

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

DISAPPROVING THE RULE SUBMITTED BY THE BUREAU OF CONSUMER FINANCIAL PROTECTION RELATING TO "OVERDRAFT LENDING: VERY LARGE FINANCIAL INSTITUTIONS"

Mr. HILL of Arkansas. Mr. Speaker, pursuant to House Resolution 294, I call up the joint resolution (S.J. Res. 18) disapproving the rule submitted by the Bureau of Consumer Financial Protection relating to "Overdraft Lending: Very Large Financial Institutions," and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Pursuant to House Resolution 294, the joint resolution is considered read.

The text of the joint resolution is as follows:

S.J. RES. 18

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That Congress disapproves the final rule submitted by the Bureau of Consumer Financial Protection relating to "Overdraft Lending: Very Large Financial Institutions" (89 Fed. Reg. 106768 (December 30, 2024)), and such rule shall have no force or effect.

The SPEAKER pro tempore. The joint resolution shall be debatable for 1 hour, equally divided and controlled by the chair and ranking minority member of the Committee on Financial Services or their respective designees.

The gentleman from Arkansas (Mr. HILL) and the gentlewoman from California (Ms. WATERS) each will control 30 minutes.

The Chair now recognizes the gentleman from Arkansas (Mr. HILL).

GENERAL LEAVE

Mr. HILL of Arkansas. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. HILL of Arkansas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this joint resolution of disapproval.

Today, we can protect consumers and ensure continued access to financial services by voting to nullify the Consumer Financial Protection Bureau's disastrous rule on overdraft fees.

In a time burdened by the 40-year-high inflation, when many middle- and low-income households are living paycheck to paycheck, ensuring Americans have access to affordable credit has never been more important.

Overdraft protection is an optional service that financial institutions pro-

vide to help consumers avoid having purchases declined. Instead of the transaction being denied, the bank or credit union charges a flat fee to cover the check on behalf of that consumer. It lets that purchase proceed. It lets that payment to a utility company proceed. It lets that payment for an important rent or mortgage company to proceed, thereby allowing American families to take care of essential needs like that mortgage payment, rent payment, groceries, or gas before their next paycheck arrives.

Over the last decade, competition has driven financial institutions to lower their overdraft privilege fees to retain customers. Innovation has made accidental overdrafts less likely as many financial institutions now offer low balance alerts, automatic transfers from savings, and other tools to help consumers avoid being in overdraft and better manage their financial cash flow.

Competition and innovation, not government-mandated price caps, remain the best way to ensure consumers have access to affordable financial products and services.

Unfortunately, this CFPB rule undermines this very approach and threatens to restrict access to credit and overdraft privileges, which all of us should be concerned about.

The CFPB's rushed and haphazard approach to the rule is a clear example of how not to regulate. The CFPB made this decision before conducting meaningful research or considering the real-world consequences of its actions.

The CFPB's rule imposes a government-mandated price cap on what financial institutions may charge in the way of a fee for an overdraft privilege.

Like all price caps, this would reduce the availability of these very overdraft services, especially, Mr. Speaker, for consumers who have lower credit scores or are considered high risk.

By doing so, it effectively limits access to credit and that overdraft privilege for those who need it the most at the time they need it the most.

The CFPB's failure to consider the cost associated with this regulation, especially the real-world impact on consumers, their local community's financial institution, and the broader financial system only underscores the need to stop this price control before it is too late.

The CFPB also creates a false narrative of choice by suggesting that banks and credit unions can either offer an overdraft service at this federally mandated price fixed cost of \$5 or comply with extending that as credit and, therefore, complying with the Truth in Lending Act. In other words, actually underwriting a consumer loan instead of simply offering the overdraft—simple, straightforward, fast, overdraft fee.

This redefinition of what products and services constitute credit thus is problematic, especially since Congress has already defined credit for regulatory purposes.

Even more troubling is the way the CFPB oversimplifies the costs of providing overdraft protection.

The rule only considers the cost of operating a call center and ignores the many other expenses involved such as ratifying and dealing with consumer disputes, mailing and postage for overdraft notices, third-party collection expenses, technology costs, and cost of regulatory compliance.

The reality is that these additional costs make it increasingly difficult for banks to continue offering overdraft protection. Many will simply choose to stop providing the service altogether. Those who will suffer the most from this are the very people the rule is designed to protect.

Mr. Speaker, in 2023, a survey found that 92 percent of customers who were aware their balance wouldn't cover a transaction preferred paying the overdraft fee rather than having their transaction declined. Not only is it inconvenient or potentially embarrassing in a particular situation, but it is also fundamental to in-between paycheck cash flow. They are making the decision to go into overdraft so they make that mortgage payment on time, despite buying clothes for back to school and trying to do Christmas shopping.

□ 1315

In my experience with my customers, over my many years of working with families, I never found one who was not a worthy steward of how to use these services.

Another survey found that 64 percent of customers think it is reasonable for a bank to charge an overdraft fee, and 72 percent feel these fees are justified, particularly when it helps them ensure timely payment of a much larger important bill, like a mortgage or rent.

In my experience of helping families across rural Arkansas for many years, as I said, managing their finances, they are pretty smart about how to do that, Mr. Speaker.

The truth is if the consumers lose access to overdraft protection, they will be forced to turn to alternative sources of credit that may be more expensive and riskier, have less consumer protection and documentation, and be less holistically handled than they would be at their home community financial institution or credit union.

I encourage all of my colleagues to support this resolution to restore common sense to our regulatory framework and ensure that consumers continue to have access to the financial services on which they rely.

Mr. Speaker, I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in complete opposition to yet another harmful bill put forth by Republicans, S.J. Res. 18, a resolution to allow the biggest banks to increase fees on their customers. You heard me right. I said this resolution will increase bank fees, and it will

impact 23 million households, or roughly 1 in 5 households, that incur overdraft fees each year.

Despite Trump and Republican campaign promises to lower prices, the President decided to launch a global trade war just last week that wiped out a 2-day record of \$6.6 trillion of wealth, affecting the retirement savings of millions of Americans. Moreover, the Fed Chair has said these policies will fuel higher inflation by sending the prices of consumer goods up.

It doesn't seem like the President cares about prices anymore, saying: "I couldn't care less. I hope they raise their prices because, if they do, people are going to buy American-made cars. We have plenty." Trump doesn't care that prices for cars and other goods will rise significantly.

We are here today because Republicans now want to overturn a rule that limits bank overdraft fees to \$5, down from \$35 or more, and saves consumers \$5 billion a year. Not surprisingly, more than 80 percent of Americans, including Republicans, want to get these high overdraft fees under control, yet Republicans will vote to take off the limits on these fees and say that higher fees are good for America.

Let's clear up a few myths. The Consumer Financial Protection Bureau's rule does not ban overdraft fees. Rather, it sets a reasonable limit at \$5 per overdraft charged by the biggest banks in America.

Despite what opponents may claim, the rule does not impose a hard cap on this fee. It provides flexibility for large banks to charge more if their estimated costs and losses in providing this service are higher than \$5. The rule even allows big banks to charge higher fees if they provide a simple, up-front disclosure to consumers.

Think about that. Why is it if you want to charge more money than the \$5, you don't want to tell your customers that you are raising and charging more? I don't get it.

That is right, the biggest banks can feel free to charge higher fees, but they just have to tell consumers that they plan to do so.

Furthermore, this rule does not apply to any small community banks or credit unions. In fact, 97 percent of all banks and virtually all credit unions are completely exempt from the rule. Let me say that again. Community banks and nearly all credit unions are exempt from the rule. We are only debating whether the biggest banks in America should be able to raise these fees.

Republicans will try reverse psychology to convince Americans that it is in their best interests to fork over even more money to the big banks.

Mr. Speaker, let me help Republicans out. Making Americans pay high overdraft fees only benefits the big banks, no one else.

Let me be even clearer. A vote for this resolution is a vote for big banks. A vote for this resolution is a vote for

big fees. A vote for this resolution is a vote against your constituents.

Don't just take my word for it. Nearly 300 consumer, civil rights, labor, religious, and community groups all across the country strongly oppose this resolution.

Mr. Speaker, these fee increases that Republicans are trying to jam down Americans' throats couldn't come at a worse time. The Federal Reserve reported that a key metric of inflation is going up, and that was before President Trump sent the stock market further into the tank with the global trade war he launched last week.

Republicans promised that inflation would go down and the stock market would thrive under his leadership, but 4 months into the new administration, that has proven to be false.

Whether you like the Consumer Financial Protection Bureau or not, it just doesn't make good sense to hike bank fees on 23 million hardworking families.

Democrats on the Financial Services Committee voted unanimously to oppose this resolution at a markup in February, and I urge all of my colleagues to unanimously reject it on the floor today.

Mr. Speaker, I reserve the balance of my time.

Mr. HILL of Arkansas. Mr. Speaker, let me say that the gentlewoman from California knows my respect for her and her leadership on our committee, but there is no effort here to raise overdraft fees in this resolution. It is quite the contrast. All we are saying is we don't need the Federal Government having a price cap on a product that is a very competitive product, with many, many banks not even charging for overdraft protection.

There is nothing hidden, Mr. Speaker, about fees on overdrafts. The Electronic Fund Transfer Act signed by this Congress made it clear decades ago that consumers must opt in to overdraft protection. Let me repeat that. Consumers select to do this. They shop for financial institutions online, down the street, whatever. They pick their credit union or bank to do business with. If they want overdraft protection to make sure that they are actually being protected on an extra payment or some bill they have between paychecks, they have it. It is completely spelled out.

Regulation DD in the Truth in Savings Act requires financial institutions to provide that information. Clearly, customers opt in to it.

Mr. Speaker, I promise you, I had it all through my early career when I couldn't make payments between paychecks. A young family, one income, lots of children, a lot of expenses, you do it. It is a good, prudent practice.

As a community banker for decades, I can promise you families were smart about it. There is nothing hidden about it. It is fully present. Consumers opt in to it, and the competition is intense to retain those customers.

Mr. Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. ROSE), my good friend. Mr. ROSE was the Commissioner of Agriculture in Tennessee before coming to Congress. He is a very active member of both the House Financial Services Committee and the Agriculture Committee. He has rural Tennesseans and their financial success at heart.

Mr. ROSE. Mr. Speaker, I thank Chairman HILL for yielding me time to discuss this important issue.

Mr. Speaker, it is no secret that the sky was the limit when it came to regulations for the last administration. Our Nation endured 4 years of costly new rules, rules that continue to wreak havoc on our economy and stunt economic growth. Indeed, it is going to take some time to undo the mess from the last White House.

S.J. Res. 18 puts us one step closer to cleaning up this mess. It calls the Consumer Financial Protection Bureau's overdraft rule what it is: drastic, punitive, and harmful to banks and credit unions. It also stands to harm the very people it purports to protect.

Mr. Speaker, I share with you today a story of a lady in one of the towns in my district, Lafayette, who said to me fairly recently: "Please don't take away my overdraft protection."

If the Consumer Financial Protection Bureau requires banks to charge no more than \$5 for a \$200 overdraft, we will likely see an end to that service altogether. No one wants to overdraft. Unfortunately, it isn't uncommon. In fact, many Americans can recall using overdraft services and them being a lifeline at one point or another in their lives. This is just one of many examples of overreach by the last administration, and it must be overturned.

In America, we celebrate capitalism. We encourage competition. We don't smother our financial institutions just for political favor.

Mr. Speaker, I urge my colleagues to vote for this resolution in defense of financial institutions that choose to extend overdraft lifelines to their customers who need them.

Mr. HILL of Arkansas. Mr. Speaker, I reserve the balance of my time.

Ms. WATERS. Mr. Speaker and Members, I think Mr. HILL said many banks do not charge overdraft fees. Then why are they opposed to \$5?

Mr. Speaker, I yield 1 minute to the gentlewoman from Massachusetts (Ms. PRESSLEY).

Ms. PRESSLEY. Mr. Speaker, I thank Ranking Member WATERS for her leadership, under which we have advocated to create an economy that works for all people, not just Elon Musk and wealthy billionaires.

That is why I oppose this measure to overturn the Consumer Financial Protection—emphasis on "Protection"—Bureau rule that caps overdraft fees by banks at \$5.

The work of CFPB has been cost-saving and life-changing, but this resolution would undo that progress. Whether it is an elder whose Social Security

check was delayed into her direct deposit, likely because of Trump's mass firings, or the young college student who makes the innocent mistake of confusing a savings and checking account, anyone can be affected by unnecessary junk fees.

Let's be honest, it is our most vulnerable who will bear the brunt of the harm. For the single parent who has to pay bills today with money that is coming tomorrow, overdrafting may be their only option. The exorbitant fees, sometimes \$35 for every overdraft, would further push them into debt.

It is a shame the Republicans are attacking poor people just to help greedy bank CEOs get richer, the shame and the sham of it all.

I oppose this resolution and encourage everyone to stand with working people who are struggling to make every single dollar stretch.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. WATERS. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from Massachusetts.

Ms. PRESSLEY. Mr. Speaker, they are struggling to make every dollar stretch because of the harmful policies advanced by your dictator in chief. Vote "no."

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President.

Mr. HILL of Arkansas. Mr. Speaker, I yield 1 minute to the gentleman from Wisconsin (Mr. FITZGERALD), a greater leader there, a fine leader in this House on the Judiciary Committee, and an active member on the House Financial Services Committee.

Mr. FITZGERALD. Mr. Speaker, I rise today in support of Chairman HILL's resolution to overturn the CFPB's misguided overdraft rule.

In Wisconsin, community banks and credit unions are the backbone of our local economies. They know their customers. They serve their neighbors. They provide trusted financial tools like overdraft protection to help families manage their emergencies.

Overdraft protection is a critical tool that helps families avoid declined transactions, bounced checks, and costly disruptions. It does so transparently with clear disclosure.

A 2023 study from the Financial Health Network found consumers want overdraft services and the flexibilities that they provide.

The CFPB rule amounts to government price controls that will limit access to a lawful, contractually agreed-upon product. The rule will not help working families. It will hurt them.

By capping fees below the costs of providing the service, many banks and credit unions will be forced to reduce or eliminate overdraft programs altogether.

Because of the CFPB's rule on overdrafts, consumers will lose options. The resolution will repeal the CFPB's rule and protect consumers.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HILL of Arkansas. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Wisconsin.

□ 1330

Mr. FITZGERALD. Mr. Speaker, many people will face declined payments, higher minimum balance requirements or, worse, be pushed toward riskier unregulated products.

This resolution will repeal the CFPB's rule and protect consumers' access to financial products.

I urge my colleagues to support this CRA resolution, defend consumer choice, and restore regulatory certainty to our financial system.

Ms. WATERS. Mr. Speaker, Mr. ROSE, I believe, said that there are constituents who say: Don't stop my overdraft. However, did they say: Charge me exorbitant amounts for overdraft? I don't think so.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I think it is incredibly shameful that my Republican colleagues want to gut the rule that capped most credit card late fees at just \$5.

Credit card companies over the people we represent, that is what they are choosing with this.

Working families, as many of us know, are struggling with rising costs. Mr. Speaker, 60 percent of the residents who we represent live paycheck to paycheck.

Did you know when this all came about, it was because our country found out through investigation that credit card companies were building business plans where 50 percent of their profit came from late fees. They basically built a business plan for overdraft fees. That is what they did.

Now my colleagues right here want to overturn the rule that prevents the biggest banks—think about this, this is not like small banks, this is the biggest banks—from exploiting, shamefully targeting the American people.

I know overturning this rule will cost \$5 billion annually. That averages about \$225 per household that would have to pay the overdraft fees that many of these folks put business plans together on.

Credit card late fees, Mr. Speaker, also widen the racial wealth gap. They impact and put a heavy burden on some of the poorest communities, working-class folks. These are frontline workers.

Gutting the overdraft rule is a slap in the face of the families, again, who are already struggling to make ends meet. This is raising the costs for families when we don't check corporate greed.

Again, these are credit card companies that you all are hollering about right now. I wish you would do that for people who are sick and can't afford their diabetes medicine or those who are struggling right now with wage

theft in their workplace. These are all things that we could actually be fighting for right now for our families, like the rising cost of groceries, but instead we are wasting time advocating on behalf of credit card companies, not the people who we represent.

Mr. HILL of Arkansas. Mr. Speaker, I yield myself such time as I may consume.

Let me say that the gentlewoman makes a good point about financial management when it comes to late fees and accelerated interest rates on credit cards. That is why we are actually talking about overdraft protection today, because time and time again people take advantage of affordable, convenient, disclosed, not hidden overdraft protection so that their family can avoid a late fee on a credit card, which she just gave an excellent overview of her concerns about.

If we want to do that, then give people the financial tools that they have in overdraft protection without micro-management from the Federal Government. Don't take my word for it or anyone on this side of the aisle.

The Federal Reserve Bank of New York found that artificial price caps, like the one being discussed, being proposed by the CFPB on overdraft protection programs, reduced the supply, leading to fewer bank accounts for low-income families, period, full stop. I hear all the concern.

Mr. Speaker, I yield 1 minute to the gentleman from North Carolina (Mr. McDOWELL). We are glad to have his voice in this debate.

Mr. McDOWELL. Mr. Speaker, I rise in support of this resolution to overturn a ludicrous rule which imposes government price controls on financial institutions across the country.

The Biden administration's CFPB issued this rule right before they left town, and they sold it as a defense of consumers. Mr. Speaker, you can say something a million times, and it still won't make it true.

Instead of helping consumers, government price controls will simply lead to more denied transactions and less consumer freedom.

Here is the reality, Mr. Speaker: Many local banks across the country already offer overdraft services that provide Americans a safety net on their financial services, and it is exactly these types of services that foster competition, giving consumers a choice in where to bank.

This resolution would repeal the Biden administration's government price control scheme. I urge my colleagues to vote "yes" on this resolution.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Texas (Ms. GARCIA).

Ms. GARCIA of Texas. Mr. Speaker, I mentioned earlier that Democrats created a watchdog, the Consumer Financial Protection Bureau, to stop scams and protect everyday people. One of the most important things they have done

recently: They capped bank overdraft fees at \$5. If your account goes a few dollars negative and your check bounces, the bank cannot charge you more than \$5. Most banks charge between \$25 and \$35. Again, the cap is \$5.

Well, for some reason, the Republicans want to get rid of this. I don't know why. Maybe it is because their bank buddies like JPMorgan Chase made about \$58 billion in profit last year, and \$1 billion of that came from junk fees, just like the overdraft fee Republicans are now trying to allow banks to raise.

However, Republicans aren't worried about that. They don't worry about bounced checks because Republicans live in a different world, a world where banks win and families lose.

I urge my colleagues to vote "no." Vote for people, not for banks.

Mr. HILL of Arkansas. Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. DOWNING), a new member of the House Financial Services Committee. We are so delighted to have his expertise on our committee. He has a securities regulatory background. He was the State auditor. He serves on our committee and on the House Small Business Committee.

Mr. DOWNING. Mr. Speaker, I thank Chairman HILL for his leadership in bringing this important legislation to the floor.

The bill we have before us today reverses perhaps the most misunderstood rulemaking in financial services. On its face, you may look at a proposal to cap overdraft fees and think, wow, that sounds like a great idea. After all, who wants to pay more in fees?

However, in reality, the CFPB's rule capping overdraft fees is nothing more than an eleventh hour effort from Biden's rogue financial regulators to score political points at the expense of everyday Americans.

Financial institutions have to be able to generate profit from the products they offer. Otherwise, they will not be able to offer them at all.

By capping overdraft fees, the CFPB has made it increasingly more costly for banks and credit unions, especially those that service folks in rural districts like mine, to offer overdraft protection.

When these lenders are no longer able to charge competitive rates, they may be forced to cover the cost by increasing other critical services or stop offering the services altogether.

What does that result in? It results in less choice and less protection.

Imagine a single mother trying to make ends meet. She needs to feed herself and her son, the rent is due, but she doesn't have enough in her account to cover both. If she is not able to access overdraft protection or other far riskier means of short-term liquidity, imagine the outcome.

This rulemaking doesn't help people in these positions as it pretends to. It jeopardizes their survival.

When governments act as though they know better than the consumers

and the markets, everyday people pay the price. Let's not make that mistake today. I urge my colleagues to support this legislation.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. FIELDS).

Mr. FIELDS. Mr. Speaker, I thank the gentlewoman from California, the ranking member, for fighting predatory lending over the years.

Mr. Speaker, I rise today to oppose S.J. Res. 18 which would dismantle important protections against predatory overdraft practices.

Let me be absolutely clear: Overdraft protection is a profit center for big banks disguised as a service fee. These institutions made over \$9 billion from overdraft fees last year alone.

When a constituent in my district gets a \$35 charge for a \$5 purchase, that is not covering bank costs, that is a 700 percent markup designed purely to boost profits.

The CFPB's rule only affects banks with assets over \$10 billion, institutions that would remain highly profitable without these predatory practices. These megabanks aren't using overdraft fees to stay afloat.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. WATERS. Mr. Speaker, I yield an additional 1 minute to the gentleman from Louisiana.

Mr. FIELDS. Mr. Speaker, I thank the gentlewoman for the additional time.

They are using them to pad their already substantial bottom lines at the expense of working families in Louisiana and across America.

Mr. HILL of Arkansas. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. HARIDOPOLOS), our new Member from the Space Coast.

Mr. HARIDOPOLOS. Mr. Speaker, I rise in support of the resolution to overturn the CFPB's overdraft rule. This is a classic midnight maneuver from the previous administration that ignored market realities.

Let's be clear: It is competition, not heavy-handed regulation that drives down costs. According to the CFPB's own data from 2020 to 2023, overdraft fees fell by 50 percent without this rule. That means the market is working, and that is why I support this resolution.

Ms. WATERS. Mr. Speaker, I yield 1 minute to the gentlewoman from Oregon (Ms. BYNUM).

Ms. BYNUM. Mr. Speaker, my constituents are struggling with high costs and inflation, and more and more families are living paycheck to paycheck, and still the supporters of this bill are trying to increase their fees? I can't and I won't get behind that. It is out of touch.

Not only is that hurting our families, but it is also unfairly penalizing our kids, who are trying to learn financial responsibility.

My son recently got a debit card. He is 14, and he uses it for small stuff and

things like buying PlayStation skins, Fortnite skins, whatever kids buy. If he accidentally spends more than he has, \$35, in my opinion, is too high of a penalty. The average American kid would have to work 5 hours at the Federal minimum wage to get that back. I think that is crazy.

Every American should have the opportunity to participate in our economy and not be on their knees when they do. I strongly oppose this resolution, and I support the rule to cap overdraft fees at \$5.

Mr. HILL of Arkansas. Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. HUIZENGA), the vice chairman of our full committee, who has such distinguished service on our committee. He is a leader in every way and also in the House Foreign Affairs Committee.

Mr. HUIZENGA. Mr. Speaker, the Bureau's overdraft rule would implement government price controls over a product that has proven necessary for consumers to make day-to-day purchases.

Today, Congress has an opportunity to invalidate this Biden-era rule that, if implemented, would severely impact community banks and local credit unions by restricting the services they can offer, while at the same time depriving millions of Americans of an important financial safety net.

According to a 2024 survey, consumers stated that they use overdraft services because they lack credit alternatives. Taking away this backstop, which Americans say they use when in a pinch for food, utilities, and transportation, only further limits the financial options that they have available to them.

According to a New York Fed study—not exactly a conservative institution, I will tell you that—entitled, "Who Pays the Price? Overdraft Fee Ceilings and the Unbanked," the New York Fed says: "Overdraft fee caps hinder financial inclusion. When constrained by fee caps, banks reduce overdraft coverage and deposit supply, causing more returned checks and a decline in account ownership among low-income households."

□ 1345

Mr. Speaker, I happen to know that because I have represented some of the poorest counties in the State of Michigan in my time in Congress. This is a valuable tool those on the lower end of the economic rung use.

After the November election and President Trump won, regulators got the message, for the most part, to stop their rulemaking and put their pens down. However, Director Rohit Chopra couldn't help himself.

This is a clear example of government knows best, and we know what this is really about. Fewer community banks and credit unions will lead to more consolidation and less options. I believe most Members here share a common goal to ensure financial inclusion, as well as financial literacy and

awareness. Frankly, this rule isn't going to accomplish that. My friends on the other side of the aisle know it.

After the bank failures of 2023, community financial institutions lost consumers and remain at a disadvantage. Again, any rule that leads to greater consolidation in the banking industry only benefits the largest financial institutions in America, a class of banks regularly attacked by Members on the other side, and yet now they are trying to help them.

Although overdraft is one of the most transparent and competitive products available in depository banking, they make up about 2 percent of consumer complaints.

How have the banks responded? They have responded by proactively taking steps to promote further transparency in their overdraft products without government intervention. This includes low-balance alerts, grace periods, and other innovative tools that make sure consumers are protected from unnecessary fees.

Financial institutions in my home State of Michigan, who represent roughly 12 million customers and hundreds of billions of dollars in deposits, have shared stories of consumers who use this overdraft strategy to ensure important expenses are paid. Rent, utilities, and medical bills are ultimately paid when a shortfall exists.

Mr. Speaker, with that, I request a "yea" vote from my colleagues.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Republicans keep complaining about the Consumer Financial Protection Bureau. Let's review the terrible things they have done.

Since 2011, they secured more than \$21 billion for 205 million consumers who were harmed by bad actors including the biggest banks. The agency has received more than 10 million complaints from harmed consumers, and insured financial firms responded. That is, on average, 25,000 complaints each week.

The Consumer Financial Protection Bureau helps servicemembers, veterans, students, and older Americans. Mr. Speaker, they don't care who you are. They help Republicans, Independents, and Democratic consumers. The CFPB will not be able to help anyone if Trump and Musk are successful in shutting them down.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. LICCARDO).

Mr. LICCARDO. Mr. Speaker, I thank the ranking member for yielding time.

Mr. Speaker, I am here to commemorate liberation month. A week ago, Liberation Day brought us President Trump's tariffs which will liberate a typical American family from 3,800 of their hard-earned dollars each year, according to one study.

The Trump slump, moreover, has liberated our retirement accounts from more than 6 trillion of those hard-earned dollars through market losses.

In week 2 of liberation month, the Republican majority proposes S.J. Res. 18 which will increase the annual cost of bank overdraft fees on American families by an average of \$225, collectively liberating all of us of 5 billion more of our dollars in a given year.

Remember, the average debit card overdraft is less than \$26. Mr. Speaker, it is repaid typically within 3 days on average. A typical overdraft fee of \$35, which is what we had before the rule, amounts to an interest rate of more than 16,000 percent APR on the bank's loan of \$26. Mr. Speaker, that is usurious. American families cannot afford any more liberation.

It is not as though we have a history here in which banks have always complied with the notion that these overdraft fees are simply to offer a service. We know that it has been used to pump up profits, in fact, illegally on several occasions.

Mr. Speaker, in 2017, TCF National Bank was cited by CFPB and ultimately settled. It paid \$30 million for its abuse of overdraft fees.

In 2020, TD Bank was sanctioned \$123 million for, among other violations, deceptive practices related to debit card overdraft.

Mr. HILL of Arkansas. Mr. Speaker, I yield 4 minutes to the gentleman from Kentucky (Mr. BARR), the chairman of our Subcommittee on Financial Institutions.

Mr. Speaker, he has his two top advisers with him, Eleanor and Mary Clay.

Mr. BARR. Mr. Speaker, I thank my friend, Chairman HILL, for bringing this important resolution of disapproval to the House floor, nullifying the Consumer Financial Protection Bureau's disastrous overdraft rule.

Let me set the record straight, Mr. Speaker. This resolution of disapproval doesn't increase fees, as my friends on the other side of the aisle insinuate. In fact, what it does do is it invalidates a regulation that will take this critical lifeline away from many of my constituents.

Indeed, for many families across this country, living paycheck to paycheck, overdraft services are a critical safety net. Without this service, necessities would become harder to obtain. Overdraft services are not a luxury. They are a lifeline. For my friends on the other side of the aisle to use incendiary language like "shameful," I submit what is shameful is to take away this lifeline from our constituents.

Consumers understand the costs associated with overdraft services, and they willingly opt in because they find value in the protection that it offers. They are not coerced. They make an informed decision, knowing that a small, predictable fee prevents far more severe consequences like a bounced check or late fees.

It is a convenience that allows consumers to avoid the embarrassment of being turned down at the point of sale. Unfortunately, my Democrat col-

leagues refuse to recognize this basic truth, choosing instead to label overdraft products as predatory.

Let me reiterate that point, Mr. Speaker. Consumers choose to use this service, and they opt into the service voluntarily.

The first option under the new rule forces financial institutions to treat overdrafts as extensions of credit. This change would severely limit access to the product, especially for those who need it most. Financial institutions would have to underwrite each overdraft transaction, evaluating a borrower's ability to pay a relatively small amount. This would be both impractical and inefficient.

The alternative proposed by the Bureau, a safe harbor charge cap of \$5, would force many banks to exit this product altogether. Credit unions would also discontinue this service. This would price out the very consumers who rely on overdrafts the most.

They use the word "predatory." Mr. Speaker, let me tell you what is predatory. What is predatory is taking away this product from the American people and pushing them into actual nonbank predatory lenders and usurious products.

As was mentioned earlier, the Federal Reserve Bank of New York has already concluded that overdraft fee caps hamper, rather than foster, financial inclusion. The consequences of the rule have been studied, and it is evident that this cap would harm consumers by limiting their access to necessary financial services.

Finally, this idea that smaller banks and credit unions are unaffected by the rule is simply wrong. While institutions with less than \$10 billion in assets are purportedly excluded from the rule, they will still be forced to deal with this cap just to stay competitive.

The truth is it is the big banks they are protecting. The big Wall Street banks can afford to go without these fees. It is the community banks in our neighborhoods and in our communities who can't afford to provide this product without the fees.

Mr. Speaker, just in conclusion, this is a real-life testimonial about the value of these overdraft protections from a community bank in my district:

We have a customer with two children and a husband in the military. As you know, things can be difficult when one parent is deployed and one parent is alone with children, trying to manage finances, school, after-school activities, and church.

As the customer said, things can be overwhelming, even exclusive of her husband's deployment. This customer approached me in church with her head down, saying that she was having a tough time with things. Some expenses surprised her, and she was suddenly out of money for the month. She was okay, as she had groceries, gas, and her bills paid, until she got a flat tire on the way to a school function. She got the car to the tire shop.

The SPEAKER pro tempore (Mr. WIED). The time of the gentleman has expired.

Mr. HILL. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Kentucky.

Mr. BARR. Mr. Speaker, I will finish the story.

The tire was irreparable. She had to buy a new tire for a couple of hundred dollars she didn't have. She was not able to keep up with her car. She had to buy the new tire. There was no choice.

She ran her debit card, and it covered the tire. The family went home. She checked her account when she got home, wondering how it was paid for, when she didn't have the money in it. It was her overdraft that covered it. She thanked me that her community bank was there for her to cover her overdraft so she could keep moving without having to call for help.

Mr. Speaker, needless to say, the banker was tremendously humbled that she was able to help this mother out due to the overdraft. They are there in time of need.

Ms. WATERS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. CLARK), the Democratic whip.

Ms. CLARK of Massachusetts. Mr. Speaker, remember when the GOP promised to lower the cost of living? It really wasn't that long ago.

Today, we have a tax on cars. We have a tax on coffee. We have a tax on the eggs we import to fill the empty shelves. We have a tax of 125 percent on clothes, toys, and electronics.

What does this all add up to? It adds up to a tax of \$4,600 a year on American families. While Trump shrugs at all those rising costs, he certainly wants us to know this. While all this was happening to American families, he wanted us to know that he won his Senior Club Championship golf tournament.

What are House Republicans doing?

Are they voting to cancel these taxes? No, they are carving them into stone, prohibiting us from revealing them, no matter how painful they get. Then they are pushing the costs even higher. Today, they are voting to raise overdraft fees.

After crashing the economy, eliminating jobs, and destroying people's retirement savings, they are making it more expensive to be short on money by \$225 a year per family. Also, the banks can pocket more, which is their priority.

Later today, Republicans will be back on their tax plan, the one where they take deserving taxpayer dollars and give them to the billionaire class in the form of tax cuts for them.

By defunding Medicaid, the largest healthcare program in our country, by defunding food programs that feed 15 million children, by dismantling Social Security, firing veterans, closing and cutting public schools, and abandoning special needs children, the rich will get richer. That is who they work for.

Mr. Speaker, we will continue to work and vote for working people, and we will vote "no" on this budget.

Mr. HILL of Arkansas. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. STUTZMAN), who brings his

entrepreneurship and State legislative practice. He is a former Congressman returning to the House Financial Services Committee.

□ 1400

Mr. STUTZMAN. Mr. Speaker, I thank the chairman for his hard work.

Mr. Speaker, I rise today in support of the resolution disapproving of the rule submitted by the CFPB relating to overdraft lending very large financial institutions.

The CFPB's purpose is to implement and enforce consumer financial protection laws and ensure that consumers have access to financial services and products while ensuring fair, transparent, and competitive markets.

The overdraft lending rule issued by the CFPB instead harms consumers by setting government price caps on overdraft fees. Setting these caps and requiring large banks to lower their overdraft fees will force smaller and community banks to follow suit, resulting in less options for our constituents.

Overdraft fees are provided by banks for people who are caught in a bind. Hoosiers who need to make emergency payments should not be turned away at the register because this rule forced their bank to stop offering overdraft services. This government-created market established by the CFPB's overdraft lending rule ignores competition of banks and how they provide their services and pushes banks to restrict or exit this service.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HILL of Arkansas. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Indiana.

Mr. STUTZMAN. Mr. Speaker, the former CFPB Director Chopra was not thinking about consumers when he implemented this midnight rule on his way out the door. I am proud that House Republicans and President Trump have the opportunity to right this egregious wrong implemented under the Biden administration.

These shouldn't be called fees. They should be called insurance for our constituents.

Mr. Speaker, I urge my colleagues to support this resolution.

Ms. WATERS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am having a hard time here trying to figure out what is going on in this country. We are here taking up all of this time talking about \$5 and talking about trying to limit the fees that people are being charged. We are saying: Let's help our consumers. Let's help our constituents and stop having them become victims of these huge fees that have been charged by the banks.

They say that a lot of banks are not charging them, but still, they are fighting \$5 that we are trying to limit these fees for. We said that all we are asking you to do is to let the people know exactly what you are doing about fees.

How much are you charging them?

I don't know what is going on. I don't know what is going on with them, and I don't know what is going on with the President of the United States of America.

He has put us in a chaotic situation. For example, I just got word that he has changed his mind about tariffs. We were all trying to convince this administration that they should not be raising the tariffs on all of these countries and the fact that they were even harming our relationship with our allies, but no. He placed tariffs on every country in the world, even for an island that had nothing but penguins on it.

So today what he said was: Oh, I changed my mind. I am going to raise the tariffs on China, but I think I will put a 90-day pause on all of the stuff that I did raising these tariffs for all these other countries just a few days ago.

When we think about the chaotic situation that we are in while we are here talking about \$5, Mr. Speaker, you know that this President fired our nuclear experts from the National Nuclear Security Administration. So here we are without the protection of the experts to let us know what should be done to make sure that we don't have nuclear power destroying us all.

After firing them, they discovered they had made a big mistake. So guess what, Mr. Speaker? They called them back. However, they couldn't find them because they had erased their addresses. So they looked and looked and looked until they could beg them to come back.

Then there were thousands of employees at the National Institutes of Health and Centers for Disease Control and Prevention during the bird flu outbreak that were fired. They were fired when we were facing another pandemic.

Mr. Speaker, they have forced seniors to go in person to apply for Social Security. I am so worried about our seniors and Social Security. He promised us that he would not cut Social Security, but what he did was he destroyed the infrastructure of Social Security. He fired people and shut off the telephones making them go in person to find their Social Security office, which they are closing all of them down. Now all of our Social Security and our seniors are at stake not knowing what is going to happen and not knowing how to get in touch with the Social Security personnel who work there to get these questions answered. I could go on and on about this Cabinet sharing war plans on Signal chats.

Do I have to tell you more about the chaos, Mr. Speaker, the disruption? Do I have to tell you more about the uncertainty and the situation that we find ourselves in, Mr. Speaker?

We are here trying to place a lid on these overdraft fees because people don't know whether or not they are going to have a job to pay anything let alone the overdraft fees. They are not going to have money to put food on the table, to make sure that the children

have clothing to go to school and to dress properly and all of that.

Mr. Speaker, for \$5, we are here because they refuse to agree that there should be a cap on overdraft. If they want to charge more, we give them an out. They can do it in two ways. They can just tell the people that this is what they are doing, they want to increase for whatever reason, or they can calculate what they say their costs are for being able to provide overdraft fees and that they have to have a little more than \$5. I don't know where we are going with all of this. I am totally disgusted, \$5.

Mr. Speaker, I reserve the balance of my time.

Mr. HILL of Arkansas. Mr. Speaker, I would like to inquire of my good friend from California if she has any other speakers. I am prepared to close, and I reserve the balance of my time.

Ms. WATERS. Mr. Speaker, I have no further speakers, and I yield myself the balance of my time for the purpose of closing.

Mr. Speaker, when did it become unpopular to put more hands in the pockets of working families?

This resolution will cost American families \$5 billion a year or about \$250 per household in higher overdraft fees. No one in America wants to send a \$250 check to the biggest banks every year.

To put this debate into perspective, Republicans spent a lot of time last Congress attacking a big bank capital rule called Basel III endgame. Republicans convened one dozen hearings on the topic and repeatedly referred to the 426 comments the public made on the proposal.

Mr. Speaker, do you know how many comments the CFPB received on the overdraft rule? They received more than 48,000 complaints, most of which strongly supported the rule which is more than 100 times the number of comments on the capital rule.

Consumers are just fed up with these types of junk fees, and the last thing they want is for Congress to raise them.

Mr. Speaker, I urge all Members to join Senate bipartisan opposition to this resolution and vote "no." Stand up for our constituents. Stand up for the people who depend on us every day to make sure they too can have a decent quality of life.

We are watching what Trump and Musk are doing, aligned with the billionaires who want more and more money and don't want to pay their taxes, and we are here fighting about \$5.

Give me a break. I guess enough has been said.

Mr. Speaker, I yield back the balance of my time.

Mr. HILL of Arkansas. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I thank my friends on this side of the aisle who have worked hard today, Mr. Speaker, to convince everybody in this body that this is a serious overreach by the CFPB in a Federal price mandate.

Instead of letting consumers choose their financial institution and choose which one has the lowest overdraft fees and the best consumer accounts, instead we have the Federal Government trying to tell people what the price can be. It is Federal price-fixing.

What the opposition has argued today is that these fees are hidden. They are not. Consumers opt into this product, Mr. Speaker. They know what the fee is because it is disclosed to them. It is required by Federal law today to disclose it under regulation DD.

This is about access for overdraft protection. One of my colleagues called it overdraft protection insurance so that they don't make a mistake and miss a mortgage payment, a rent payment, or a utility payment that causes higher costs, higher fees, and higher interest rates.

Two-thirds of consumers support overdraft protection products. Two-thirds of consumers think a reasonable fee is appropriate. Competition has brought down fees for years. In fact, many large banks don't even charge for overdraft protection.

The assertion that consumers complain about this all the time, Mr. Speaker, I am sorry, I don't find the evidence to that. Even the Consumer Financial Protection Bureau's own database shows that less than 1 percent of consumer complaints over this past decade even reference this kind of a product.

This is not a junk fee. This is an overdraft protection that helps millions of families across the country manage their payments and their bills between paychecks. It should be competitive and it should be accessible. We should vote "yes" on this resolution so that we agree with the Federal Reserve of New York when they say that to cap this fee to do price intervention here is to deny credit and deny this product to the hardest working families in America.

Mr. Speaker, I urge a "yes" vote, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WOMACK). All time for debate has expired.

Pursuant to House Resolution 294, the previous question is ordered on the joint resolution.

The SPEAKER pro tempore. The question is on the third reading of the joint resolution.

The joint resolution was ordered to be read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on passage of the joint resolution.

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

Mr. HILL of Arkansas. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess for a period of less than 15 minutes.

Accordingly (at 2 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1415

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WOMACK) at 2 o'clock and 15 minutes p.m.

PROVIDING FOR CONSIDERATION OF SENATE AMENDMENT TO H. CON. RES. 14, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2025

Ms. FOXX. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 313 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 313

Resolved, That upon adoption of this resolution it shall be in order to take from the Speaker's table the concurrent resolution (H. Con. Res. 14) establishing the congressional budget for the United States Government for fiscal year 2025 and setting forth the appropriate budgetary levels for fiscal years 2026 through 2034, with the Senate amendment thereto, and to consider in the House, without intervention of any point of order, a motion offered by the chair of the Committee on the Budget or his designee that the House concur in the Senate amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chair and ranking minority member of the Committee on the Budget or their respective designees. The previous question shall be considered as ordered on the motion to adoption without intervening motion.

SEC. 2. Each day during the period from April 9, 2025, through September 30, 2025, shall not constitute a calendar day for purposes of section 202 of the National Emergencies Act (50 U.S.C. 1622) with respect to a joint resolution terminating a national emergency declared by the President on April 2, 2025.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 1 hour.

Ms. FOXX. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume.

During consideration of this resolution, all time yielded is for the purpose of debate only.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 1 hour.

GENERAL LEAVE

Ms. FOXX. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.