (1) the terms of credit card agreements and the
9 practices of credit card issuers;

10 (2) the effectiveness of disclosure of terms, fees,
11 and other expense of credit card plans;

12 (3) the adequacy of protections against unfair
13 or deceptive acts or practices relating to credit card
14 plans, and

15 (4) whether or not, and to what extent, the
16 Credit Cardholders' Bill of Rights Act of 2009 has
17 resulted in—

18 (A) higher annual percentage rates of in-
19 terest, on average, for credit card users than

1 the average of such rates of interest in effect
2 before the effective date of the Act;
3 (B) the imposition of annual fees or other
4 credit card fees—
5 (i) that did not exist before such ef-
6 fective date;
7 (ii) at a higher average rate of appli-
8 cability than existed before such effective
9 date; or
10 (iii) with higher average costs to the
11 consumer than were in effect before such
12 effective date;
13 (C) an increase in the rate of denial of—
14 (i) new credit card accounts for con-
15 sumers; or
16 (ii) new extensions of credit, or addi-
17 tional lines of credit, for existing credit ac-
18 counts established before such effective
19 date; or
20 (D) any other adverse or negative condi-
21 tion or effect on consumers.
22 (b) SOLICITATION OF PUBLIC COMMENT.—In con-
23 nection with conducting the review required by subsection
24 (a), the Board shall solicit comment from consumers, cred-

1 it card issuers, and other interested parties, such as
2 through hearings or written comments.
3 (c) REGULATIONS.—
4 (1) NOTICE.—Following the review required by
5 subsection (a) the Board shall publish a notice in
6 the Federal Register that—
7 (A) summarizes the review, the comments
8 received from the public solicitation, and other
9 evidence gathered by the Board such as through
10 consumer testing or other research; and
11 (B) either—
12 (i) proposes new or revised regulations
13 or interpretations to update or revise dis-
14 closures and protections for consumer
15 credit cards as appropriate; or
16 (ii) states the reason for the Board's
17 determination that new or revised regula-
18 tions are not proposed.
19 (2) REVISION OF REVIEW PERIOD FOLLOWING
20 MATERIAL REVISION OF REGULATIONS.—In the
21 event the Board materially revises regulations on
22 consumer credit card plans, a review need not be
23 conducted until 2 years following the effective date
24 of the revised regulations, which thereafter shall be-

1 come the new date for the biennial review required
2 by subsection (a).
3 (d) BOARD REPORT TO THE CONGRESS.—The Board
4 shall report to the Congress no less frequently than every
5 2 years, except as provided in subsection (c)(2), on the
6 status of its most recent review, its efforts to address any
7 issues identified from the review, and any recommenda-
8 tions for legislation.
9 (e) ADDITIONAL REPORTING.—The Federal banking
10 agencies and the Federal Trade Commission shall provide
11 annually to the Board, and the Board shall include in its
12 annual report to Congress under section 10 of the Federal
13 Reserve Act, information about the supervisory and en-
14 forcement activities of the agencies with respect to credit
15 card issuers' compliance with applicable Federal consumer
16 protection statutes and regulations including—
17 (1) this Act, the amendments made by this Act,
18 and regulations prescribed under this Act and such
19 amendments; and
20 (2) section 5 of the Federal Trade Commission
21 Act, and regulations prescribed under the Federal
22 Trade Commission Act, such as part 227 of title 12
23 of the Code of Federal Regulations as prescribed by
24 the Board (Regulation AA).