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No. 138

## House of Representatives

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. COHEN).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
September 18, 2007.

I hereby appoint the Honorable STEVE COHEN to act as Speaker pro tempore on this day.

NANCY PELOSI,  
Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2007, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member, other than the majority and minority leaders and the minority whip, limited to 5 minutes, but in no event shall debate continue beyond 9:50 a.m.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 10 a.m. today.

Accordingly (at 9 o'clock and 1 minute a.m.), the House stood in recess until 10 a.m.

□ 1000

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HOLDEN) at 10 a.m.

### PRAYER

Rabbi Frederick L. Klein, Director of Community Chaplaincy, Greater Miami Jewish Federation, Miami, Florida, offered the following prayer:

O God who knows the hidden chambers of the human heart.

Last week, Jews worldwide prayed during Rosh Hashanah, the Jewish new year. Just as Jews prayed for renewed clarity, purpose, and conviction, I ask You, all discerning God, to awaken within all our hearts the spirit of renewal—when our eyes have been dimmed, when our feet have led us down the wrong path, when our necks have been stiffened, when our ears are closed.

Call to us, O Lord. Open our eyes to see the suffering and needs of others, lead our feet down the path of righteousness, cause our necks to be flexible in order to change course when necessary, unblock our ears to hear the perspectives and opinions of others. But, most importantly, open our hearts and remind us of our loftiest visions for ourselves and for our great country.

May we be stirred by the words of the psalmist: "Who may ascend the hill of the Lord and who may stand in His holy place? He who has clean hands and a pure heart."

May the hill that we stand on today be blessed with these great ideals, and may God bless the holy work that you do. Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. WILSON of South Carolina. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

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

Mr. WILSON of South Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### WELCOMING RABBI FREDERICK L. KLEIN

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise to commend my good friend, Rabbi Fred Klein, for his uplifting prayer that he delivered for us this morning, as well as for his tireless efforts to strengthen the Jewish community in my home district of South Florida.

Rabbi Klein serves as the Director of Community Chaplaincy at the Greater Miami Jewish Federation and is the Executive Vice President of the Rabbinical Association of Greater Miami. In these roles, Rabbi Klein offers counsel to the physically and mentally ill in their greatest times of need.

I have long been aware of Rabbi Klein's commitment and contributions

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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to academia, to the Jewish community, and the social welfare of all of South Florida. But his greatest achievement, Mr. Speaker, is his family, including his four children, Moshe who is 11, Shuli who is 9, Benny is 6 years old, and Aryeh almost 4.

The opening prayer that Rabbi Klein delivered today reflects his intellectual fiber, as well as his determination to improve our community and our country. I thank Rabbi Klein for his invocation, and I look forward to working with him in the years ahead.

#### IRAQ DEPRESSING NEWS

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute.)

Mr. BLUMENAUER. Mr. Speaker, as we have been greeted with a torrent of depressing news about Iraq, more violence, there is debate here about whether or not it is progress that the President plans to have the same troop level next summer that we had before the surge.

There is no good way out. Keep the troops there and have bloodshed; have them leave and have bloodshed. But there is one thing that every Member of Congress ought to be able to agree upon, no matter what their position on the war in Iraq: That we have a moral and practical responsibility to step up and help those Iraqis who have put their life at risk because they help Americans as guides, as translators. As Ambassador Ryan Crocker pointed out this last week, it is time for us to step up and help these people.

The Department of Homeland Security needs to have more people processing applications for those that are trying to escape the worst humanitarian crisis in the world other than Darfur. Don't make them leave Iraq for Syria or Jordan to apply when we have the largest embassy in the world in Baghdad. Support our comprehensive bipartisan legislation, H.R. 2265, to help meet that responsibility.

#### ULTRASOUND: THE STETHOSCOPE OF THE 21ST CENTURY

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I rise to recognize the talented and dedicated students, faculty, and staff of the School of Medicine of the University of South Carolina for the innovative work they are doing in the development and use of ultrasound technology.

Often called the stethoscope of the 21st century, ultrasound holds great potential for future advancements in medicine. With the growing portability and accessibility of modern ultrasound devices, this technology will help physicians better diagnose and treat patients for conditions such as heart failure, gallstones, aneurysms, and much

more, particularly in rural areas. USC is leading the way by establishing an ultrasound institute to ensure graduates are well trained in the use of ultrasound technology.

I appreciate Dr. Richard Hoppman, Dr. Prakash Nagarkatti, and Dr. Stanley Fowler for taking the time to introduce me to this training program, as well as for the extraordinary work they are doing on behalf of the USC community in the advancement of health care.

In conclusion, God bless our troops, and we will never forget September the 11th.

#### ARMY STAFF SERGEANT MORGAN D. KENNON

(Mr. COHEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COHEN. Mr. Speaker, 4 years ago, Army Staff Sergeant Morgan D. Kennon became the first victim of the Iraqi war from the city of Memphis.

Staff Sergeant Kennon joined the Army immediately after high school, hoping to earn enough money for college and eventually become a lawyer. He was guarding a bank in Mosul when he was killed.

His father said, "He was a beautiful kid. He was a serious-minded youngster who was devoted to fulfilling his mother's wishes. If his mother needed anything, instead of being out in a park playing basketball, it was his joy to go out and do whatever he had to do to help her."

On 9/11, I received an e-mail from his sister, Miss Nicole Crawford. I will read it:

"I am the sister of Staff Sergeant Morgan Kennon. I just wanted to know exactly what you and other Members of Congress and Members of the Senate are doing to bring our troops home. It has been almost 4 years since my brother was killed, and we still don't know why he was killed.

"Mr. COHEN, it is not just hard for the soldiers serving in Iraq, it is hard for their families also who worry about them. It is especially hard for the families that have lost loved ones in Iraq.

"Please don't take this the wrong way, but if the Democrats don't do something soon and force Mr. Bush's hand, there will not be a Democrat in the White House next year. The people of this country voted for the Democratic Party because they want change."

Ms. Crawford, I am for change. I am not going to vote for any additional funds but to redeploy our troops. I feel your pain.

#### THE FIGHT FOR JOBS CONTINUES

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, at this moment in Detroit the

leaders of the UAW and the domestic auto industry, the Big 3, are busy at the negotiating table trying to come to agreement on a new contract. In these negotiations, both sides will be making tremendous concessions in the effort to restore the industry to profitability and to protect jobs. They are dealing with very difficult issues like retiree health care as well as pension reform.

I wish them luck, sincere good luck, because the future of my home State of Michigan and of manufacturing in America are at stake as are literally millions of American jobs. We should all support them in their efforts to strengthen this vital industry. What we should not do is pull the rug out from under them by enacting draconian and arbitrary fuel efficiency standards that would kill jobs while doing nothing to lessen our dependence on foreign oil.

Both management and labor are making hard choices. They are working together to build a better future and a better industry. And in the same spirit, we here at the Federal Government should partner with our auto industry to help move forward technology that would actually solve the problems and create new jobs.

While those involved in negotiations are trying to find common ground to save jobs, Congress should not be working to destroy them.

#### PROVIDE OUR CHILDREN WITH HEALTH CARE

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Mr. Speaker, the Bush administration's recent decision to reject New York's plan to provide health insurance for uninsured children is just another example of how out of touch the President is with the needs of the American people.

Last year, the number of uninsured children in the Nation increased to over 8.6 million, an increase of over 600,000 children. The State of New York has committed to decrease this number, starting with our lowest income families. However, the onerous conditions placed by this administration are threatening to thwart New York's efforts.

That any Americans have no health insurance is a travesty; that so many do is a tragedy of the highest proportion.

Providing our children with health care is protecting America's future. It is difficult to imagine why the President wants to stop New York from protecting the health of its children. But this decision suggests just that. We must not allow this to stand. I am committed to working with my colleagues to do what must be done to overturn this misguided decision.

#### "NO FLAG HERE"

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, on September 11th, America honored those murdered by people who kill in the name of religion.

Americans held solemn tributes, prayers, and raised Old Glory across the plains and prairies of this heartland. But no American flags were displayed by students at Hobpton High School in North Carolina. The superintendent of this government school district banned the display of any country's flag on the clothing of students. Dr. Hobbs said disruptions have been caused in the school by the wearing of certain national flags. So on this almost holy day of September 11th, no American flags were allowed on clothes at this American school.

Dr. Hobbs, if you are going to ban the display or the wearing of flags, ban foreign ones, not the ones that fly over this Nation—the American flag.

Have we become so timidly concerned about offending foreigners that we now disrespect our Nation by banning the American flag? This unpatriotic paranoia is an insult to this Nation and the students of your school, and the superintendent should be ashamed. Mr. Hobbs, Betsy Ross would not be proud of you.

And that's just the way it is.

#### ALAN GREENSPAN AND THE BUSH ADMINISTRATION

(Mr. EMANUEL asked and was given permission to address the House for 1 minute.)

Mr. EMANUEL. Mr. Speaker, in Alan Greenspan's recently released memoir, President Bush and the Republicans in Congress come in for some sharp criticism.

Reuters said of the book, "Mr. Greenspan sharply criticizes President Bush's administration and Republican congressional leaders in his memoir for putting political imperatives ahead of sound economic policies."

The New York Times said of Mr. Greenspan's book described, "The Bush administration is so captive to its own political operation that it paid little attention to the fiscal discipline for the Nation."

Increasing America's debt by \$3 trillion, the same fiscal discipline we had in the 1990s, the pay-as-you-go rules, led to a \$5 trillion surplus when President Bush took office and has led to a \$3 trillion debt increase under President Bush and the Republicans.

The fiscal discipline that we had in the 1990s is exactly what the Democrats have put in place in this new Congress, hoping to put in place the fiscal type of discipline and the budgetary discipline that would lead us again to surpluses and balancing America's book.

And Mr. Greenspan could not have said it better, when people have taken the time to put their political interests ahead of America's long-term economic interests.

#### HONORING THE AIR FORCE'S 60TH ANNIVERSARY

(Mr. STEARNS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise today to honor and celebrate the 60th anniversary of the United States Air Force.

America can rightly claim to be the greatest military power. This status is due in no small part to our overwhelming supremacy in air and space. Air Force men and women have produced an unsurpassed record of achievement. Never before has our ability to project military power depended so heavily on air and space capabilities.

As an Air Force veteran and cochairman of the House Air Force Caucus, I know firsthand how the Air Force provides our Nation a unique military advantage. However, what is most impressive is the dedication of the men and women of the United States Air Force who work hard every day to ensure air supremacy.

Let me leave you with the words of one of the Air Force founders, General Hap Arnold: "Air power will always be the business of every American citizen."

#### DEMOCRATIC CONGRESS SENDS COLLEGE COST REDUCTION ACT TO THE PRESIDENT'S DESK

(Ms. RICHARDSON asked and was given permission to address the House for 1 minute.)

Ms. RICHARDSON. Mr. Speaker, today is an exciting week for all Democrats because we are sending one of our top priorities to the President's desk, and that is the College Cost Reduction and Access Act.

Education departments estimate that over 200,000 academically qualified students are unable to go to college. This legislation will be the largest investment the Democratic Congress has made since 1944.

Specifically, the Pell Grant scholarships will be increased by \$1,090 over the next 5 years. We will be able to cut interest rates from the current 6.8 percent to 3.4 percent, and that will save student borrowers over \$4,000 over the life of their loan.

Members, this is great news, and it is great news to taxpayers, because we have been able to utilize eliminating excessive Federal subsidies from the lenders in the industry to bear the cost of this program . . . and not the taxpayers.

This is a personal story for me. I have been working since the age of 12. I took out student loans and was able to get my education because of programs like this.

Mr. Speaker, this is a great day for students and Democrats in this Congress to send the college cost reduction act to the Presidents desk.

#### HEADING TOWARD A FISCAL TRAIN WRECK

(Mr. GARRETT of New Jersey asked and was given permission to address the House for 1 minute.)

Mr. GARRETT of New Jersey. Mr. Speaker, as we come to the floor 9 months into the control of this House and this country by the Democratic majority, we have to ask ourselves, what has it brought? Well, it has brought us expanded government programs outside the area of jurisdiction, increase in Federal spending, and of course efforts to raise taxes on Americans.

Just at the very beginning of this year, it was the largest tax increase in U.S. history. A short time ago, it was a \$53 billion increase through the SCHIP program. On spending, it was a \$1 billion program just yesterday tried to do. And, of course, there is a litany of earmarks that we still don't know where it is going to and who is sponsoring it.

It was a Republican majority that forced the Democrats to give us a list of all the earmarks in their spending and have asked for more transparency. But I want to remind the American public, to this day we still do not have a list of all the earmarks, who is sponsoring them, and where the dollars are going to.

I encourage the Democrat majority to do as the American public must do, to live within their means, and to be open and honest as to where the American tax dollars are going to.

□ 1015

#### ENOUGH IS ENOUGH

(Mr. HODES asked and was given permission to address the House for 1 minute.)

Mr. HODES. Mr. Speaker, President Bush has called for more money, more patience, and a renewed commitment of U.S. troops in Iraq for the foreseeable future. The American people should not be fooled. This is nothing more than another stay-the-course strategy that puts us on a path for 10 years of war in Iraq.

Under the Bush plan, about 5,700 troops, or about 3.5 percent, of the American forces in Iraq would come home later this year. That's it. The rest of our troops would remain in Iraq until at least next summer. The President anticipates that at least 130,000 American men and women would remain in Iraq indefinitely for many years to come.

The President's plan for Iraq amounts to an open-ended and dangerous commitment of American troops in Iraq, and an open wallet for the American people to pay.

Mr. Speaker, this is not a plan for success in Iraq, nor is it a plan that will make America safer. It is time for my Republican colleagues to stand up to this President and say enough is enough. Democrats will continue to demand change because it is time that we

begin a responsible redeployment out of Iraq.

#### THE MILITARY SURGE IS WORKING

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, through a hailstorm of political attacks that continue on the floor of the Congress this morning, last week, America's two lead men in Iraq brought news to this Congress which should be welcome to every American family.

Despite the lack of political progress at the national level in Iraq, the military surge is working. And because the surge is working, our troops can start coming home.

I urge every American to tune out the rhetoric in Washington, D.C. and read the report. But don't just read the testimony of General David Petraeus and Ambassador Ryan Crocker; read the recent report issued by the more liberal-leaning Brookings Institution. In each case, our men and that liberal think tank found civilian deaths are down. Sunni leaders are cooperating with U.S. forces, and al Qaeda is on the run in Baghdad and Anbar province. These independent assessments should be read by every American, and every American should be encouraged; for even to a war-weary Nation, I say, if we do not grow weary in doing well, freedom will prevail in Iraq.

#### TIME TO BRING OUR TROOPS HOME

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, we now know what the President's plan for Iraq is: it's just stay. Stay for how long? He doesn't know. We don't really have a plan, but we do know that we have not succeeded in Iraq. In spite of the efforts of our brave soldiers, in spite of the 10 to \$12 billion a month that we have spent, in spite of all of our efforts, we have not succeeded.

Now, if you look at the independent nonpartisan reports on Iraq, you find that 100,000 Iraqis are moving from their communities every single month. Why would 100,000 Iraqis move from their homes, from their schools, from their lives? They're moving because they're not safe.

We have militia roaming around. We've had ethnic cleansing in Baghdad. If you look at the maps of the neighborhoods, 2005 and now 2007, you realize that the Iraqis are not living together any longer. We have ethnic cleansing.

We also know that the Iraqi Parliament, more than half of the Iraqi Parliament, signed a petition asking Americans to go home.

We also know that the Iraqis wanted to take a 2-month vacation in 140-degree weather while our troops were

struggling. It is time to bring our troops home and look at American benchmarks.

#### COLLEGE COST REDUCTION AND ACCESS ACT

(Mr. ARCURI asked and was given permission to address the House for 1 minute.)

Mr. ARCURI. Mr. Speaker, this week the Democratic Congress makes college more affordable for American students and families by sending the College Cost Reduction and Access Act to the President. After initially threatening a veto, President Bush now says he will sign the bill into law. That's good news for millions of students and their families who are trying to figure out how they're going to afford a college education.

Under President Bush, college tuition has increased 40 percent over inflation, putting college out of reach for many. While college costs have increased over the last 7 years, Pell Grants and other Federal aid have remained flat, which has created an imbalance in the grant-to-loan ratio that students face. For some who are fortunate enough to attend college, they are leaving with more than \$20,000 in loan debt.

Our legislation begins to remedy that imbalance by providing the largest investment in college funding since passage of the GI Bill in 1944. Under our legislation, we increase Pell Grant scholarships by more than \$1,000, and we cut student interest rates in half.

Mr. Speaker, Democrats promise to make college more affordable this week, and we are living up to that promise.

#### PROVIDING FOR CONSIDERATION OF H.R. 1852, EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 650 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

##### H. RES. 650

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment in the nature of a substitute recommended by the Committee on Financial

Services now printed in the bill, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. Notwithstanding clause 11 of rule XVIII, no further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived except those arising under clause 9 or 10 of rule XXI. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. During consideration in the House of H.R. 1852 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS), 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.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, as the Clerk just read, H. Res. 650 provides for consideration of H.R. 1852, the Expanding American Homeownership Act, under a structured rule. The rule provides 1 hour of general debate to be controlled by the Committee on Financial Services. The rule makes in order seven amendments printed in the Rules Committee report.

This bill is being considered under a structured rule that will allow the House to consider amendments to address important issues with regard to this legislation. I look forward to the debate on the important issue before us today.

I rise today in support of the rule providing for the consideration of the Expanding American Homeownership Act and for the underlying legislation. I thank Subcommittee Chairwoman WATERS for offering this bill. I thank Chairman FRANK and Ranking Member BACHUS for their hard work, along with the other members of the Financial

Services Committee, in bringing this important legislation to the floor.

The bill underlying this house resolution addresses an issue of critical importance to our constituents and to our economy, the subprime mortgage lending crisis. We are here today to consider reforming the Federal Housing Administration's loan policies as a means of stemming the tide of foreclosures that have besieged our Nation.

Owning a home is part of the American Dream, but predatory lenders have been crushing that dream by taking advantage of home buyers with damaged credit. Lured by attractive initial terms, vulnerable home buyers who do not qualify for federally backed loans take on subprime mortgage loans that they cannot afford. These loans come with escalating interest rates which start low and encourage overborrowing. The borrowers learn too late, when their homes are foreclosed upon, that they will not be able to afford those higher payments.

We are now faced with the unfortunate situation that our residents are losing their homes in record numbers. The increasing rate of foreclosure continues to make the news in California and across the Nation. Data released just last month show the rising foreclosure rates in cities across the country. The numbers are as high as one foreclosure in every 27 households. That is not acceptable.

And the housing market continues to suffer. Last week a report from my Sacramento district cited a more than 13 percent drop in the median home prices in the past year. That is the largest 1-year drop in 20 years.

□ 1030

Despite good economic growth in the region, the housing market is in trouble. Many point to the subprime mortgage crisis to explain this. Trends like this can be seen across the country, not just in Sacramento.

The administration wants to allow 80,000 people to refinance their loans through FHA. That is good but it is not going to address the scope of this problem. More than 2 million adjustable rate mortgages are up for reset this fall, at which time their interest rates will increase. Two million mortgages, that is 2 million more families who will be at risk at losing their homes if they cannot keep up with the higher payments. This pattern cannot continue.

The housing market crunch, driven by the subprime mortgage lending troubles, is making waves throughout our economy. Over the past few months, we have seen the Federal Reserve cut its discount rate and make an additional \$62 billion available to try to stabilize the real estate financial market. Last month, Countrywide Financial, the largest home mortgage lender, was trading at levels comparable to junk bonds. And, lastly, AIG, the world's largest insurer and one of the biggest mortgage lenders, stated that delinquencies and fore-

closures are becoming more common among borrowers whose credit rates are just above subprime. So the problem is getting worse, not better. Congress needs to act and we need to act now.

The bill we are considering today will overhaul the Federal Housing Administration to make federally backed loans competitive with subprime and other nontraditional mortgage loans. We need to make sure that subprime mortgages are properly regulated to get our home buyers into good loans and rein in predatory lenders. The bill authorizes FHA to offer loans with little or no down payment and directs it to approve loans to borrowers with higher credit risk than is currently allowed. These measures will enable FHA to compete with the introductory teaser rates advertised by subprime lenders.

The bill will raise the single-family loan limit, enabling families who live in more expensive areas, such as California, to qualify for FHA-backed loans. The FHA has virtually no presence in expensive areas where the average price of a home already exceeds the FHA loan limit. Increasing access to FHA-backed loans will give many thousands of our constituents the stable financing terms that they need to keep up with their payments and stave off foreclosure.

Furthermore, this bill offers relief to our seniors. Seniors are often targeted by subprime loans, especially for reverse mortgages. Seniors who own their homes but who have limited financial resources might need to mortgage their homes to pay for other expenses. This bill eliminates the cap on FHA reverse mortgages to meet with growing needs of our seniors in tight financial times.

Finally, the legislation directs surplus FHA funds to a housing counseling program as well as to an affordable housing fund. In this way the legislation will ensure that borrowers have the opportunity to achieve the dream of owning a home as well as to become educated about their mortgage options and what it will mean in the long term.

The mortgage lending troubles are getting out of control. This bill will take an important first step toward reining in a disturbingly high rate of foreclosure. Later this week Chairman FRANK will hold a hearing with Federal Reserve Chairman Bernanke and other administration officials to look for additional legislative and regulatory solutions to this growing problem. Ensuring that FHA lending policies are up to date and competitive in the current market is a good start.

This bill will ensure that our fellow Americans have better federally backed choices to buy a home. This bill will curtail the spread of subprime lending and get more of our homeowners into mortgage loans with stable interest rates and transparent terms. This is a step in the right direction.

This is a bipartisan issue. The House passed similar legislation in the 109th

Congress. This bill expands upon that legislation, reflective of the growing crisis. We need to pass this bill. Our constituents need this bill to keep their homes, and we need to work with our colleagues in the Senate to get this bill to the President.

I look forward to the debate on the Expanding Homeownership Act and hope that my colleagues on both sides of the aisle will join me in supporting this rule and the underlying bill.

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

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

I rise in reluctant opposition to this unnecessarily restrictive rule and to a number of the provisions included in the underlying legislation in its current form. While I appreciate and support the committee's effort to provide for the safety and soundness of our Nation's housing financial system and our broader financial system, this legislation has a number of avoidable shortcomings, and I hope that at least some of them would be corrected during the restrictive amendment process provided for by this rule.

The Federal Housing Administration was created by the National Housing Act of 1934 to broaden homeownership, protect lending institutions, and to stimulate the home construction industry. In addition to providing stability and liquidity to the mortgage market, the FHA's efforts have led to the creation of the 30-year mortgage product and mortgage instrument standardization, both of which have contributed to the growth of our modern housing financial marketplace. And, as one of the very few Federal Government agencies to operate entirely on fees derived from the program, the FHA has accomplished all of this with no taxpayer dollars or subsidy.

The legislation that has been brought to the House floor today includes a number of important modernization provisions that will help American families across this country to own their own homes, like: increasing the FHA loan limit for high-cost areas, providing for flexible down payment requirements, simplified and improved condo loan requirements, and an expansion of the ability to utilize home equity conversion mortgages.

This bill closely mirrors H.R. 5121, Republican legislation that passed overwhelmingly last Congress, and would also supplement the FHA Secure Initiative unveiled by President Bush at the end of August. This program, which is aimed at borrowers who have fallen behind on their payments after a mortgage rate reset, is projected to help a quarter of a million families over the next year. By helping first-time, owner-occupied home buyers refinance into mortgages that they can afford, this already implemented program will help families and stabilize communities, while targeting this support to the real families in need and

away from speculators who do not need help from the Federal Government.

Unfortunately, despite all the positive elements included in this legislation, I do believe that this bill could be vastly improved. Chief among the problems with this legislation is its establishment of a new line of income for a poorly defined affordable housing grant fund linked to increased FHA receipts. FHA receipts are already recognized for future budgeting purposes to help determine subsequent affordable housing program appropriations at HUD, with any extra revenue from these programs deposited in the U.S. Treasury as a benefit to taxpayers. This legislation would divert this revenue to a housing fund with a poorly defined mission, reducing resources available for other existing HUD programs that already assist low-income families and individuals.

I believe it is bad public policy to tie the fate of families that need housing support to the success or failure of the FHA to bring in surplus revenue. Even worse, because the affordable housing funds would come from fees related to conforming loans and reverse mortgages, this bill levies a new stealth tax on the most modest home buyers and on seniors without even disclosing to them the costs associated with this new Federal mandate.

Other problems with H.R. 1852 include its failure to provide the FHA with the flexibility needed to implement risk-based pricing, which limits consumer choice as well as the FHA's ability to help additional home buyers. This bill's proposed 2 percent limit on home equity conversion mortgage loan origination fees proposed in the legislation, which attempts to protect senior citizens from potentially abusive lending practices, may also unnecessarily limit choice and flexibility in a changing marketplace.

Mr. Speaker, I would like to thank committee ranking Republican SPENCER BACHUS; subcommittee ranking Republican JUDY BIGGERT; and the incoming ranking Republican on the Housing and Community Opportunity Subcommittee, my former Rules Committee colleague, SHELLEY MOORE CAPITO, for all their hard work on this legislation.

Mr. Speaker, I will also insert in the CONGRESSIONAL RECORD the Statement of Administration Policy regarding this legislation and would like to take this opportunity to thank two people for their hard work from the White House, White House aides Chris Frech and Marty McGuinness, who have provided important information not only on this but worked with Members to make sure that they understood the White House's position on this issue.

EXECUTIVE OFFICE OF THE PRESIDENT, OFFICE OF MANAGEMENT AND BUDGET,

Washington, DC, September 17, 2007.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1852—EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007 (REP. WATERS (D) CA AND 13 COSPONSORS)

The Administration supports legislation to modernize and reform the National Housing Act (NHA) and to ensure that the Federal Housing Administration (FHA) continues to play a key role in serving low- and moderate-income homebuyers. The President has called on Congress to expeditiously pass the Administration's FHA Modernization bill to assist more homeowners during this period of stress in the mortgage markets. H.R. 1852, as reported by the House Financial Services Committee, includes provisions that are essential to maintaining FHA's core mission of expanding homeownership opportunities for borrowers who are underserved, or not served, by the existing conventional mortgage marketplace. The legislation makes critical improvements to the statutory scheme of the NHA, and these improvements have also been proposed by the Administration. Nonetheless, the Administration has a number of significant concerns with H.R. 1852, which the Administration looks forward to addressing with Congress as the bill moves through the legislative process.

As proposed by the Administration, the legislation authorizes an increase in FHA loan limits from \$362,000 to \$417,000 or 100 percent of the Federal Home Loan Mortgage Corporation (Freddie Mac) conforming loan limit in high-cost areas, and from \$200,000 to \$271,000 in lower-cost areas. These changes are needed to adapt the program to increasing home prices. The Administration strongly opposes amendments that would authorize FHA guarantees of loans greater than the conforming loan limit as the program should remain targeted to traditionally underserved homebuyers, such as low- and moderate-income families.

Additionally, the legislation authorizes FHA to utilize risk-based premium pricing to more appropriately match premiums to borrower risk, based on measures such as the size and source of their downpayment and their credit scores. Consistent with current mortgage lending practices, the legislation includes the option to extend the maximum mortgage term from 35 to 40 years. Finally, with respect to FHA's Home Equity Conversion Mortgage (HECM) Program, the legislation removes the statutory volume cap on the number of reverse mortgages that may be insured by FHA, while permitting HECMs for use in condominium units and purchase transactions. Each of these improvements enables FHA to serve a larger number of targeted homebuyers, in more areas of the nation, than are being served under the present program.

While the Administration strongly supports Federal assistance to individuals and families that lack the means to afford adequate housing, the Administration strongly opposes the establishment of a new Affordable Housing Grant Fund linked to increased FHA receipts. FHA receipts are already credited toward HUD appropriations and a new program that attempts to divert this revenue would reduce resources available for other HUD programs that assist low income families and individuals. Furthermore, tying financing for the fund to FHA receipts would be counter-productive since FHA receipts annually fluctuate based on housing market conditions and bear little relation to any potential program funding needs. Many of the proposal's details are also undefined and unclear; therefore, the specifics may raise additional policy concerns.

The Administration strongly supports flexible downpayment options, but opposes a provision in H.R. 1852 that limits their benefits to first-time homebuyers. Such a limitation would hinder the ability of some current homeowners to refinance into an FHA-insured loan. By removing this limitation, FHA could help provide existing homeowners with additional flexibility in managing the mortgage debt.

The Administration also has concerns that H.R. 1852 does not provide FHA with the necessary flexibility to implement risk-based pricing, thereby limiting consumer choice as well as FHA's ability to help additional borrowers. H.R. 1852 fails to raise the statutory cap on annual premiums from 55 to 200 basis points, nor does it permit caps on upfront and annual premium combinations that would allow FHA to offer borrowers a variety of premium structures. In addition, the provision for mandatory refund of "excess" premium to borrowers with FICO credit scores below 560 whose loans survive more than five years undercuts the insurance principle on which FHA is based. This provision also hampers FHA's ability to serve a greater number of the borrowers this provision is purported to benefit. Because of these provisions, H.R. 1852 would lower receipts by approximately \$75 million relative to the President's budget.

Generally, the Administration supports the provision in H.R. 1852 that permits an increase in mortgage insurance premiums if HUD determines that, absent such an increase, the insurance of additional mortgages would require the appropriation of new budget authority to cover the costs of such insurance. However, the requirement to do so by rulemaking is process-laden and onerous and would significantly delay and hamper HUD's ability to respond to a changing market. The Administration will work with Congress to establish a process that efficiently and effectively allows HUD to increase mortgage insurance premiums as needed.

The Administration also has concerns with the two percent limitation on HECM loan origination fees proposed in the legislation. Although the Administration applauds the attempt to protect senior citizens from potentially abusive and predatory lending practices, any such limitations should be flexible enough to respond to a changing market. Accordingly, the Administration believes that such limitations should be set by the FHA through Federal Register notice or other appropriate vehicle.

In addition, the Administration is concerned that the Act revises certain recently enacted asset disposition reforms for FHA multifamily programs. This would reduce receipts by nearly \$40 million. The Administration is also concerned about a provision that would make it possible for correspondent lenders to use FHA without meeting audit and net worth requirements, which could allow participation by brokers who are inadequately capitalized or have internal control difficulties.

The Administration remains committed to modernizing and reforming FHA, and looks forward to continuing to work with Congress to ensure that concerns are addressed and that the necessary reforms are part of any final legislation.

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

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

Before yielding to my next speaker, I would like to point out that the bill directs surplus funds to an affordable housing fund. This is an appropriate

use of any net FHA funds. The surplus funds are directed to a source that is consistent with the mission of this legislation: to help Americans buy homes through federally backed means.

However, for those Members who do not support this fund, I want to point out that there is an amendment made in order to strike the fund. All Members of this House will have an opportunity to vote on this important issue.

With that, Mr. Speaker, I yield 4 minutes to the gentlewoman from Ohio (Ms. SUTTON), a member of the Rules Committee.

Ms. SUTTON. Mr. Speaker, I thank the gentlewoman for her leadership on this issue and on this rule.

Mr. Speaker, I rise in favor of this rule and in strong support of the underlying legislation, the Expanding American Homeownership Act.

Owning a home in this country is called the American Dream for many reasons: the pride of ownership, a sense of responsibility, the feeling of settling down and belonging to a community and a neighborhood. But the American Dream is in peril for many families in this country as foreclosures rise and dreams shatter.

I am sorry to report, Mr. Speaker, that in my home State of Ohio, we have the Nation's highest rate of mortgages that are seriously delinquent or in the foreclosure process. In April of this year, Ohio had nearly 12,000 default notices, auction sale notifications, and bank repossessions. Sadly, one in ten Ohio homeowners with a mortgage is at least a month behind in payments and one in four with a subprime loan is delinquent or in foreclosure.

These staggering statistics are not just numbers. They are families and individuals whose American Dream is quickly becoming a nightmare. I have talked with many hardworking, proud families who are struggling to pay their mortgages and afford health insurance, struggling to put food on the table and pay for their children's college education. They are working hard and they are playing by the rules, but nonetheless the American Dream has moved out of their reach.

The homeownership crisis is part of a larger problem for our Nation where policies and laws have not worked for our low- and middle-class families the way that they should. This is unacceptable for my constituents, and it should be unacceptable for a Nation built by working men and women that prides itself on ownership, responsibility and fairness.

Mr. Speaker, the problems in the housing market are not new, but they have become what they are because of a lack of action and leadership from prior Congresses and this administration. The lack of oversight has led to the abuse of a mortgage system by unscrupulous lenders and others looking for easy profit by preying upon those who are most vulnerable. And it is wholly unacceptable that a system that should be an avenue to home-

ownership has instead become a path to heartache for far too many families.

Today by passing the Expanding America Homeownership Act, we take a bold step forward on what is going to be a long road to fix this broken system.

□ 1045

H.R. 1852 raises loan limits, helps reduce the burden for high-risk borrowers, expands counseling for home buyers, and provides new ownership incentives for low-income families. And these are very important and positive measures.

This is a demonstration of our commitment to restore the American Dream, but we also understand that there is no easy fix for this issue. In coming days, I plan to introduce legislation that will bring together many interests and groups involved in foreclosure and mortgage lending crisis so that we can continue to act to improve this situation. I hope that, working together, we will be able to quickly offer comprehensive and meaningful solutions to move forward.

A similar effort has been made in Ohio spurred by our new Governor, Ted Strickland. And just recently, they came back with some very important recommendations that will hopefully make a meaningful impact in the State. But we here in Congress at the Federal level need to do our part.

Mr. Speaker, never again do I want to have to hear that a family has lost their home simply because our laws and regulations have worked against them.

I urge passage of this rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, at this time, I would like to yield 5 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. I thank the gentleman for yielding.

Mr. Speaker, today I rise in opposition to this rule governing the consideration of H.R. 1852, the Expanding American Homeownership Act of 2007.

I had hoped that the committee would see the wisdom in providing an open rule to this important legislation; and in the absence of an open rule, that it would at least make in order those amendments that the Members took the time and effort to draft, including one of my own amendments. Unfortunately, only some of the amendments filed with the Rules Committee were made in order.

While I'm pleased that some of these amendments made in order are Republican amendments, other amendments which were offered and debated during our committee markup of this bill were not made in order. These amendments deserve to be debated and given a fair hearing.

Mr. Speaker, last year FHA's modernization bill, which passed the House by a vote of 415-7, garnered broad bipartisan support. This year's bill does not have that kind of support. I am

pleased that the majority has edged closer to last year's bipartisan bill since the introduction of the new bill under consideration today.

As I pointed out during our committee hearing and markup on this bill, the bill originally excluded homeowners seeking to refinance from benefiting from a modernized FHA. The bill will now assist more homeowners, perhaps some seeking to refinance a bad subprime loan, but still not as many as last year's bill.

I continue to object to provisions that do not fully allow for risk-based pricing. Again, witnesses during our committee hearings said this would result in FHA serving fewer, not more, American borrowers. I also remain opposed to the provision that siphons money away from FHA to fund a brand-new government program, another trust fund, to build more affordable housing. While this is a very important issue, affordable housing, what we need here is to have FHA money to help those that are in trouble, facing foreclosure, or those first-time borrowers who would not be able to find a good mechanism to find a mortgage.

During committee deliberations, we were given the opportunity to debate and consider a variety of issues pertaining to this bill. Members on our side of the aisle had hoped that all Members, not just those on the Financial Services Committee, would be given the same opportunity to debate important issues on the House floor.

Republicans support many aspects of this bill, H.R. 1852; but I think we all deserve the right to participate in the amendment process, whether as a member of the committee of jurisdiction, or as a Member of the U.S. House of Representatives. Only through an open rule is that possible. For this reason, I rise in opposition to the rule being considered today and urge my colleagues to vote "no" on this rule.

Ms. MATSUI. Mr. Speaker, I yield myself such time as I may consume to make a comment before yielding to my next speaker.

I would like to point out that seven amendments were made in order. Two of the minority amendments offered were redundant changes, so one of those was made in order. And, finally, an amendment in the nature of a substitute offered by Mrs. BIGGERT was made in order. We are providing ample opportunity for debate and for Members to vote on the provisions of the bill.

With that, Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on this bill and appreciate her leadership, and particularly emphasizing the fact that the minority has the opportunity for a substitute to be offered up. So the House will have an opportunity to weigh the different approaches to determine what is truly in the best interests of American homeowners.

I welcome this legislation today. I support the rule, and I support the underlying legislation. But I hope that this will be just the start of on-going progress for dealing with what is truly a housing crisis that is enveloping this country.

While it's pleasant to read now that Alan Greenspan, as he's attempting to protect his role in history, now agrees that there were probably some mistakes that were made, not yet acknowledging the failure on the part of the Fed to step forward and deal meaningfully, using the powers that they had in the housing market. Today we see the consequences of that failure, of this Congress, a failure of being able to meaningfully deal with the protection of American homeowners.

Foreclosures are mounting by the day, but we're only seeing the tip of the iceberg, because literally tens of thousands of people every week are going to be facing a situation where adjustable rate mortgages in the months ahead are going to be exploding in much higher rates, where people are going to be paying \$200, \$300, \$400, \$500 a month, or more, higher and be trapped into these unfair subprime loans. Where there is a clear pattern of abuse of lower income, less sophisticated buyers, it's time for us to put on the table more comprehensive approaches.

Isn't it time to reconsider the draconian bankruptcy legislation that this House passed a few years ago? Maybe it is time to treat the homeowner, dealing with the most valuable asset most families have, their home, the same way that a business person who speculated in purchasing homes for investment purposes would be treated in bankruptcy. The speculative business person can readjust mortgage terms; they can negotiate interest rates in the amount of the loan. That is denied to homeowners.

Maybe it's time to consider some consumer protections. If you buy a \$40 toaster that explodes, there is a Federal agency that will protect you. But if you buy a financial instrument that has a one-in-four chance of exploding in the face of the buyer, putting at risk their number one asset, there isn't any similar protections.

While I appreciate the legislation that's coming forward, I am hopeful that it is just the beginning of dealing with this ongoing problem.

Mr. SESSIONS. Mr. Speaker, I was waiting for one additional speaker, and that gentleman has not showed up at this time. I would like to inquire of the gentlewoman if she has additional speakers, or where we may stand. If I could quickly engage the gentlewoman.

Ms. MATSUI. Mr. Speaker, I am waiting for an additional speaker.

Mr. SESSIONS. The gentlewoman is waiting for an additional speaker, and I appreciate that very, very much.

Mr. Speaker, you know, we are here this morning, almost 11 o'clock in Washington, D.C. I don't know of much

else we've got going here on the floor today. I think we're going to have four suspensions in addition to this bill, and yet last night the Rules Committee, our friends in the new Democrat majority, decided that they would shut down debate by having this rule without it being an open rule, shut out a number of amendments and Members who would choose to come down and debate things today. And so I'm disappointed that, in a day where really not much else is going on, that we could not include the full discussion and take this day to talk about affordable housing and where the ideas are that each and every Member might have on how we're going to increase homeownership and protect these homeowners.

I find it interesting, however, with some of the speakers that we've had today, that just a few years ago we were, with full knowledge of this United States Congress, very pleased that homeownership was increasing all across America and that credit was being extended to a number of people, including lots of families who would have an opportunity to finally own their own home. And now we find out today that, in fact, it's a lot of people who are to blame, who are these greedy people who were the lenders, who were trying to get people and bring them in to buy houses when, in fact, it was the national will. It was a good thing that they would have, virtually at no cost down, an opportunity to come and be in a house. We heard testimony where people really could get in houses for cheaper than they could living in an apartment. So millions of Americans went and did that. And they willingly signed on the line, yes, I will take this low-cost loan right now, and in 5 years I will have to go to a market-based rate to borrow the money.

This wasn't a mistake. This wasn't somebody being greedy. This was someone who was out offering an opportunity. And as all of us would have to predict the future, we don't know what the future would be, but it got people in homes, and now we do have some problems. And dealing effectively with the problem is, I think, what we should be remembered for, not looking back and saying what a bad idea it was to make sure that millions of families could get in their own homes.

So I respectfully disagree with those that come to the floor here today to argue about greed and all these people who took advantage of these poor and low-income homeowners. I think it was a good thing. I'm sorry it has not worked out in every single case. But guessing what something is going to be like in 5 years means that you have a chance to plan and be prepared for it. And so now we will be judged on how well we do to make sure that we lessen the activity of the number of people who have to bail out of their houses because they can't afford them.

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

Ms. MATSUI. Mr. Speaker, my remaining speakers are not here, so I am

prepared to close if the gentleman from Texas is prepared to close.

Mr. SESSIONS. Mr. Speaker, I had anticipated and hoped that the gentleman from Georgia (Mr. PRICE) might be here. I have been notified that he is in a meeting with constituents at this time.

One of the amendments which Dr. PRICE brought to the Rules Committee yesterday, which the Rules Committee rejected on a party-line basis, was part of really the debate and discussion that I think needs to take place as we talk about taxpayer money being involved with housing in this country. And the amendment which was rejected by the new Democrat majority universally across the line, every single Democrat said, no, they did not want to hear the debate on this, and it is as follows: the amendment said that it would require that any individual or household receiving money from the affordable housing fund must present verification of legal residency by a secure identification document.

Mr. Speaker, let's be forthright about this. We have had discussion after discussion, debate after debate about health care, about public housing, about housing funds, of virtually every single topic that we get into here on the floor of the House of Representatives where we believe, the Republican Party believes, that people who are seeking assistance and help from funds, whether it be taxpayers or public systems like this that do utilize the attributes of the government, that there should be a verification that somebody is in this country legally and has legal status.

Mr. Speaker, repeatedly this new Democrat majority, whether it's for health care or whether it's now for this new housing fund, they do not want to require that someone even has to present verification of who they are. And we disagree with that. And I am sorry that the Rules Committee made a determination and the Democratic Party decided that they do not want to have to have anyone present verification of who they are or that they are in this country legally.

□ 1100

We disagree with that. I am sorry that the Rules Committee did not allow that in order for the gentleman, Mr. PRICE, to be able to argue that as part of the debate today.

So, Mr. Speaker, I will be voting "no." I will be voting "no" on this rule because I believe that what this new Democrat majority did was to shut down debate even in a day when we have lots of time to get the best ideas on the floor and to make sure that every single Member can be heard from.

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

Ms. MATSUI. Mr. Speaker, before I close, I just want to make a comment that H.R. 1852 already has strong identification requirements for those applying for FHA-backed mortgage insurance.

With that, Mr. Speaker, we know that our housing market is in severe distress. We must ensure that subprime mortgage lending is not putting our residents at risk. Subprime mortgages can be a very useful tool enabling those with imperfect credit to qualify to buy a home. Reining in predatory lending practices will help our families keep those homes that they have worked so hard to buy. The Expanding American Homeownership Act will ensure that FHA has the tools it needs to get more home buyers into good loans.

This bill will bring the FHA regulations up to date. It will provide the agency with the ability and resources to offer a broader diversity of loans to meet the needs of the current market. This is an important bill that will give more of our constituents access to solid federally backed loans. That is a kind of stable financing that homeowners need to get through the rocky times our real estate market is weathering.

The Financial Services Committee has worked very hard to get this bill to the floor. I hope that we can keep it moving forward. I hope that my colleagues will join me and show strong bipartisan support for the rule before us and the underlying bill.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. HOLDEN). The question is on ordering the previous question.

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

Mr. SESSIONS. 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.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Approval of the Journal, by the yeas and nays;

Ordering the previous question on H. Res. 650, by the yeas and nays;

Adoption of H. Res. 650, if ordered.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

**THE JOURNAL**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, on which the yeas and nays were ordered.

The question is on the Speaker's approval of the Journal.

The vote was taken by electronic device, and there were—yeas 217, nays 183, answered "present" 1, not voting 31, as follows:

[Roll No. 870]  
YEAS—217

Abercrombie  
Ackerman  
Andrews  
Arcuri  
Baca  
Baird  
Baldwin  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bishop (GA)  
Bishop (NY)  
Blumenauer  
Boren  
Boswell  
Boyd (FL)  
Boyd (KS)  
Brady (PA)  
Braley (IA)  
Brown, Corrine  
Brown-Waite,  
Ginny  
Butterfield  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson  
Castor  
Chandler  
Clay  
Cleaver  
Clyburn  
Coble  
Cohen  
Conyers  
Cooper  
Costa  
Costello  
Courtney  
Cramer  
Crowley  
Cuellar  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis, Lincoln  
DeFazio  
Delahunt  
Dent  
Dicks  
Dingell  
Doggett  
Doyle  
Ellison  
Emanuel  
Engel  
Eshoo  
Etheridge  
Farr  
Fattah  
Ferguson  
Filner  
Forbes  
Fortenberry  
Frank (MA)  
Giffords  
Gillibrand  
Gonzalez  
Green, Al  
Green, Gene

Grijalva  
Gutierrez  
Hall (NY)  
Hall (TX)  
Hare  
Harman  
Hastings (FL)  
Higgins  
Hinchev  
Hinojosa  
Hirono  
Hodes  
Holden  
Holt  
Honda  
Hooley  
Hoyer  
Inslee  
Israel  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (GA)  
Johnson, E. B.  
Jones (NC)  
Jones (OH)  
Kagen  
Kaptur  
Kennedy  
Kildee  
Kilpatrick  
Kind  
Klein (FL)  
Kucinich  
Kuhl (NY)  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
LaTourette  
Lee  
Levin  
Lewis (GA)  
Lipinski  
Loebbeck  
Lofgren, Zoe  
Lynch  
Mahoney (FL)  
Markey  
Matheson  
Matsui  
McCollum (MN)  
McDermott  
McIntyre  
McNerney  
McNulty  
Meek (FL)  
Michaud  
Miller (NC)  
Miller, George  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murtha  
Nadler  
Napolitano  
Neal (MA)  
Oberstar  
Obey

NAYS—183

Olver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Paul  
Payne  
Perlmutter  
Pomeroy  
Price (NC)  
Rahall  
Rangel  
Reyes  
Reynolds  
Richardson  
Rodriguez  
Ross  
Rothman  
Gordon  
Roybal-Allard  
Ruppersberger  
Rush  
Salazar  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Sarbanes  
Schakowsky  
Schiff  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sestak  
Shea-Porter  
Sherman  
Sires  
Skelton  
Smith (WA)  
Snyder  
Solis  
Space  
Spratt  
Stark  
Stearns  
Sutton  
Tanner  
Tauscher  
Taylor  
Thompson (MS)  
Tiahrt  
Tierney  
Townes  
Udall (CO)  
Udall (NM)  
Van Hollen  
Velázquez  
Visclosky  
Walsh (NY)  
Walz (MN)  
Wasserman  
Schultz  
Waters  
Watson  
Watt  
Waxman  
Weiner  
Welch (VT)  
Wexler  
Woolsey  
Wu  
Wynn  
Yarmuth  
Young (FL)

Kingston  
Kirk  
Klaine (MN)  
LaHood  
Lamborn  
Latham  
Lewis (CA)  
Lewis (KY)  
Linder  
LoBiondo  
Lucas  
Lungren, Daniel  
E.  
Mack  
Manzullo  
Marchant  
Marshall  
McCarthy (CA)  
McCaul (TX)  
McCotter  
McCrery  
McHenry  
McHugh  
McKeon  
McMorris  
Rodgers  
Mica  
Miller (FL)  
Miller (MI)  
Miller, Gary  
Mitchell  
Moran (KS)  
Murphy, Tim  
Musgrave  
Myrick  
Neugebauer  
Nunes  
Pearce  
Pence  
Peterson (MN)  
Petri  
Pitts  
Platts  
Poe  
Porter  
Price (GA)  
Pryce (OH)

ANSWERED "PRESENT"—1

Gohmert  
NOT VOTING—31

Allen  
Boucher  
Carney  
Clarke  
Knollenberg  
Cubin  
Davis, Jo Ann  
DeGette  
DeLauro  
Edwards  
Emerson  
Hensarling  
Jindal  
Johnson (IL)  
Kanjorski  
Ryan (OH)  
Slaughter  
Sullivan  
Tancred  
Walberg  
Weldon (FL)  
Wilson (OH)

□ 1125

Mr. SAM JOHNSON of Texas changed his vote from "yea" to "nay."

Ms. CARSON changed her vote from "nay" to "yea."

So the Journal was approved. The result of the vote was announced as above recorded.

**PROVIDING FOR CONSIDERATION OF H.R. 1852, EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007**

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 650, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The Speaker pro tempore. The question is on ordering the previous question.

This will be a 5-minute vote. The vote was taken by electronic device, and there were—yeas 226, nays 191, not voting 15, as follows:

Camp (MI)  
Campbell (CA)  
Cannon  
Cantor  
Capito  
Carter  
Castle  
Chabot  
Cole (OK)  
Conaway  
Crenshaw  
Culberson  
Davis (KY)  
Davis, David  
Davis, Tom

[Roll No. 871]

YEAS—226

Abercrombie	Gutierrez	Neal (MA)
Ackerman	Hall (NY)	Oberstar
Altmire	Hare	Obey
Andrews	Harman	Olver
Arcuri	Hastings (FL)	Ortiz
Baca	Herseth Sandlin	Pallone
Baird	Higgins	Pascarell
Baldwin	Hill	Pastor
Bean	Hinchoy	Payne
Becerra	Hinojosa	Perlmutter
Berkley	Hirono	Peterson (MN)
Berman	Hodes	Pomeroy
Berry	Holden	Price (NC)
Bishop (GA)	Holt	Rahall
Bishop (NY)	Honda	Rangel
Blumenauer	Hooley	Reyes
Boren	Hoyer	Richardson
Boswell	Inslee	Rodriguez
Boucher	Israel	Ross
Boyd (FL)	Jackson (IL)	Rothman
Boyd (KS)	Jackson-Lee	Royal-Allard
Brady (PA)	(TX)	Ruppersberger
Braley (IA)	Jefferson	Rush
Brown, Corrine	Johnson (GA)	Ryan (OH)
Butterfield	Johnson, E. B.	Salazar
Capps	Jones (OH)	Sánchez, Linda
Capuano	Kagen	T.
Cardoza	Kanjorski	Sanchez, Loretta
Carnahan	Kaptur	Sarbanes
Carson	Kennedy	Schakowsky
Castor	Kildee	Schiff
Chandler	Kilpatrick	Schwartz
Clarke	Kind	Scott (GA)
Clay	Klein (FL)	Scott (VA)
Cleaver	Kucinich	Serrano
Clyburn	Lampson	Sestak
Cohen	Langevin	Shea-Porter
Conyers	Lantos	Sherman
Cooper	Larsen (WA)	Shuler
Costa	Larson (CT)	Sires
Costello	Lee	Skilton
Courtney	Levin	Smith (WA)
Cramer	Lewis (GA)	Snyder
Crowley	Lipinski	Solis
Cuellar	Loeb sack	Space
Cummings	Lofgren, Zoe	Spratt
Davis (AL)	Lowey	Stark
Davis (CA)	Lynch	Stupak
Davis (IL)	Mahoney (FL)	Sutton
Davis, Lincoln	Maloney (NY)	Tanner
DeFazio	Markey	Tauscher
DeGette	Marshall	Taylor
Delahunt	Matheson	Thompson (CA)
DeLauro	Matsui	Thompson (MS)
Dicks	McCarthy (NY)	Tierney
Dingell	McCollum (MN)	Towns
Doggett	McDermott	Udall (CO)
Donnelly	McGovern	Udall (NM)
Doyle	McIntyre	Velázquez
Edwards	McNerney	Visclosky
Ellison	McNulty	Walz (MN)
Ellsworth	Meek (FL)	Wasserman
Emanuel	Meeks (NY)	Schultz
Engel	Melancon	Waters
Eshoo	Michaud	Watson
Etheridge	Miller (NC)	Watt
Farr	Miller, George	Waxman
Fattah	Mitchell	Weiner
Filner	Mollohan	Welch (VT)
Frank (MA)	Moore (KS)	Wexler
Giffords	Moore (WI)	Wilson (OH)
Gillibrand	Moran (VA)	Woolsey
Gonzalez	Murphy (CT)	Wu
Gordon	Murphy, Patrick	Wynn
Green, Al	Murtha	Yarmuth
Green, Gene	Nadler	
Grijalva	Napolitano	

NAYS—191

Aderholt	Bono	Capito
Akin	Boozman	Carter
Alexander	Boustany	Castle
Bachmann	Brady (TX)	Chabot
Baker	Broun (GA)	Coble
Barrett (SC)	Brown (SC)	Cole (OK)
Barrow	Brown-Waite,	Conaway
Bartlett (MD)	Ginny	Crenshaw
Barton (TX)	Buchanan	Culberson
Biggert	Burgess	Davis (KY)
Bilbray	Burton (IN)	Davis, David
Billirakis	Buyer	Davis, Tom
Bishop (UT)	Calvert	Deal (GA)
Blackburn	Camp (MI)	Dent
Blunt	Campbell (CA)	Diaz-Balart, L.
Boehner	Cannon	Diaz-Balart, M.
Bonner	Cantor	Doolittle

Drake	Kuhl (NY)	Rehberg
Dreier	LaHood	Reichert
Duncan	Lamborn	Reynolds
Ehlers	Latham	Rogers (AL)
Emerson	LaTourette	Rogers (KY)
English (PA)	Lewis (CA)	Rogers (MI)
Everett	Lewis (KY)	Rohrabacher
Fallin	Linder	Ros-Lehtinen
Feeney	LoBiondo	Roskam
Ferguson	Lucas	Royce
Flake	Lungren, Daniel	Ryan (WI)
Forbes	E.	Sali
Fortenberry	Mack	Saxton
Fossella	Manzullo	Schmidt
Fox	Marchant	Sensenbrenner
Franks (AZ)	McCarthy (CA)	Sessions
Frelinghuysen	McCaul (TX)	Shadegg
Galleghy	McCotter	Shays
Garrett (NJ)	McCrery	Shimkus
Gerlach	McHenry	Shuster
Gilchrest	McHugh	Simpson
Gingrey	McKeon	Smith (NE)
Gohmert	McMorris	Smith (NJ)
Goode	Rodgers	Smith (TX)
Goodlatte	Mica	Souder
Granger	Miller (FL)	Stearns
Graves	Miller (MI)	Sullivan
Hall (TX)	Miller, Gary	Terry
Hastert	Moran (KS)	Thornberry
Hastings (WA)	Murphy, Tim	Tiahrt
Hayes	Musgrave	Tiberi
Heller	Myrick	Turner
Herger	Neugebauer	Upton
Hobson	Nunes	Walberg
Hoekstra	Paul	Walden (OR)
Hulshof	Pearce	Walsh (NY)
Hunter	Pence	Wamp
Inglis (SC)	Petri	Weldon (FL)
Issa	Pitts	Weller
Johnson, Sam	Platts	Westmoreland
Jones (NC)	Poe	Whitfield
Jordan	Porter	Wicker
Keller	Price (GA)	Wilson (NM)
King (IA)	Pryce (OH)	Wilson (SC)
King (NY)	Putnam	Wolf
Kingston	Radanovich	Young (AK)
Kirk	Ramstad	Young (FL)
Kline (MN)	Regula	

NOT VOTING—15

Allen	Hensarling	Pickering
Bachus	Jindal	Renzi
Carney	Johnson (IL)	Slaughter
Cubin	Knollenberg	Tancredo
Davis, Jo Ann	Peterson (PA)	Van Hollen

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE  
 The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

PARLIAMENTARY INQUIRY

Mr. SESSIONS (during the vote). Mr. Speaker, point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. SESSIONS. Could the Speaker please provide this body with the information about how the Chair intends to rule in regard to the clock when it says “time final,” and yet you have gaveled several times, and yet you are accepting more votes. Could you please describe to us what we can count on. I think it is important for this entire body to understand so that we know when the votes are final and when they are not.

The SPEAKER pro tempore. The Chair will inform the gentleman from Texas that the board is for display only. The Chair will also tell the gentleman from Texas that the Chair began to announce the vote several times, but noticed that Members were still trying to vote; and to extend them the courtesy to vote, the Chair waited. Members from both sides of the aisle were trying to vote.

Mr. SESSIONS. Mr. Speaker, I appreciate that. I also did recognize what

you were trying to do. I am not opposed to extending courtesies. I am very obviously concerned about the extension of any time after the vote says “final.”

I thank the gentleman.

□ 1136

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

POINT OF ORDER

Mr. MANZULLO. Mr. Speaker, point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. MANZULLO. Who was controlling the clock that puts up the word “final”?

The SPEAKER pro tempore. The gentleman is not stating a point of order.

Mr. MANZULLO. The computer is doing it?

The SPEAKER pro tempore. The clock is for display only. As previously stated, the Chair was trying to close the vote, but Members were raising their hands indicating they had not voted, and the Chair extended them the courtesy of allowing them to vote.

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

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

RECORDED VOTE

Ms. MATSUI. 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 227, noes 190, not voting 15, as follows:

[Roll No. 872]

AYES—227

Abercrombie	Cooper	Gutierrez
Ackerman	Costa	Hall (NY)
Altmire	Costello	Hare
Andrews	Courtney	Harman
Arcuri	Cramer	Hastings (FL)
Baca	Crowley	Herseth Sandlin
Baird	Cuellar	Higgins
Baldwin	Cummings	Hill
Barrow	Davis (AL)	Hinchoy
Bean	Davis (GA)	Hinojosa
Becerra	Davis (IL)	Hirono
Berkley	Davis, Lincoln	Hodes
Berman	DeFazio	Holden
Berry	DeGette	Holt
Bishop (GA)	Delahunt	Honda
Bishop (NY)	DeLauro	Hooley
Blumenauer	Dicks	Hoyer
Boren	Dingell	Inslee
Boswell	Doggett	Israel
Boucher	Donnelly	Jackson (IL)
Boyd (FL)	Doyle	Jackson-Lee
Boyd (KS)	Edwards	(TX)
Brady (PA)	Ellison	Jefferson
Braley (IA)	Ellsworth	Johnson (GA)
Brown, Corrine	Emanuel	Johnson, E. B.
Butterfield	Engel	Jones (OH)
Capps	Eshoo	Kagen
Capuano	Etheridge	Kanjorski
Cardoza	Farr	Kaptur
Carnahan	Fattah	Kennedy
Carson	Filner	Kildee
Castor	Frank (MA)	Kilpatrick
Chandler	Giffords	Kind
Clarke	Gillibrand	Klein (FL)
Clay	Gonzalez	Kucinich
Cleaver	Gordon	Lampson
Clyburn	Green, Al	Langevin
Cohen	Green, Gene	Lantos
Conyers	Grijalva	Larsen (WA)

Larson (CT)	Neal (MA)	Shuler
Lee	Oberstar	Sires
Levin	Obey	Skelton
Lewis (GA)	Olver	Smith (WA)
Lipinski	Ortiz	Snyder
Loebsack	Pallone	Solis
Lofgren, Zoe	Pascrell	Space
Lowe	Pastor	Spratt
Lynch	Payne	Stark
Mahoney (FL)	Perlmutter	Stupak
Maloney (NY)	Peterson (MN)	Tanner
Markey	Pomeroy	Tauscher
Marshall	Price (NC)	Taylor
Matheson	Rahall	Thompson (CA)
Matsui	Rangel	Thompson (MS)
McCarthy (NY)	Reyes	Tierney
McCollum (MN)	Richardson	Towns
McDermott	Rodriguez	Udall (CO)
McGovern	Ross	Udall (NM)
McIntyre	Rothman	Van Hollen
McNerney	Roybal-Allard	Velázquez
McNulty	Ruppersberger	Visclosky
Meek (FL)	Rush	Walz (MN)
Meeks (NY)	Ryan (OH)	Wasserman
Melancon	Salazar	Waters
Michaud	Sánchez, Linda	Watson
Miller (NC)	T.	Watt
Miller, George	Sanchez, Loretta	Waxman
Mitchell	Sarbanes	Weiner
Mollohan	Schakowsky	Welch (VT)
Moore (KS)	Schiff	Wexler
Moore (WI)	Schwartz	Wilson (OH)
Moran (VA)	Scott (GA)	Woolsey
Murphy (CT)	Scott (VA)	Wu
Murphy, Patrick	Serrano	Wynn
Murtha	Sestak	Yarmuth
Nadler	Shea-Porter	
Napolitano	Sherman	

NOES—190

Aderholt	Feeney	McHugh
Akin	Ferguson	McKeon
Alexander	Flake	McMorris
Bachmann	Forbes	Rodgers
Bachus	Fortenberry	Mica
Baker	Fossella	Miller (FL)
Barrett (SC)	Fox	Miller (MI)
Bartlett (MD)	Franks (AZ)	Miller, Gary
Barton (TX)	Frelinghuysen	Moran (KS)
Biggert	Gallely	Murphy, Tim
Bilbray	Garrett (NJ)	Myrick
Billirakis	Gerlach	Neugebauer
Bishop (UT)	Gilchrest	Nunes
Blackburn	Gingrey	Paul
Blunt	Gohmert	Pearce
Boehner	Goode	Pence
Bonner	Goodlatte	Petri
Bono	Granger	Pickering
Boozman	Graves	Pitts
Boustany	Hall (TX)	Platts
Brady (TX)	Hastert	Poe
Broun (GA)	Hastings (WA)	Porter
Brown (SC)	Hayes	Price (GA)
Brown-Waite,	Heger	Pryce (OH)
Ginny	Hobson	Putnam
Buchanan	Hoekstra	Radanovich
Burgess	Hulshof	Ramstad
Burton (IN)	Hunter	Regula
Buyer	Inglis (SC)	Rehberg
Calvert	Issa	Reichert
Camp (MI)	Johnson, Sam	Reynolds
Campbell (CA)	Jones (NC)	Rogers (AL)
Cannon	Jordan	Rogers (KY)
Cantor	Keller	Rogers (MI)
Capito	King (IA)	Rohrabacher
Carter	King (NY)	Ros-Lehtinen
Castle	Kingston	Roskam
Chabot	Kirk	Royce
Coble	Kline (MN)	Ryan (WI)
Cole (OK)	Kuhl (NY)	Sali
Conaway	LaHood	Saxton
Crenshaw	Lamborn	Schmidt
Culberson	Latham	Sensenbrenner
Davis (KY)	LaTourette	Sessions
Davis, David	Lewis (CA)	Shadegg
Davis, Tom	Lewis (KY)	Shays
Deal (GA)	Linder	Shimkus
Dent	LoBiondo	Shuster
Diaz-Balart, L.	Lucas	Simpson
Diaz-Balart, M.	Lungren, Daniel	Smith (NE)
Doolittle	E.	Smith (NJ)
Drake	Mack	Smith (TX)
Dreier	Manzullo	Souder
Duncan	Marchant	Stearns
Ehlers	McCarthy (CA)	Sullivan
Emerson	McCaul (TX)	Terry
English (PA)	McCotter	Thornberry
Everett	McCrery	Tiahrt
Fallin	McHenry	Tiberi

Turner	Weldon (FL)	Wilson (SC)
Upton	Weller	Wolf
Walberg	Westmoreland	Young (AK)
Walden (OR)	Whitfield	Young (FL)
Walsh (NY)	Wicker	
Wamp	Wilson (NM)	

NOT VOTING—15

Allen	Hensarling	Peterson (PA)
Carney	Jindal	Renzi
Cubin	Johnson (IL)	Slaughter
Davis, Jo Ann	Knollenberg	Sutton
Heller	Musgrave	Tancredo

□ 1145

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.

GENERAL LEAVE

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on H.R. 1852 and insert extraneous material.

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

There was no objection.

ALLOWING AMENDMENT NO. 2 TO BE OFFERED OUT OF SEQUENCE DURING CONSIDERATION OF H.R. 1852

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 1852 in the Committee of the Whole, pursuant to House Resolution 650, amendment No. 2 may be offered out of sequence by a cosponsor, the gentleman from California (Mr. CARDOZA).

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

There was no objection.

PARLIAMENTARY INQUIRY

Mr. GARRETT of New Jersey. Mr. Speaker, parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. GARRETT of New Jersey. Can the Speaker please clarify within the rules of the House when a bill is final in terms of not being subject to open and changing the votes? Is it when the board says final or is it when the Speaker gavels the bill down?

The SPEAKER pro tempore. The board is for display purposes; and when the Chair hit the gavel to see if any Members wished to change their votes, several Members from both sides of the aisle indicated they had not voted, and the Chair extended the courtesy to allow Members to vote.

Mr. GARRETT of New Jersey. Further parliamentary inquiry then.

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. GARRETT of New Jersey. Just so I am clear, it is not upon the board, nor

is it at the time of handing of the gavel down? Some other action has to occur?

The SPEAKER pro tempore. The gentleman is correct. The Chair is advised that the word “final” appears on the wall display as an indication of the status of the computer, not of the status of the vote.

Mr. GARRETT of New Jersey. Further parliamentary inquiry?

The SPEAKER pro tempore. The gentleman will state his further parliamentary inquiry.

Mr. GARRETT of New Jersey. The final element of when a vote is actually closed is when the Speaker, in this case yourself, actually hands down the gavel and not the board?

The SPEAKER pro tempore. It is when the Chair announces the result of the vote.

Mr. GARRETT of New Jersey. I thank the Speaker for the clarification. I appreciate it.

EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 650 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1852.

□ 1147

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes, with Mrs. JONES of Ohio in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentlewoman from California (Ms. WATERS) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Madam Chairman, I yield myself such time as I may consume.

I rise in support of H.R. 1852, the Expanding American Homeownership Act of 2007. As you know, I introduced H.R. 1852 on March 29, 2007, and I want to take this time to thank Chairman FRANK for his original cosponsorship. I also want to acknowledge each of my colleagues both on the Committee on Financial Services and in the House who have joined with me to see that this important legislation passes the House.

It has been a little over 4 months since the Committee on Financial Services considered this measure to revitalize the Federal Housing Administration, or FHA. On May 3, 2007, the

Expanding American Homeownership Act passed the Committee on Financial Services by a vote of 45–19.

The ensuing period has only made the need to enact H.R. 1852 clearer. We are all aware of the turmoil in the mortgage markets with the dramatic rise in foreclosures. Some predict as many as 2 million mortgage loan defaults by year's end. Equally troubling is the widening impact that the mortgage crisis is having within the domestic and global economy. We still don't know the full scope of that impact, but it is clear that we must take prudent steps to address the underlying issues in the housing markets.

H.R. 1852 is a necessary step in that direction. To be clear, this legislation will not by itself resolve the crisis. Indeed, later this week the Committee on Financial Services will hold a hearing to discuss the major players in government and the markets' other strategies to address this multi-faceted problem.

Revitalizing FHA, however, is an essential element of a comprehensive strategy. FHA is a federally insured loan program that for over 60 years has been a reliable source of affordable fixed-rate mortgage loans, especially for first-time home buyers.

At the end of funding year 2006, FHA had \$338.6 billion of insurance in force on about 3.9 million loans. From 1934 through the end of funding year 2006, FHA had insured about \$33.9 million home loans at a mortgage volume of about \$1.9 trillion.

Once the preeminent provider of mortgage insurance to low- and moderate-income home buyers, FHA has seen a precipitous drop in its market share in recent years. In 1991, FHA loans accounted for about 11 percent of the market. By 2004, that share had dropped to about 3 percent.

Borrowers have increasingly turned to the private subprime market for loans, many of which contained adjustable rates that are now resetting, or will do so in the near future. In the absence of significant appreciation in the values of their homes, many of these borrowers will be unable to refinance to ensure affordable monthly payments into the future.

H.R. 1852 will enable FHA to serve more subprime borrowers at affordable rates and terms, recapture borrowers that have turned to problematic subprime loans in recent years, and offer refinancing loan opportunities to borrowers struggling to meet their mortgage payments in the midst of the current home price and mortgage market turbulence.

Specifically, this bill would authorize zero and lower down payment loans for borrowers that can afford mortgage payments but lack the cash for required down payment, a major reason that many low-income borrowers turn to private subprime markets rather than FHA-insured loans. It will increase loan limits to make FHA relevant in high-cost markets, direct FHA to provide mortgage loans to high-risk,

but qualified, buyers; it will enhance the FHA reverse mortgage loan program, promote the sale of foreclosed FHA rental housing, loans to localities so that affordable housing can be maintained in local communities, authorize up to \$300 million a year for the next 5 fiscal years from the bill's excess profits for an affordable housing fund instead of returning such funds to the general treasury.

Notably, H.R. 1852 also includes a number of important changes to the FHA bill that passed the House last year. First, it eliminates the fee increases from last year's bill for borrowers that continue to make a down payment, scaling back the maximum upfront fee from 3 percent to 2.5, and the maximum annual fee from 2 percent to .55 percent.

These reductions would reduce FHA closing costs premiums for a hypothetical family buying a \$300,000 home by \$2,250, and annual fees over a 5-year period by over \$20,000 compared to last year's bill.

This bill also includes a provision authorizing loan limit increases for FHA rental housing loans in high-cost areas where current FHA loans do not keep pace with local construction costs. In this way we are ensuring that FHA contributes to the full range of affordable housing stock we so desperately need in this country, from homeowner-ship to rental housing.

In that vein, H.R. 1852 also differs from H.R. 1752 in a final, absolutely critical respect. This bill recognizes the full scope of the affordable housing crisis facing the Nation by targeting up to \$300 million annually for the next 5 years to an affordable housing fund for grants to provide affordable rental housing and homeownership opportunities for low-income families.

This measure is clearly needed. We can thank BARNEY FRANK for all of the work and all of the attention and time that he put into making sure that this was a part of this bill. Simply put, this country faces an affordable housing crisis of epic proportions. According to Harvard University's State of the Nation's Housing in 2007 report, 17 million renters and homeowners are paying more than half their incomes in housing costs. There just isn't enough affordable housing stock to go around.

With that, and in closing, I have said for many years that there is an affordable housing crisis in America. In recent months that crisis has exploded beyond the poorest renters and homeowners, to threaten the domestic economy. H.R. 1852 is a necessary step, though not in itself a sufficient one, in walking us back from the brink and the direction of meeting the housing needs of all Americans.

Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I yield to the gentleman from Alabama (Mr. BACHUS), the ranking member of the Financial Services Committee, for 7 minutes.

Mr. BACHUS. Madam Chairman, the Federal Housing Administration, which we today call FHA, was created in 1934; and it is a very important source of support for first-time home buyers and for low- and middle-income borrowers. FHA provides mortgage insurance that protects lenders against losses when homeowners default on their mortgage obligations, as many of them are doing today. It also allows the lenders to offer their customers, American homeowners, low interest rates and low closing costs.

Since its inception, the FHA has insured nearly 35 million loans. That makes it the largest insurer of mortgages in the world. FHA's share of the mortgage market, however, has been steadily declining in recent years, falling from almost 20 percent 10 years ago, of the total mortgage market in America, to 5 percent today.

This sharp drop in FHA's market share resulted largely from the growing popularity of subprime mortgages, as more borrowers opted for loans featuring zero down payments and introductory teaser rates far lower than what was available from FHA.

The difficulties we are experiencing today by many subprime borrowers is as their initial low interest rates reset at a much higher level, it offers FHA an opportunity to reestablish its standing in the marketplace as a safe, low-cost alternative for American homeowners. It is also another reason that we should be here today reforming FHA, to ensure that that happens.

For that to happen, Congress does need to pass the reforms that we are considering today. I want to say that right upfront. There are important reforms in this bill. These same reforms were contained in legislation that Ranking Member BIGGERT of the Housing Committee and myself and others in a bipartisan way introduced in the 109th Congress. In fact, that legislation, Comprehensive FHA Reform, and that is in this bill today, and is very good provisions, passed with over 400 votes on the House floor, only to die in the Senate. I am sorry that happened.

Earlier this year, Congresswoman BIGGERT and I reintroduced legislation identical to that legislation. However, and I am sorry to say that rather than embracing last year's bipartisan approach, the majority has chosen to go in a different direction. I think they do that from honest philosophical reasons. We disagree with those reasons.

They have included provisions which we believe will divert surpluses generated by the FHA program to a new affordable housing fund established in separate legislation which this House and our committee passed earlier this year.

While a strong bipartisan consensus exists regarding the need for FHA reform, the reforms in this bill, the majority is insistent on linking the enactment of these reforms to the creation of yet a new multi-billion dollar housing fund has caused many of us on this

side of the aisle to hesitate from strongly supporting this legislation.

□ 1200

I admit, most of our Members are in a quandary. We like the reforms in this bill. We know that those reforms will go a long way towards addressing the crisis that we face today, the Affordable Housing Fund. And we realize at the same time that there is legitimate purpose behind Chairman FRANK's Affordable Housing Fund, and one of those is to offer affordable low income rental property for Americans. And we understand that he honestly believes, and we have an honest disagreement as to the need for this.

We simply believe that a better approach is to dedicate the FHA surplus to shoring up the financial solvency of the FHA mortgage program, which was only recently removed from GAO's list of government programs at high risk for waste, fraud and abuse.

A portion of that surplus could also be returned to beneficiaries of the program. Who are they? They are the many people who have taken out FHA-insured reverse mortgages, many of them senior citizens, and we could do that in the form of lower insurance premiums for all Americans who have FHA mortgages.

Madam Chairman, the key reforms included in this legislation, lowering down payment requirements, increasing loan limits and mortgages that FHA is authorized to ensure, giving FHA more pricing flexibility, command broad consensus among Republicans, Democrats, the Bush administration, consumer groups and the industry, the realtors, the home builders and others. Indeed, in announcing several of these initiatives last month designed to contain the damage caused by the problem in subprime, President Bush stressed the critical role that FHA can play in assisting homeowners facing sharply higher mortgage payments and possibly foreclosure in reaffirming the administration's support for the FHA modernization legislation and many of the provisions contained in this bill.

However, the administration, as have many on our side of the aisle, also is strongly opposed to using FHA surplus as seed money for an untested, unrelated government housing program, one that is estimated to cost \$3 billion or more.

Thus, by insisting that this bill carry that controversial provision, we feel like the majority is delaying, if not jeopardizing, the enforcement of important reforms that we need now to provide a lifeline for seeking to refinance out of high cost subprime loans.

Madam Chairman, accordingly, I urge my colleagues to support Republicans' amendments to strike the extraneous Affordable Housing Fund provisions opposed by the administration and allow us to move forward quickly with badly needed and long overdue reforms in the FHA program. If we are not successful in those amendments,

many of the Members will vote for this underlying legislation, some will not. But, again, I want to acknowledge the sincerity and the good faith that the majority has worked throughout this process with the minority; and, Chairman WATERS and Chairman FRANK, we very much appreciate that. We appreciate the many fine provisions in this bill.

Ms. WATERS. I yield to the chairman as much time as he may consume.

Mr. FRANK of Massachusetts. I thank the gentlewoman, the Chair of the Housing Subcommittee who has worked so hard all year on a number of very important pieces of legislation. And I appreciate the kind words of the ranking member. I congratulate him on the newest addition to his extended family. And he correctly says, there is a lot in this bill that we agree with; there are some things that we disagree.

Now, the ranking member of the subcommittee, the gentlewoman from Illinois, the ranking member of the full committee. I should note, the gentlewoman from Illinois is no longer the ranking member of this subcommittee, she was recently moved, but she was during the pendency of this bill. They noted that last year a bill passed the House by 400 to a handful on the FHA, and that is true. And the reason is, that is the difference between us and them.

Last year, when they were in the majority, they came out with a bill that had some things in it that we liked, a couple things that we didn't like, so we were reasonable and conciliatory and voted for it. And now we are in the majority. And it is an odd argument to say that the bill that they passed when they were in the majority, having defeated some of our amendments, somehow now, because we were conciliatory last year and supported it, we are obligated to do the same thing.

The principle of *deja vu* all over again is not to be found in Jefferson's Manual. It is not binding. We built on what we agreed to last year and we added some things. Let me talk about where we disagree.

Oddly, the administration insists that when we do mortgage insurance for lower income people, we agree, that going forward, and even in fact in helping in the current crisis, FHA mortgage insurance should be available for people with weaker credit who are in the subprime category, now, if they can refinance at a steady rate in the future so they can go there in the first place.

But what the administration says is this: If you are a woman making \$48,000 a year and your credit isn't great for a variety of reasons and you get mortgage insurance from the FHA, this administration and the approach of my Republican colleagues is to charge her more than any Member of this House would be charged for the same mortgage insurance, because what they say is, we will extend it to people with weaker credit, but we will charge them

more, because people with weaker credit are likely to default. It is true people with weaker credit are likelier to default, but should everybody be penalized financially because some people with weaker credit will default?

What we say is, if you are in that higher risk category and you go forward and make your payments on time, you should be refunded that money after 5 years automatically, 3 years at the discretion of HUD.

So I reject the notion that we should make the person in the lower credit category who conscientiously makes her payments be the one who has to bear the cost of a loan loss rate that is higher for people like her. That is not her fault.

Secondly, we have in here tougher restrictions than last year on the ability of HUD to raise FHA rates. Members will note, the FHA has been making a surplus recently, and the administration likes that and they can use that to put into the general budget so Housing and the FHA subsidize the rest of the budget. And a couple of times on a fully bipartisan basis, through the appropriators and through our committee, we have written to HUD saying, no, don't do that. Don't raise FHA fees when you are already making a profit.

This bill, in fact, reduces the ability of HUD to raise fees unless they can document that they are going to go in the red, and that is one of the differences. If you vote for a substitute, you will be voting for a weaker set of restrictions on HUD's ability to raise FHA fees. That is why the home builders and the realtors have generally been supportive of the approach that we are taking, because we don't want HUD to have the freedom to raise the fees just to make a surplus for the rest of the government and make homeowners do that initial surplus.

In addition, by the way, we take the cap off home equity mortgages, and that is what generates the money. We don't generate the money for the affordable housing fund here by raising fees on mortgage insurance in general; in fact, we restrict HUD's ability to do that. We do take the cap off mortgage insurance. So what we are saying is, there will be more home equity mortgages granted. And, in fact, we put a restriction on the fee that can be charged by those who originate them. Not in the minority's substitute, I believe. And we say that extra money that comes not from raising anybody's fees but increasing the volume is what we can use for affordable housing. We also say that you should raise the limit.

Now, the administration had been opposed to it and they are parading it some but I believe not enough. We now have a situation in which the market is telling us that they will not do mortgages if they go above the FHA-GSE limit. And what this bill does is, A, to raise the limit based on the regional variation in house prices, but, in addition, says to the Secretary of HUD: If

the market freezes up as it now does, you have discretion, the discretion of the Secretary of HUD, to do a temporary increase in the limits. And I think that is a reasonable approach.

Finally, the Affordable Housing Trust Fund. Be very clear. Look at the bill. Not a penny can go to the Affordable Housing Trust Fund under the legislation before us today until the Secretary of HUD certifies that the FHA fund is fully solvent. That is, there is no way under this bill that a penny can go to the Affordable Housing Trust Fund if it would in any way cause an increase in FHA mortgage insurance or in any way jeopardize the fund.

The question is, if there is a surplus generated by the mortgage insurance rates, and remember, we are saying to HUD you can't charge as much as you want to. So at the lower rate we impose and with the increase in the volume of home equity mortgages that generates a surplus, does it go into the Treasury to do as they wish or can we set it aside for an affordable housing program? And for the first time, because you do not have now a lot, there are a lot of HUD programs, but there aren't any now that help build family affordable housing. We have some for the elderly; HUD tries to cut it. We have some for the disabled; HUD tries to cut it. We do not have a general program for helping to build affordable family housing, and that is what this bill would do. But only if by raising revenue. And, by the way, when we increased it, there was an odd statement in which they said don't raise the upper limit, have the program be focused on the lower income people. They are not competitive.

In fact, raising the upper limit makes money for the FHA. CBO has told us that when you raise the limit, that is a profit for FHA. In fact, raising the limit at the top is one of the reasons why we can avoid charging the people with weaker credit more, which the FHA wants to do, because we recycle some of that profit that they will make from right in the upper end into helping offset the higher loan loss rate from people at the lower end.

So the notion that in any way we are deteriorating our ability to help the moderate people is just nonsense. It is literal nonsense. Because raising the upper limit, all it does is provide more funds which can be used, because the alternative, and again this is in the Bush administration's approach: Yes, we will extend credit to people with weaker credit, but we will charge those individuals more than somebody who is richer even if that individual is making the payment. I don't think that is appropriate for the Federal Government.

There has been a lot of bipartisan cooperation on this bill. There were a couple amendments offered. One amendment is jointly offered by myself and the gentleman from California (Mr. MILLER). There are amendments offered by the gentleman from Ohio (Mr. TIBERI) which we think is a good idea.

Mr. MILLER has another one dealing with down payment assistance. Mr. TIBERI's deals with the question of counseling. We are supportive of those. There is a great deal of bipartisanship here.

The realtors and home builders, two of the private sector groups strongly committed to helping with homeownership and home building, support this bill and support our versions of it. All the consumer groups, the people who advocate for low income housing do. I hope that the bill is adopted. There are some amendments that would kill it. I will say there is an amendment to strike the funds for the Affordable Housing Fund. Members might want to check. A virtually identical amendment was offered during the appropriations bill to prohibit any FHA money from going there. It was defeated by 2-1. It was a very large vote on this side, obviously, but a significant vote on the other side. We have debated all these issues. I hope by the end of the day we will send the FHA bill through.

And let me just close by saying I welcome what the administration did. We are moving closer. I hope by the end of today we will have sent this bill to the Senate, along with the GSE bill. And I have spoken to Secretary Paulson and I have spoken with Members of the Senate. If the Senate will then take up the GSE bills and the FHA bills, I know there are differences, we want a signature on both bills. We will have a genuine three-sided conference; ourselves, both parties; the Senate, both parties; the Secretary of Treasury, the Secretary of HUD. And I believe if the Senate will act well before Thanksgiving, we can have a good package in which the GSEs and FHA are made sounder and more solid and better able to serve the people.

Mrs. BIGGERT. Madam Chairman, I yield 45 seconds to Ranking Member BACHUS.

Mr. BACHUS. Madam Chairman, I would like to thank the chairman of the full committee. And I want to make it perfectly clear that this was a grandson, not a son or daughter who was born to Linda and I. So when you said proud addition, I just didn't want a rumor back home that we had had a child.

But I also want to acknowledge what you said. There are many important reforms in this bill. In fact, from last year's bill, much of what the chairman has said, I think we have worked together, groups have worked together, and as a result of the subprime crisis we have got an even better bill, and I acknowledge all that. There are many good things about this bill, and I commend him for his knowledge of the subject and his fine work. Thank you.

Ms. WATERS. Madam Chairman, may I inquire as to how much time we have left?

The CHAIRMAN. Ms. WATERS has 13½ minutes, and Mrs. BIGGERT 21½ minutes.

Ms. WATERS. Madam Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. AL GREEN of Texas. I want to thank you and the chairman of the full committee for this brilliant and well thought-out legislation. I absolutely support it. I am convinced that this bill, had it been in place, would have helped many borrowers to avoid the subprime market and many of those who also went into the predatory lending areas, because it would provide reasonable rates without prepayment penalties.

But this bill also has the Affordable Housing Fund, and I support it wholeheartedly. There is no question that there is a need to build, preserve, and renovate, rehabilitate affordable housing in this country. This bill gives us the means by which it can be done.

I also would like to point out that the bill has an amendment that we introduced to deal with the mortgage brokers.

□ 1215

This bill requires mortgage brokers and correspondent lenders to safeguard and account for a borrower's money. It is actually codified into law. It would require them to follow reasonable and lawful instructions of the borrower and to act with reasonable skill, care, and diligence in handling the money of borrowers and the business of borrowers. It allows the Secretary of HUD to deny a violator the privilege of originating loans. It's a good amendment. I beg that my colleagues would support it.

Finally, I want to talk about the alternative credit amendment that was added that we introduced, which is a pilot program to establish an automated process using alternative credit such as rent, utilities, phone bills.

Many persons are credit worthy, but they don't have the traditional credit necessary to purchase a home. This bill will establish an alternative system so that they too may enter the marketplace and purchase a home.

After 4 years, the GAO is to give Congress a report on the bill. I support all of what is in this bill, and I beg that my colleagues do so as well.

Again, I commend the Chair and the ranking members for what they have done as well.

Mrs. BIGGERT. Madam Chairman, I yield myself 5 minutes.

Madam Chairman, I'd like to start out on a positive note, but I guess I must say that I'm disappointed about the bill, the way it is as we're considering it today.

While the bill has improved since its introduction, I had hoped that we could take up the same bipartisan FHA Modernization Bill, H.R. 5121, that passed House last year. And since we've been talking about it, I might say it was co-sponsored by 54 Republicans and 51 Democrats and one Independent, so it was a good bill and a bipartisan compromise that was agreed to by Chairman WATERS, Chairman FRANK, and then Chairman Mike Oxley.

And given the overwhelming vote, and the exact number was 415-7 for last year's bill, I had hoped that we could take it up and move it quickly to the floor. But instead we have two bills this year. We have the bill, H.R. 1752, which I introduced, which was identical to last year's bipartisan bill, and we have Chairman WATERS' bill. And so I think we're today considering a new bill with new provisions that are not bipartisan, and I think it has delayed the FHA modernization and will serve fewer borrowers than last year's bill. But it's an important bill.

There are some key differences between these bills. There is one that has caused the greatest concern for me and many of my colleagues, and that is the inclusion of a provision in H.R. 1852 that creates a funding placeholder and siphons off FHA funds to a brand-new government trust fund. And it's admirable, affordable housing. We all want affordable housing in all forms, whether it's section 8, whether it's public housing, whether it's FHA modernization. But I think that taking the funds out of FHA and using them for a purpose unrelated to its core mission of the FHA would threaten the solvency of the FHA fund and its ability to pay off the insurance claims. And we are reaching a crisis there, where we are going to have to have some credit inflow into the FHA fund. So we'll hear more discussion on that during the consideration of Mr. HENSARLING's amendment during this debate.

So it's my hope that we can work together to address Members' concerns through the amendment process so that a modernized FHA bill can help assist more low- and moderate-income Americans in buying and keeping their homes.

I'd like to just briefly talk about and thank Chairman WATERS for offering a specific provision in this manager's amendment. The chairwoman's original draft only permitted first-time home buyers to participate in new low- and no down payment loan programs. But the amendment under consideration corrects that and mirrors the provision in the FHA modernization bill that allows any FHA qualified borrower to participate in the new FHA low and no down payment loan program. So clearly, the FHA has a role to play in the solution to this country's rising foreclosure rate.

And as I think I said on April 19, during our first committee hearing on this, this bill, one of the most important things that Congress can do, as we search for ways to help those that have been harmed by the subprime market, is to give FHA the tools it needs to be a viable alternative for the first-time and low-income borrowers.

And then I'd like to address an issue that Chairman FRANK did bring up, and even though he's not on the floor. But the legislation that I have included another bipartisan agreement last year, and that was the automatic reduction of annual premiums in FHA to no more

than 55 basis points for loans that remain active after 5 years. And automatic premium reductions can be a good thing. They can reduce refinancing and perhaps some defaults and foreclosures as well.

In contrast, I think that the Franks-Waters bill requires the refund of excess upfront premiums charged to higher-risk borrowers, those with FICO scores under 560. So I'm concerned that this provision would have the unintended consequences of limiting the number of borrowers that could be served by the FHA program because it requires initial premiums to be even higher. And I think that the refund provision would also be very difficult to implement.

This is an insurance program. And when you have car insurance, you don't get a refund if you don't have an accident. You might have your rate lowered, which is what was in the former bill. So I think that that is an issue that he talked about that I wanted to clarify.

Madam Chairman, I reserve the balance of my time.

Ms. WATERS. Madam Chairman, I yield myself 30 seconds to make sure that my colleague on the opposite side of the aisle, Mrs. BIGGERT, whom I've worked with so closely and enjoy working with so much, is clear on the fact that the housing trust fund does not take money from FHA. And I think Mr. FRANK made it very clear before he left that HUD would have to certify that it is solvent before any of that money goes into the trust fund. I think that's very important.

Madam Chairman, I yield 2½ minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Madam Chairman, I rise in strong support of H.R. 1852, the Expanding American Homeownership Act of 2007, introduced by Congresswoman MAXINE WATERS, who has worked so hard on this legislation.

I want to commend my good friend from California for introducing such an important piece of legislation and for helping me and the Congressional Rural Housing Coalition find ways to provide housing for all Americans, including those in rural America. She has found numerous ways to improve the availability, affordability and quality of housing; and this legislation advances that cause.

Madam Chairman, this legislation, H.R. 1852, will modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers. It will also provide a safe alternative for potential home buyers with less than perfect credit, thus helping them avoid the pitfalls of certain subprime lending and, hopefully, reduce a large portion of predatory lending.

This legislation is very important to working families. Hundreds of thousands of American families are concerned about losing their homes as

their mortgage payments increase because of subprime loans with adjustable interest rates. With strong efforts to assist them, up to the 40 percent of families with subprime loans could qualify for more affordable fixed-rate loans so they can keep their homes.

As co-chair and co-founder of the Financial and Economic Literacy Caucus, I am particularly pleased that the legislation contains a housing counseling provision. It is a long time coming.

I want to express my sincere appreciation to Chairwoman MAXINE WATERS for introducing such important legislation.

Madam Chairman, I submit for the RECORD letters from the American Bankers Association and the National Association of Home Builders in support of H.R. 1852.

For these reasons, I strongly urge my colleagues to vote "yes."

SEPTEMBER 18, 2007.

To: Members of the U.S. House of Representatives.

From: Floyd Stoner, Executive Director, Congressional Relations & Public Policy, ABA.

Re Support for H.R. 1852, the Expanding American Homeownership Act of 2007.

I am writing to you on behalf of the members of the American Bankers Association (ABA) to express our support for H.R. 1852, the Expanding American Homeownership Act of 2007, scheduled for House consideration today. This legislation reforming the Federal Housing Administration (FHA) will make the FHA a strong, relevant tool to help banks and other lenders to bring homeownership to more Americans for years to come. These reforms are more necessary now than ever, as FHA can play an important role in addressing current problems in the mortgage markets.

The FHA was created in 1934 to serve as an innovator in the mortgage market. Since then, FHA, in a public/private partnership with banks and others in the lending community, has assisted nearly 35 million Americans become homeowners. Unfortunately, statutory limitations and lack of flexibility caused FHA to become less relevant to the industry. The legislation before the House of Representatives makes necessary changes to improve the efficiency of the FHA, increase the nation's homeownership rate, increase competition in the lending market, and provide borrowers with a much needed option in the current tight credit market.

Specifically, ABA supports provisions that: (1) simplify the downpayment process and offer borrowers flexible downpayment options; (2) extend the mortgage term of an FHA insured loan to 40 years; (3) increase the FHA loan limits; and (4) modernize the Home Equity Conversion Mortgage Program. These changes will again make the FHA an important partner with the private market and will help to ensure that more borrowers are able to benefit from FHA insurance.

We urge you to support this reform of FHA to better serve homebuyers by supporting H.R. 1852 when it comes to the House floor.

NATIONAL ASSOCIATION  
OF HOME BUILDERS,

Washington, DC, September 17, 2007.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
The Capitol, Washington, DC.

DEAR SPEAKER PELOSI: On behalf of the 235,000 members of the National Association of Home Builders (NAHB), I am writing to

express the building industry's support for H.R. 1852, the Expanding American Homeownership Act of 2007. NAHB urges you to support this bill, which modernizes the Federal Housing Administration (FHA), when it comes to the House floor next week. Because of the importance of this issue to our industry, we are designating the vote on passage of H.R. 1852 as a KEY VOTE.

NAHB also supports the Frank/Miller/Cardoza amendment that will further enable home buyers the ability to purchase an FHA-insured home in many high-cost areas. Currently, the FHA loan limit is too low to enable many deserving home buyer to purchase a home in high-cost areas.

Since its creation in 1934, and for much of its existence, the FHA has been viewed as a housing finance innovator by insuring millions of mortgage loans, which have made it possible for America's families to achieve homeownership. FHA's single family mortgage insurance programs have served home buyers in all parts of the country during all types of economic conditions. Moreover, FHA has done this without any cost to America's taxpayers.

Unfortunately, over the past two decades, the popularity and relevance of FHA's single family mortgage insurance programs have waned as FHA's programs have failed to keep pace with competing conventional mortgage loan programs. Faced with a deepening constriction in the availability and affordability of housing credit, Congress now has the opportunity to modernize the FHA and enable it to play a key role in stabilizing the mortgage markets, while offering borrowers a safe and fair mortgage alternative. Recently, President Bush outlined a plan to help American homeowners weather the current difficulties in mortgage markets, which included asking Congress to send him an FHA reform bill as soon as possible.

To address the problems in today's housing finance market, I urge your support for H.R. 1852 on the House floor this week. Again, NAHB will KEY VOTE the vote on passage of H.R. 1852. Thank you for considering the views of the home building industry.

Sincerely,

JOSEPH M. STANTON,  
*Chief Lobbyist.*

Mrs. BIGGERT. Madam Chairman, I would just like to thank the gentleman from Texas (Mr. HINOJOSA) for all his hard work on our Financial Literacy and Education Caucus. I really enjoy working with him, and the counseling really fits right into the purview of financial literacy, so again I thank the gentleman.

Madam Chairman, I yield 5 minutes to my friend, the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Madam Chairman, I rise in strong support of this bill. I'd like to commend Chairman BARNEY FRANK and Ranking Member BACHUS and Subcommittee Chairman MAXINE WATERS and Ranking Member JUDY BIGGERT for their hard work. This has been a long time coming.

If you watch what the Federal Reserve is doing today, they're injecting short-term dollars into the marketplace trying to stabilize the marketplace. But what the marketplace and housing needs today is long-term dollars and revenues to ensure that people can own a home and get a long-term loan and pay that back.

When I talk to brokers and lenders in my district, it is clear that the FHA

program as currently structured has not kept pace. In the past, moderate-income home buyers who could not qualify for conventional loans because of high loan to value ratios or high payment to income ratios could still achieve the dream of homeownership through the FHA program.

Today, the FHA program is no longer a useful product to home buyers. Instead, working families are faced with a situation where they are either unable to own a home, or they're forced to resort to a risky loan product that might make their ability to keep the home difficult.

With all this occurring in the subprime market, FHA reform is more critical today than ever. The need for this legislation is immediate.

Many times exotic products such as interest-only loans, negative amortizations are the only options available to working families to achieve homeownership. This is because the FHA program became virtually irrelevant for many home buyers.

Not only can the bill before us today provide a viable alternative for families seeking to purchase a home, but it can also help families facing uncertainty about being able to keep their current home.

The bottom line is to make the FHA program a viable mortgage option, we must ensure that the program's products are available across the country and they meet the needs of borrowers. This includes not only eliminating the geographic barriers to utilization of the program in high-cost areas, but also facilitating the purchase of entry-level homes, including condos and manufactured housing.

These forms of housing are an affordable option for entry-level home buyers, and they should be included under this program if we truly want to help families climb the first rung on the ladder of homeownership.

In addition to reforming what can be purchased under the program, we must also improve the competitiveness of the FHA product among the mortgage options available. In other words, we must address the problems in FHA programs that cause it not to be utilized when it is an available mortgage product for the potential home buyer.

The answer is that the program in flexibility and burdensome processes have left many in the industry hesitant or, in the case of mortgage brokers, unable to offer FHA products.

The legislation before us today includes a number of reforms to make the FHA program relevant in today's marketplace. For example, today's mortgage brokers originate the majority of mortgage loans and, therefore, provide HUD with the most available and efficient distribution channel to bring the FHA loan products to the marketplace.

While mortgage brokers originate the majority of loans, many are not able to offer FHA products because of the cost-prohibitive and time-consuming finan-

cial audit and net worth requirements. This effectively leaves subprime loan products as the only option for many borrowers who would otherwise qualify for an FHA.

Now, let me say the subprime market is extremely beneficial and it needs to be relevant. But today you have many predators in that marketplace that are making loans to people that they know they cannot repay. The bill before us today includes language to replace FHA's net worth and audit requirement with a surety bond to allow more mortgage brokers to offer FHA products. This will ensure that the home buyers are given the option of a FHA product when they seek the services of a mortgage broker.

I would like to say a word about the affordable housing fund included in this bill. While I opposed a similar fund when it was attached to the GSE reform bill, I want my colleagues to know that I support this fund because an amendment I offered at the markup was accepted by Chairman FRANK to essentially say, and these are arguments that have been made against this, that the HUD must ensure that FHA insurance premiums are, one, as low as possible; two, that the insurance fund is solvent; and, three, that any FHA needs are met before excess dollars are sent to the housing fund. Virtually it says that FHA has the dollars, they will use the dollars, and when it's not needed, then those dollars will be forwarded to the fund.

□ 1230

After that I firmly believe that the FHA funds should be dedicated to housing. We do this for the highway fund when we charge a gas tax. Those taxes are dedicated to repairing our roads and highways in this country. We should do this with the FHA too. The FHA money we are talking about is money that currently is going to the treasury.

Now more than ever Congress must pass FHA legislation so that we can remove the impediments to the utilization of the FHA and ensure that it once again helps working families across the country so that they have an opportunity to achieve and maintain homeownership. This is an important reform that will help many families avoid foreclosures.

Most of the people, and I would say, all the organizations in the industry who are looking to help people who are in trouble today support this bill. They also support the GSE reform bill that we put forward because it does one thing: It provides long-term stability and liquidity to the marketplace. The goal of this bill is to ease the burdensome problems people are facing today. They are looking at losing their homes. We are saying let's provide long-term liquidity and help them maintain their homes.

Ms. WATERS. Madam Chairman, I yield 2 minutes to the gentlewoman

from New York (Mrs. MALONEY), Financial Institutions and Consumer Credit Subcommittee Chair.

Mrs. MALONEY of New York. Madam Chairman, I thank the gentlewoman for her extraordinary leadership, really creative leadership, along with BARNEY FRANK and others.

I rise in support of the bill, which will revitalize the FHA and will ultimately assist low- and modern-income families seeking the American Dream of homeownership and providing much-needed stability and liquidity in the markets with the subprime crisis.

I thank the gentlewoman for accepting an amendment that I authored that would expand affordable and available daycare by giving an incentive to build or include licensed child care facilities in FHA-insured properties.

This bill does many things that are very important. It builds on the President's recent announcement that FHA will work with homeowners who are having a difficult time paying their mortgage due to a reset in this interest rate. This will help with the subprime crisis by, number one, increasing the loan limits in high-cost areas of the country like New York City where FHA has been driven from the market, forcing many borrowers to turn to high-cost financing. It will, secondly, authorize zero down and lower down payment FHA loans for home buyers who could not otherwise make these payments. It directs FHA to underwrite to borrowers with higher credit risks than FHA currently serves. And it permanently eliminates the current statutory volume cap on FHA reverse mortgage loans to permit this program to meet the growing needs of home equity-rich, cash-poor senior citizens and, very importantly, reinvesting the increased profits created into an affordable housing fund.

With all the great things in this bill, I am concerned that we may be loosening the reins a bit too much by allowing mortgage brokers to bypass the current audit and net worth requirements and instead posting a surety bond to participate in FHA. I have been very concerned with the role the largely unregulated mortgage broker industry has played in the current subprime mortgage crisis.

I do support this bill, and I hope we can work to ensure the safety and soundness of FHA and we are expanding affordable and available housing. And congratulations to Chairman WATERS.

Mrs. BIGGERT. Madam Chairman, at this time I would like to yield 3 minutes to the gentlewoman from West Virginia (Mrs. CAPITO), who is now going to assume the role as the ranking member of the Housing Subcommittee.

Mrs. CAPITO. Madam Chairman, I would like to first thank my good friend the gentlewoman from Illinois for yielding to me and also for her leadership as the ranking member on the Housing Subcommittee. She has left

big shoes for me to fill, but I know she is not going to be too far away on the committee, so I can lean on her for help.

I also look forward to working with Chairwoman WATERS on this committee. I know we will work well together as you all have set up a great pattern of bipartisanship on the Housing Subcommittee. So thank you very much for your leadership.

The legislation we are considering today is an important step towards stabilizing a housing market that has been in a steady decline over this past year. While many of us were working in our districts over the recess period, our financial systems were experiencing a bit of a credit crunch, due in part to the problems in the subprime housing markets.

Many of the problems we are facing in the housing market are due to individuals with credit challenges and inexperienced first-time home buyers utilizing very complex and creative financing tools to allow them to purchase a home which they would otherwise not be able to do.

Homeownership is something that we all aspire to, and I am proud to say that my State of West Virginia has some of the highest homeownership in the country, over 70 percent, because with homeownership comes solid community involvement, comes better economic health, and also better socialization and education levels.

The use of interest-only and adjustable-rate mortgages is now causing problems as these mortgages is now resetting at much higher rates, frequently unaffordable rates causing an increase in foreclosures.

The reforms to the FHA will help provide stability in the housing market by providing greater assistance to new and riskier home buyers. Some of the reforms I would like to highlight are the extension of the maximum length for an FHA loan from 35 to 40 years; directing the FHA to serve high-risk home buyers while lowering upfront fees for high-risk buyers; allowing for a zero down payment for first-time home buyers, and I'm hearing today also for those who are FHA qualified; and authorizing an increase in FHA loan limits for both rural and urban areas.

The final component is especially important because in many areas the current loan limits are outpriced by many larger metropolitan areas. These expanded limits will help many buyers access stable and secure loans so they can achieve the goal of homeownership.

Each of these reforms has bipartisan support, and we must continue to work together in order to provide much-needed assistance to our struggling homeowners.

Again, I would like to thank Chairwoman WATERS and Ranking Member BIGGERT for their hard work on this critical legislation.

Ms. WATERS. Madam Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. ELLISON), who is focused on predatory lending.

Mr. ELLISON. Madam Chairman, I would like to thank Chairwoman WATERS and Chairman FRANK for bringing this bill to the floor today before the body.

H.R. 1852 makes significant improvements to the current Federal Housing Administration policy at a time that is crucial to American working families and to our Nation's economy. It comes before us at a time when the unstable housing market has brought disruption to our economy, world financial markets, but, most importantly, in our neighborhoods. By expanding the availability of FHA loans and using the new revenue to create an Affordable Housing Trust Fund, we are helping to make the dream of homeownership not just an illusion but a real possibility. Once again, I want to thank the sponsors of this legislation and urge support of the bill.

I would also like to point out that the mortgage foreclosure crisis in America continues to get worse. Mortgage foreclosures are now at a level previously seen only at the height of the Great Depression, and it is only predicted to get worse going into the fall and winter. In August, foreclosures nationwide were up 115 percent from 2006. Hopefully, this important piece of legislation will help make the American Dream of homeownership not just an illusion but a real possibility.

Mrs. BIGGERT. Madam Chairman, I have no further requests for time, and I reserve the balance of my time.

Ms. WATERS. Madam Chairman, I yield 1½ minutes to the gentlewoman from California, Ms. BARBARA LEE.

Ms. LEE. Madam Chairman, I rise today in strong support of the Expanding American Homeownership Act of 2007. I want to thank Chairman FRANK and Chairwoman WATERS for their leadership and their commitment to revitalize the FHA and provide critical assistance to those who have been affected by this crisis, which is, unfortunately, reverberating across our country and the entire world.

Many hardworking Americans that may otherwise not have been able to qualify for a loan were lured into a fantasy universe of low rates and even lower payments by unscrupulous lenders. However, reality has kicked in, and those most affected are the elderly, single parents, and members of minority populations.

This bill is a critical first step to help those who have been caught up in this nightmare. For instance, current FHA rules prevent the FHA from making loans beyond the local median home price. This bill will increase loan limits to make FHA relevant in those areas. This is a crucial fix which will provide assistance in high markets like mine in California in the Ninth Congressional District in Northern California.

This bill also increases funding for housing counseling, which helps to ensure that those who achieve the American Dream of owning a home can keep

it. With a good job and good credit, this bill will allow, for instance, those who want to deal with down-payment assistance to qualify for a loan by providing that down-payment assistance. It addresses authorizing a zero or lower down payment on loans for borrowers.

I want to thank Congresswoman WATERS and Mr. FRANK for making housing an important national priority.

Mrs. BIGGERT. Madam Chairman, I reserve the balance of my time.

Ms. WATERS. Madam Chairman, I yield 1½ minutes to the gentleman from Maryland, Congressman CUMMINGS.

Mr. CUMMINGS. Madam Chairman, I want to thank Ms. WATERS for this absolutely brilliant legislation, very comprehensive, and I also want to thank Chairman BARNEY FRANK.

Madam Chairman, later today the Fed is expected to lower interest rates for the first time in 4 years to protect the economy in hopes of making homes less expensive for people to finance certain credit card debt and for homeowners to take out popular home equity lines of credit, which often are used to pay for education, home improvements, or medical bills.

The Fed's actions today will have a positive impact on homeownership, as will our consideration of H.R. 1852. This legislation will allow FHA to carry out its function of assisting creditworthy, low-income and credit-risk citizens in becoming homeowners. Most importantly, the FHA will be able to steer these people away from the predatory practices of the subprime mortgage industry.

Some of the most important features of H.R. 1852 include raising the program's loan limit to \$417,000; providing refinancing opportunities to borrowers struggling to meet their mortgage payments; authorizing zero and lower down-payment loans for qualified borrowers; and enhancing FHA's reverse mortgage program to help seniors pay for health and other expenses, by removing the loan cap to avoid program shutdowns and raising loan limits.

Again, I applaud Chairman WATERS for her outstanding leadership in this area, and I urge all of my colleagues to vote in favor of the bill.

Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

In closing, I would really like to thank Subcommittee Chairwoman WATERS for her work on this bill. I am pleased that the FHA modernization bill is moving forward, and I think that the bill that we will vote on today is much improved from the original draft as a result of constructive input from Members from both sides of the aisle. It contains many bipartisan provisions that I support and still contains a few provisions that I do not support. But it is my hope that the provision siphoning money away from the fund will be struck and that true risk-based pricing will be implemented so that FHA can serve the maximum number of bor-

rowers possible. But those arguments have been made and have been rejected by the majority, so it is my sincere hope that we can further improve the bill as it continues to move through the legislative process.

As I understand it, the Senate Banking Committee is scheduled to mark up its version of FHA reform tomorrow. So unlike last year, it appears that FHA reform is gaining traction in the Senate, and I hope that we can move this bill beyond the House during this Congress and that the Senate and the administration will work with us to reform this important program.

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I think American families deserve a 21st-century FHA program to have a safe and secure mortgage product as an alternative to the dangerous products offered by predatory lenders. Qualified American families looking to keep their homes and refinance their bad mortgages, many of which are currently in default, deserve to do so through a modernized FHA.

Again, I look forward to our continued work. And I would like to thank Chairman WATERS so much. You know, as I leave as ranking member of this subcommittee and go over to the financial institutions, I do with some remorse. I really have enjoyed working with the subcommittee chairman on this committee, and the times that we have spent. I will still be on the committee, but won't have the opportunity to sit together and make some decisions. And I really have enjoyed every minute of it, the trip to New Orleans and Mississippi, as well as working on these bills with her. So I thank you so much. I also thank Chairman FRANK. I think he has worked so hard on this committee.

I kind of think I will miss it because it certainly has been the most active committee I think in Congress this year. Never did I dream that we would have at least three hearings a week and two markups and all the things that have gone on. But I think you've made great progress in the housing field, and I appreciate both of you for your concern and your passion for housing and making sure that low-income families will be able to meet their American Dream.

With that, Madam Chair, I yield back the balance of my time.

Ms. WATERS. May I inquire as to how much time I have remaining.

The CHAIRMAN. The gentlewoman from California has 2 minutes remaining.

Ms. WATERS. Madam Chairman and Members of the House, first I would like to tell the subcommittee ranking member how sad I am that we're not going to be working as closely together on this Subcommittee on Housing. I have truly enjoyed working with her. And even though she will remain on the committee, we perhaps won't have an opportunity to sit together and chat and not only make decisions, but just

make fun of some people from time to time.

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Ms. WATERS. I yield to the gentleman.

Mr. FRANK of Massachusetts. I would say that I really am very proud that on our committee, and the gentlewoman is right, there are some areas of disagreement, I think we have shown how you can have legitimate disagreements of governmental philosophy within a framework of some agreement and be able to deal with them so that the disagreements can be reasonably debated and don't spill over and don't interfere.

And the gentlewoman is right, we have been very active; but we could not have been active in a very constructive way if it hadn't been for that spirit, and I thank her for it. And obviously we will still be working with her, but we do want to acknowledge how helpful she was and how constructive in her role as the ranking minority member.

Ms. WATERS. I would also like to thank Mr. BACHUS and Mr. MILLER; Mr. BACHUS, who has been so good to work with; Mr. MILLER, who is an expert. We have been able to talk about things, to work out differences, and to move forward.

This is a very productive overall Financial Services Committee, a very productive Subcommittee on Housing and Community Development. With people working together on both sides of the aisle, we're getting things done.

This may be one of the most important pieces of legislation to pass this House in this session. We will be able to help people with refinancing. We will be able to help people stay out of foreclosure. We will be able to revitalize FHA, that really knows and understands how to provide insurance for moderate- and low-income folks who are desperate to be homeowners. And I am just delighted that I've had an opportunity to play a role.

Madam Chairman, I yield back the balance of my time.

Mrs. BIGGERT. Madam Chairman, I ask unanimous consent to reclaim my time.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Illinois?

There was no objection.

Mrs. BIGGERT. In all my thanking, I forgot to thank the staff, which I would really like to do, the staff of the subcommittee, Cindy Chetti, Tallman Johnson, Nicole Austin, Robert Gordon and Jim Clinger for all the work that they've done on the minority side of the aisle. And also, to thank, on the other side of the aisle, the Democrat staff who have been so helpful to us: Scott Olson, Gail Lester, Jonathan Harwitz, Kellie Larkin, Tom Duncan and Himay Lazarga. I thank all of them for all the work that they've put into this bill. And also, one of our new members on this side, Jason Britt, one of our new members of the staff. Thank you so much.

Mr. BACA. Madam Chairman, I rise to express my strong support for H.R. 1852, the Expanding American Homeownership Act of 2007. This bill updates the FHA program so it can provide better mortgage options to low and moderate income families and minorities. This is important because the FHA program has not kept up with the needs of underserved communities, especially those in high cost areas like California. As a result, many families have turned to high cost and riskier subprime loans.

Because of the high number of subprime loans granted in the last few years—our Nation is now in a home foreclosure crisis. The Inland Empire has the fourth highest rate of foreclosure filings in the Nation and comprised the hardest hit area in California through the first half of 2007. According to the Neighborhood Housing Services of the Inland Empire, in San Bernardino County alone there were over 19,000 foreclosure filings in the first half of 2007. The current median home price in San Bernardino County is only affordable for 2 out of every 10 families.

H.R. 1852 will raise the FHA loan limit so that these hard-working families get a fair chance at getting a better deal for their home. The reforms in H.R. 1852 will allow the FHA program to reach into these underserved communities to provide low and moderate-income buyers a better deal at a fair price.

Again, Madam Chairman, I express my full support of this bill and urge my fellow colleagues to adopt its final passage.

Ms. CASTOR. Madam Chairman, I would like to express my support of H.R. 1852, the Expanding American Homeownership Act.

I would like to thank Chairwoman WATERS and Chairman FRANK for their hard work on behalf of American families. I am proud to support their effort to make the dream of homeownership reachable for hard-working families throughout our country.

H.R. 1852 accomplishes many goals. It will expand the capacity of the FHA to ultimately help more homebuyers receive better loans. Currently subprime borrowers are not eligible to receive FHA loans. Under H.R. 1852, FHA loans will become available to subprime borrowers and help to keep them from becoming victims of predatory lending practices when buying their first homes.

Families who are currently homeowners, but were placed into mortgages that they were unable to afford will be eligible under H.R. 1852 to refinance their mortgages with the FHA. This will help families to recover from the hardship that so many have experienced during this difficult period in the mortgage market.

One of the great provisions of the Expanding American Homeownership Act is that it will authorize up to \$300 million per year to be put into the Affordable Housing Trust Fund, to assist in building more affordable housing for working families. This fund will work alongside of an effort in my home state of Florida by Governor Charlie Crist to increase funding for initiatives to build affordable housing and to provide added assistance to first-time home buyers.

In my district in the Tampa Bay area, 10,173 of my neighbors found that their homes fell into foreclosure within the first six months of this year. The Tampa Bay area is ranked 24th in home foreclosures among the largest 100 metropolitan areas in the country.

On Monday, members of my community gathered to hear the story of Isaline Wyatt.

Isaline's lender told her last month that her house was going to be auctioned off. Isaline was facing foreclosure. Fortunately, Isaline was proactive and was able to take the needed steps to finding assistance to restructure her loan and keep her home. Isaline's journey was a struggle, but with the passage of H.R. 1852, homeowners like Isaline will have an added place to turn before foreclosure threatens to leave their families without a home.

Madam Chairman, there are thousands of children, seniors and veterans that are living in fear that soon they will lose their homes. This is a crisis and H.R. 1852 is an excellent step toward helping not only first-time homebuyers, but also to help homeowners in trouble to get back onto their feet. Families will have a greater opportunity to find a home and stay in that home.

Mrs. CHRISTENSEN. Madam Chairman, homeownership is the key to achieving financial independence. Yet, there is still a persistent gap in homeownership between minorities and non-minorities. According to HUD, despite increases in minorities who become homeowners, the census figures show that large differences in rates between minority and white household ownerships remain and have narrowed only slightly.

If this gap is to be narrowed or eliminated all together, we must break down the barriers faced by minority families and lower and middle income families that make it difficult for them to obtain the American dream of homeownership. These barriers include but are not limited to lack of capital for the down payment and closing costs, lack of access to credit and poor credit history, lack of understanding and information about home buying program and continued housing discrimination. Not to mention, the recent mortgage crisis caused by sub-prime lenders and predatory lenders.

This is why I strongly support H.R. 1852, a bill that would modernize the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers and make other needed changes to offer a better product. Increasing the FHA loan limits will allow homebuyers in high cost areas like the District of Columbia and my district, the US Virgin Islands, to benefit from the FHA advantages that users in less costly parts of the country enjoy. The bill would also provide FHA with the flexibility to offer varying down payment terms thereby eliminating the barrier of down payment and settlement costs for more aspiring homebuyers. Most importantly, H.R. 1852 would provide American homeowners with a safe and affordable mortgage alternatives. This is greatly needed at time when home buyers. Most importantly, H.R. 1852 would provide American homeowners with a safe and affordable mortgage alternatives. This is greatly needed at time when homebuyers are being lured by the attractive but misguided terms offered by the subprime and predatory lenders.

H.R. 1852 will bring a much needed stability to the mortgage market. It is supported by my local realtors and the National Association of Realtors, as well as many other organizations. I commend Congresswoman MAXINE WATERS for her work on this bill and urge my colleagues to support its passage.

Mr. SIRES. Madam Chairman, I rise in opposition to this amendment. I keep hearing time and time again from my constituents that

they cannot afford a safe home for their children. I know this is a problem for many Americans across the country. In fact, recent research has indicated that in order to afford a modest two-bedroom apartment paying no more than 30 percent of their income for housing and working full time, a New Jersey family would need to earn over \$20.00 an hour. Wages are simply not increasing fast enough to allow many families to even come close to this affordable housing wage.

Families need help. That is why I am so supportive of the Affordable Housing Trust Fund and the revenues that H.R. 1852 will provide to the Fund. This fund will increase home ownership and increase mortgage funding in areas of chronic economic distress. By increasing the level of home ownership, we will then increase the supply of rental housing for families. And where needed, we will increase our investment in affordable housing infrastructure to make a safe and affordable home a reality for every hardworking American.

I urge my colleagues to vote against this amendment that would strike the affordable housing trust fund and I urge everyone to vote in support of final passage the Expanding American Home Ownership Act of 2007.

Mrs. JONES of Ohio. Madam Chairman, I rise today in support of H.R. 1852, the Expanding American Homeownership Act of 2007. I commend the chairman of the Financial Services Committee, BARNEY FRANK and Congresswoman MAXINE WATERS, the author of this bill, for their leadership on this issue.

The meltdown of the mortgage industry, predatory lending practices and excessive foreclosures is an opportunity for the Federal Housing Administration (FHA) to reassert its traditional role of meeting unmet mortgage market needs. H.R. 1852 is intended to increase the market share of mortgages insured by Federal Housing Administration (FHA), and to encourage greater stability in the mortgage market in coming years. It raises loan limits for FHA-backed loans, boosts loan limits in high-cost areas, allows the agency to vary the premiums it charges borrowers based on their credit risk, modifies disclosure requirements to provide more information concerning mortgage choices, and allows for lower monthly payments for borrowers who make on-time payments for the first 5 years of a loan. It also extends the maximum loan term on FHA single-family loans to 40 years from 35 years.

Predatory lending is a leading cause of foreclosures across this country. It compromises the opportunity to own a home and hinders economic stability, creating greater disparities in wealth. In my home State of Ohio, new foreclosure cases grew by 24 percent in one year. Cuyahoga County led the State in new cases with 13,610 new filings last year. This ranking has attracted national attention with Ohio's foreclosure rate currently at 18 percent which is higher than the national average of 17 percent.

Subprime lending provides affordable mortgage credit to borrowers with less than perfect credit histories, but who are still creditworthy. Predatory lending occurs when lenders impose excessive rates and fees, prepayment penalties, and reset terms that can result in exorbitant interest rate increases. I believe that FHA could serve subprime borrowers at more attractive rates and provide fairer mortgage opportunities than predatory lenders.

I applaud provisions in the bill that require FHA to provide “payment incentives” for borrowers that make on-time payments for at least the first 5 years of a loan. The measure authorizes the department to offer these incentives to borrowers after a period of 3 years of on-time payments.

I am especially pleased and support provision in the bill which authorizes funds from FHA profits, to be used for an affordable housing fund. This fund is key because it would provide grants to support affordable rental housing and homeownership opportunities for low-income families.

Over the past 2 weeks, I have participated in home preservation workshops, where I have had an opportunity to meet with various organizations and lenders in my congressional district to discuss loss mitigation plans for homeowners that are in loans set to readjust to higher rates as well as those that are facing foreclosure. Representatives of lenders, servicers, housing counseling agencies, and State, county and Federal housing officials have been on site to meet with individuals to discuss their personal situations.

To help stem the tide of growing foreclosures, I have reintroduced the Predatory Lending Practice Reduction Act, H.R. 2061. This legislation calls for Federal certification of mortgage brokers and agents and stiffer penalties for violation of Federal law. Additionally, it will authorize funding for Community Development Corporations to provide training and counseling on the home buying process. Not all subprime lenders are predatory, but most predatory loans are subprime loans. This legislation would work to weed out the bad actors that are responsible for equity stripping and other predatory practices.

I am pleased that the Financial Services Committee brought this bill to House floor for a vote today. It is a great piece of legislation which I support wholeheartedly. I look forward to working with the Financial Services Committee to advance my legislation, H.R. 2061 which would protect borrowers from unscrupulous lending practices.

One of the first steps toward creating wealth is homeownership and I want to make sure that everyone is given the opportunity to not only attain but retain that goal.

Mrs. BIGGERT. Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill, modified by the amendment printed in part A of House Report 110-330, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered read.

The text of the bill, as amended, is as follows:

H.R. 1852

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

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Expanding American Homeownership Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Maximum principal loan obligation.
- Sec. 4. Extension of mortgage term.
- Sec. 5. Downpayment simplification.
- Sec. 6. Mortgage insurance premiums for zero- and lower-downpayment borrowers.
- Sec. 7. Mortgage insurance premiums for standard and higher-risk borrowers.
- Sec. 8. Risk-based mortgage insurance premiums.
- Sec. 9. Payment incentives.
- Sec. 10. Borrower protections for higher risk mortgages.
- Sec. 11. Annual reports on new programs and loss mitigation.
- Sec. 12. Insurance for single family homes with licensed child care facilities.
- Sec. 13. Rehabilitation loans.
- Sec. 14. Discretionary action.
- Sec. 15. Insurance of condominiums and manufactured housing.
- Sec. 16. Mutual Mortgage Insurance Fund.
- Sec. 17. Hawaiian home lands and Indian reservations.
- Sec. 18. Conforming and technical amendments.
- Sec. 19. Home equity conversion mortgages.
- Sec. 20. Participation of mortgage brokers and correspondent lenders.
- Sec. 21. Conforming loan limit in disaster areas.
- Sec. 22. Failure to pay amounts from escrow accounts for single family mortgages.
- Sec. 23. Acceptable identification for FHA mortgagors.
- Sec. 24. Pilot program for automated process for borrowers without sufficient credit history.
- Sec. 25. Sense of Congress regarding technology for financial systems.
- Sec. 26. Multifamily housing mortgage limits in high cost areas.
- Sec. 27. Valuation of multifamily properties in noncompetitive sales by HUD to States and localities.
- Sec. 28. Clarification of disposition of certain properties.
- Sec. 29. Use of FHA savings for costs of mortgage insurance, housing counseling, FHA technologies, procedures, and processes, and for affordable housing grant fund, and study.
- Sec. 30. Limitation on mortgage insurance premium increases.
- Sec. 31. Savings provision.
- Sec. 32. Implementation.

**SEC. 2. FINDINGS AND PURPOSES.**

- (a) **FINDINGS.**—The Congress finds that—
- (1) one of the primary missions of the Federal Housing Administration (FHA) single family mortgage insurance program is to reach borrowers who are underserved, or not served, by the existing conventional mortgage marketplace;
  - (2) the FHA program has a long history of innovation, which includes pioneering the 30-year self-amortizing mortgage and a safe-to-seniors reverse mortgage product, both of which were once thought too risky to private lenders;
  - (3) the FHA single family mortgage insurance program traditionally has been a major provider of mortgage insurance for home purchases;
  - (4) the FHA mortgage insurance premium structure, as well as FHA’s product offerings, should be revised to reflect FHA’s enhanced ability to determine risk at the loan level and to allow FHA to better respond to changes in the mortgage market;
  - (5) during past recessions, including the oil-patch downturns in the mid-1980s, FHA remained a viable credit enhancer and was therefore instrumental in preventing a more catastrophic collapse in housing markets and a greater loss of homeowner equity; and
  - (6) as housing price appreciation slows and interest rates rise, many homeowners and prospective homebuyers will need the less-expen-

sive, safer financing alternative that FHA mortgage insurance provides.

(b) **PURPOSES.**—The purposes of this Act are—

- (1) to provide flexibility to FHA to allow for the insurance of housing loans for low- and moderate-income homebuyers during all economic cycles in the mortgage market;

- (2) to modernize the FHA single family mortgage insurance program by making it more reflective of enhancements to loan-level risk assessments and changes to the mortgage market; and

- (3) to adjust the loan limits for the single family mortgage insurance program to reflect rising house prices and the increased costs associated with new construction.

**SEC. 3. MAXIMUM PRINCIPAL LOAN OBLIGATION.**

Section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended by striking subparagraph (A) and inserting the following new subparagraph:

“(A) not to exceed the lesser of—

“(i) in the case of a 1-family residence, the median 1-family house price in the area, as determined by the Secretary; and in the case of a 2-, 3-, or 4-family residence, the percentage of such median price that bears the same ratio to such median price as the dollar amount limitation in effect under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation in effect under such section for a 1-family residence; or

“(ii) the dollar amount limitation determined under such section 305(a)(2) for a residence of the applicable size;

except that the dollar amount limitation in effect for any area under this subparagraph may not be less than the greater of (I) the dollar amount limitation in effect under this section for the area on October 21, 1998, or (II) 65 percent of the dollar limitation determined under such section 305(a)(2) for a residence of the applicable size; and”.

**SEC. 4. EXTENSION OF MORTGAGE TERM.**

Paragraph (3) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(3)) is amended—

(1) by striking “thirty-five years” and inserting “forty years”; and

(2) by striking “(or thirty years if such mortgage is not approved for insurance prior to construction)”.

**SEC. 5. DOWNPAYMENT SIMPLIFICATION.**

Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended—

(1) in paragraph (2)—

(A) by striking subparagraph (B) and inserting the following new subparagraph:

“(B) not to exceed an amount equal to the sum of—

“(i) the amount of the mortgage premium paid at the time the mortgage is insured; and

“(ii)(I) except as provided in subclause (II), 97.75 percent of the appraised value of the property; or

“(II) in the case only of a mortgage described in subsection (c)(3), the appraised value of the property, plus any initial service charges, appraisal, inspection, and other fees in connection with the mortgage as approved by the Secretary.”;

(B) in the matter after and below subparagraph (B), by striking the second sentence (relating to a definition of “average closing cost”) and all that follows through “title 38, United States Code.”; and

(C) by striking the last undesignated paragraph (relating to counseling with respect to the responsibilities and financial management involved in homeownership); and

(2) in paragraph (9), by striking the paragraph designation and all that follows through “Provided further, That for” and inserting the following:

“(9) Except in the case of a mortgage described in subsection (c)(3), be executed by a

mortgagor who shall have paid on account of the property, in cash or its equivalent, at least 3 percent of the Secretary's estimate of the cost of acquisition (excluding the mortgage insurance premium paid at the time the mortgage is insured). For”.

**SEC. 6. MORTGAGE INSURANCE PREMIUMS FOR ZERO- AND LOWER-DOWNPAYMENT BORROWERS.**

Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended by adding at the end the following new paragraph:

“(3) ZERO- AND LOWER-DOWNPAYMENT BORROWERS.—

“(A) APPLICABILITY.—This paragraph shall apply to any mortgage that—

“(i) is secured by a 1- to 4-family dwelling that will be occupied by the mortgagor as his or her principal residence.

“(ii)(I) is an obligation of the Mutual Mortgage Insurance Fund or of the General Insurance Fund pursuant to subsection (v) of this section; or

“(II) is insured under subsection (k) of this section or section 234(c);

“(iii)(I) is executed by a mortgagor who has not had any present ownership interest in a principal residence, and whose spouse has not had any such interest, during 12-month period ending upon purchase of the residence with the mortgage to which this paragraph applies, except that this subclause shall be considered a program to assist first-time homebuyers for purposes of section 956 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12713); or

“(II)(aa) is made to pay or prepay, and fully extinguish, the outstanding obligations under an existing mortgage or mortgages on the same property; and

“(bb) involves a principal obligation not exceeding the amount necessary to fully pay or prepay such outstanding obligations under the existing mortgage or mortgages, plus any charges and fees involved in such transaction and any charges and fees in connection with the payment or prepayment of such outstanding obligations; and

“(iv)(I) involves a principal obligation that does not comply with subclause (I) of subsection (b)(2)(B)(ii) (relating to loan-to-value ratio); or

“(II) is executed by a mortgagor who has not paid on account of the property, in cash or its equivalent, at least 3 percent of the Secretary's estimate of the cost of acquisition (excluding the mortgage insurance premium paid at the time the mortgage is insured).

“(B) UP-FRONT PREMIUMS.—The amount of any single premium payment collected at the time of insurance may not exceed 3.0 percent of the amount of the original insured principal obligation of the mortgage.

“(C) ANNUAL PREMIUMS.—Except as provided in subparagraph (D), the amount of any annual premium payment collected may not exceed 0.75 percent of the remaining insured principal obligation of the mortgage.

“(D) ANNUAL REDETERMINATION OF PREMIUM RATE.—The Secretary shall redetermine the rates of premiums not less than once every 12 months.”.

**SEC. 7. MORTGAGE INSURANCE PREMIUMS FOR STANDARD AND HIGHER-RISK BORROWERS.**

Paragraph (2) of section 203(c) of the National Housing Act (12 U.S.C. 1709(c)(2)) is amended—

(1) by striking the matter that precedes subparagraph (A) and inserting the following:

“(2) STANDARD-RISK MORTGAGES.—In the case of any mortgage that is secured by a 1- to 4-family dwelling, is an obligation of the Mutual Mortgage Insurance Fund or of the General Insurance Fund pursuant to subsection (v) of this section or is insured under subsection (k) of this section or section 234(c), for which the mortgagor has paid on account of the property, in cash or its equivalent, at least 3 percent of the Secretary's estimate of the cost of acquisition

(excluding the mortgage insurance premium paid at the time the mortgage is insured), and that involves a principal obligation that complies with subclause (I) of subsection (b)(2)(B)(ii), the following requirements shall apply:”;

(2) by adding at the end the following new subparagraph:

“(C) HIGHER-RISK BORROWERS.—The Secretary shall establish underwriting standards that provide for insurance under this section of mortgages described in the matter in this paragraph preceding subparagraph (A) for which the mortgagor has a credit score equivalent to a FICO score of less than 560, and may insure, and make commitments to insure, such mortgages. Such underwriting standards shall include establishing and collecting premium payments that comply with the requirements of this paragraph, except that notwithstanding subparagraph (A), the single premium payment collected at the time of insurance may be established in an amount that does not exceed 3.0 percent of the amount of the original insured principal obligation of the mortgage.”.

**SEC. 8. RISK-BASED MORTGAGE INSURANCE PREMIUMS.**

Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

“(4) FLEXIBLE RISK-BASED PREMIUMS.—In the case of a mortgage referred to in paragraph (2)(C) or (3)(A) for which the loan application is received by the mortgagee on or after October 1, 2007:

“(A) IN GENERAL.—The Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or annual payments (which may be collected on a periodic basis), or both, subject to the requirements of subparagraph (B) and paragraph (5). Under such structure, the rate of premiums for such a mortgage may vary according to the credit risk associated with the mortgage and the rate of any annual premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subclause but only to the extent that such change is not applied to any mortgage already executed.

“(B) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

“(C) ANNUAL REPORT REGARDING PREMIUMS.—The Secretary shall submit a report to the Congress annually setting forth the rate structures and rates established and altered pursuant to this paragraph during the preceding 12-month period and describing how such rates were determined.

“(5) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing premiums for mortgages referred to in paragraph (2)(C), establishing premiums pursuant to paragraph (3), establishing a premium structure under paragraph (4), and when changing such a premium structure, the Secretary shall consider the following:

“(A) The effect of the proposed premiums or structure on the Secretary's ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

“(B) Underwriting variables.

“(C) The extent to which new pricing under the proposed premiums or structure has potential for acceptance in the private market.

“(D) The administrative capability of the Secretary to administer the proposed premiums or structure.

“(E) The effect of the proposed premiums or structure on the Secretary's ability to maintain

the availability of mortgage credit and provide stability to mortgage markets.

“(6) AUTHORITY TO BASE PREMIUM PRICES ON PRODUCT RISK.—

“(A) AUTHORITY.—In establishing premium rates under paragraphs (2), (3), and (4), the Secretary may provide for variations in such rates according to the credit risk associated with the type of mortgage product that is being insured under this title, which may include providing that premium rates differ between fixed-rate mortgages and adjustable-rate mortgages insured pursuant to section 251, between mortgages insured pursuant to section 203(b) and mortgages for condominiums insured pursuant to section 234, and between such other products as the Secretary considers appropriate.

“(B) LIMITATION.—Subparagraph (A) may not be construed to authorize the Secretary to establish, for any mortgage product, any mortgage insurance premium rate that does not comply with the requirements and limitations under paragraphs (2) through (5).”.

**SEC. 9. PAYMENT INCENTIVES.**

Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new paragraph:

“(7) PAYMENT INCENTIVES.—

“(A) AUTHORITY.—With respect to mortgages referred to in paragraph (2)(C) or (3):

“(i) DISCRETIONARY 3-YEAR PAYMENT INCENTIVE.—The Secretary may provide, in the discretion of the Secretary, that the payment incentive under subparagraph (B) shall apply upon the expiration of the 3-year period beginning upon the time of insurance of such a mortgage.

“(ii) MANDATORY 5-YEAR PAYMENT INCENTIVE.—The Secretary shall provide that the payment incentive under subparagraph (B) applies upon the expiration of the 5-year period beginning upon the time of insurance of such a mortgage.

“(B) PAYMENT INCENTIVE.—In the case of any mortgage to which the payment incentive under this subparagraph applies, if, during the period referred to in clause (i) or (ii) of subparagraph (A), as applicable, all mortgage insurance premiums for such mortgage have been paid on a timely basis, upon the expiration of such period the Secretary shall—

“(i) reduce the amount of the annual premium payments otherwise due thereafter under such mortgage—

“(I) in the case of a mortgage referred to in paragraph (3), to an amount that does not exceed the amount of the maximum annual premium allowable under paragraph (2)(B); and

“(II) in the case of a mortgage referred to in paragraph (2)(C), to an amount that does not exceed the amount of the annual premium payable at the time of insurance of the mortgage on a mortgage of the same product type having the same terms, but for which the mortgagor has a credit score equivalent to a FICO score of 560 or more; and

“(ii) in the case only of a mortgage referred to in paragraph (2)(C), refund to the mortgagor, upon payment in full of the obligation of the mortgage, any amount by which the single premium payment for such mortgage collected at the time of insurance exceeded the amount of the single premium payment chargeable under paragraph (2)(A) at the time of insurance for a mortgage of the same product type having the same terms, but for which the mortgagor has a credit score equivalent to a FICO score of 560 or more.”.

**SEC. 10. BORROWER PROTECTIONS FOR HIGHER RISK MORTGAGES.**

Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended by adding at the end the following new paragraph:

“(10) BORROWER PROTECTIONS FOR CERTAIN MORTGAGES.—Except as otherwise specifically provided in this paragraph, in the case of any mortgage referred to in paragraph (2)(C) or (3)

of subsection (c), the following requirements shall apply:

**“(A) DISCLOSURES.—**

**“(i) REQUIRED DISCLOSURES.—**In addition to any disclosures that are otherwise required by law or by the Secretary for single family mortgages, the mortgagee shall disclose to the mortgagor the following information:

**“(I) AT APPLICATION.—**At the time of application for the loan involved in the mortgage—

**“(aa) a list of counseling agencies approved by the Secretary in the area of the applicant; and**

**“(bb) if the mortgagor is not provided counseling in accordance with subparagraph (B), the information required under subclauses (I), (II), and (III) of subparagraph (B)(iii) to be provided to the mortgagor.**

**“(II) AT EXECUTION.—**At the time of entering into the mortgage—

**“(aa) the terms of the mandatory 5-year payment incentive required under subsection (c)(7)(A)(ii); and**

**“(bb) a statement that the mortgagor has a right under contract to loss mitigation.**

**“(III) OTHER INFORMATION.—**Any other additional information that the Secretary determines is appropriate to ensure that the mortgagor has received timely and accurate information about the program under paragraph (2)(C) or (3) of subsection (c), as applicable.

**“(ii) PENALTIES FOR FAILURE TO PROVIDE REQUIRED DISCLOSURES.—**The Secretary may establish and impose appropriate penalties for failure of a mortgagee to provide any disclosure required under clause (i).

**“(iii) NO PRIVATE RIGHT OF ACTION.—**This subparagraph shall not create any private right of action on behalf of the mortgagor.

**“(B) COUNSELING.—**

**“(i) ALLOWABLE REQUIREMENT.—**The Secretary may, in the discretion of the Secretary, require that the mortgagor shall have received counseling that complies with the requirements of this subparagraph.

**“(ii) TERMS OF COUNSELING.—**Counseling under this subparagraph shall be provided—

**“(I) prior to application for the loan involved in the mortgage;**

**“(II) by a third party (other than the mortgagee) who is approved by the Secretary, with respect to the responsibilities and financial management involved in homeownership;**

**“(III) on an individual basis to the mortgagor by a representative of the approved third-party counseling entity; and**

**“(IV) in person, to the maximum extent possible.**

**“(iii) TOPICS.—**In the case only of a mortgage referred to in subsection (c)(3), counseling under this subparagraph shall include providing to, and discussing with, the mortgagor—

**“(I) information regarding homeownership options other than a mortgage that is subject to this paragraph, other zero- or low-downpayment mortgage options that are or may become available to the mortgagor, the financial implications of entering into a mortgage (including a mortgage subject to this paragraph), and any other information that the Secretary may require;**

**“(II) a written disclosure that sets forth the amount and the percentage by which a property with a mortgage that is subject to this paragraph must appreciate for the mortgagor to recover the principal amount of the mortgage, the costs financed under the mortgage, and the estimated costs involved in selling the property, if the mortgagor were to sell the property on each of the second, fifth, and tenth anniversaries of the mortgage; and**

**“(III) a written disclosure, as the Secretary shall require, that specifies the effective cost to a mortgagor of borrowing the amount by which the maximum amount that could be borrowed under a mortgage that is referred to in subsection (c)(3) exceeds the maximum amount that could be borrowed under a mortgage insured**

**under this subsection that is not a mortgage referred to in such subsection, based on average closing costs with respect to such amount, as determined by the Secretary; such cost shall be expressed as an annual interest rate over the first 5 years of a mortgage; the disclosure required under this subclause may be provided in conjunction with the notice required under subsection (f).**

**“(iv) 2- AND 3-FAMILY RESIDENCES.—**In the case of a mortgage involving a 2- or 3-family residence, counseling under this subparagraph shall include (in addition to the information required under clause (iii)) information regarding real estate property management.

**“(C) NOTICE OF FORECLOSURE PREVENTION COUNSELING AVAILABILITY.—**

**“(i) WRITTEN AGREEMENT.—**To be eligible for insurance under this subsection, the mortgagee shall provide the mortgagor, at the time of the execution of the mortgage, a written agreement which shall be signed by the mortgagor and under which the mortgagee shall provide notice described in clause (ii) to a housing counseling entity that has agreed to provide the notice and counseling required under clause (iii) and is approved by the Secretary.

**“(ii) NOTICE TO COUNSELING AGENCY.—**The notice described in this clause, with respect to a mortgage, is notice, provided at the earliest time practicable after the mortgagor becomes 60 days delinquent with respect to any payment due under the mortgage, that the mortgagor is so delinquent and of how to contact the mortgagor. Such notice may only be provided once with respect to each delinquency period for a mortgage.

**“(iii) NOTICE TO MORTGAGOR.—**Upon notice from a mortgagee that a mortgagor is 60 days delinquent with respect to payments due under the mortgage, the housing counseling entity shall at the earliest time practicable notify the mortgagor of such delinquency, that the entity makes available foreclosure prevention counseling that may assist the mortgagor in resolving the delinquency, and of how to contact the entity to arrange for such counseling.

**“(iv) ABILITY TO CURE.—**Failure to provide the written agreement required under clause (i) may be corrected by sending such agreement to the mortgagor not later than the earliest time practicable after the mortgagor first becomes 60 days delinquent with respect to payments due under the mortgage. Insurance provided under this subsection may not be terminated and penalties for such failure may not be prospectively or retroactively imposed if such failure is corrected in accordance with this clause.

**“(v) PENALTIES FOR FAILURE TO PROVIDE AGREEMENT.—**The Secretary may establish and impose appropriate penalties for failure of a mortgagee to provide the written agreement required under clause (i).

**“(vi) LIMITATION ON LIABILITY OF MORTGAGEE.—**A mortgagee shall not incur any liability or penalties for any failure of a housing counseling entity to provide notice under clause (iii).

**“(vii) NO PRIVATE RIGHT OF ACTION.—**This subparagraph shall not create any private right of action on behalf of the mortgagor.

**“(viii) DELINQUENCY PERIOD.—**For purposes of this subparagraph, the term ‘delinquency period’ means, with respect to a mortgage, a period that begins upon the mortgagor becoming delinquent with respect to payments due under the mortgage and ends upon the first subsequent occurrence of such payments under the mortgage becoming current or the property subject to the mortgage being foreclosed or otherwise disposed of.”

**SEC. 11. REFINANCING MORTGAGES.**

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by inserting after subsection (k) the following new subsection:

**“(I) REFINANCING MORTGAGES.—**

**“(1) ESTABLISHMENT OF UNDERWRITING STANDARDS.—**The Secretary shall establish under-

writing standards that provide for insurance under this title of mortgage loans, and take actions to facilitate the availability of mortgage loans insured under this title, for qualified borrowers that are made for the purpose of paying or prepaying outstanding obligations under existing mortgages for borrowers that—

**“(A) have existing mortgages with adverse terms or rates, or**

**“(B) do not have access to mortgages at reasonable rates and terms for such refinancings due to adverse market conditions.**

**“(2) INSURANCE OF MORTGAGES, THE SECRETARY MAY ISSUE MORTGAGES TO BORROWERS IN DEFAULT OR AT RISK OF DEFAULT.—**In facilitating insurance for such mortgages, the Secretary may issue mortgages to borrowers who are, currently in default or at imminent risk of being in default, but only if such loans meet reasonable underwriting standards established by the Secretary.”

**SEC. 12. ANNUAL REPORTS ON NEW PROGRAMS AND LOSS MITIGATION.**

Section 540(b)(2) of the National Housing Act (12 U.S.C. 1735f–18(b)(2)) is amended, by adding at the end the following new subparagraphs:

**“(C) The rates of default and foreclosure for the applicable collection period for mortgages insured pursuant to the programs for mortgage insurance under paragraphs (2)(C) and (3) of section 203(c).**

**“(D) Actions taken by the Secretary during the applicable collection period with respect to loss mitigation on mortgages insured pursuant to section 203.”**

**SEC. 13. INSURANCE FOR SINGLE FAMILY HOMES WITH LICENSED CHILD CARE FACILITIES.**

**(a) DEFINITION OF CHILD CARE FACILITY.—**Section 201 of the National Housing Act (12 U.S.C. 1707) is amended by adding at the end the following new subsection:

**“(g) The term ‘child care facility’ means a facility that—**

**“(A) has as its purpose the care of children who are less than 12 years of age; and**

**“(B) is licensed or regulated by the State in which it is located (or, if there is no State law providing for such licensing and regulation by the State, by the municipality or other political subdivision in which the facility is located).**

Such term does not include facilities for school-age children primarily for use during normal school hours.”

**(b) INCREASE IN MAXIMUM MORTGAGE AMOUNT LIMITATION.—**Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)), as amended by the preceding provisions of this Act, is further amended by adding at end the following new undesignated paragraph:

**“Notwithstanding any other provision of this paragraph, the amount that may be insured under this section may be increased by up to 25 percent if such increase is necessary to account for the increased cost of the residence due to an increased need of space in the residence for locating and operating a child care facility (as such term is defined in section 201) within the residence, but only if a valid license or certificate of compliance with regulations described in section 201(g)(2) has been issued for such facility as of the date of the execution of the mortgage, and only if such increase in the amount insured is proportional to the amount of space of such residence that will be used for such facility.”**

**SEC. 14. REHABILITATION LOANS.**

Subsection (k) of section 203 of the National Housing Act (12 U.S.C. 1709(k)) is amended—

**(1) in paragraph (1), by striking “on” and all that follows through “1978”; and**

**(2) in paragraph (5)—**

**(A) by striking “General Insurance Fund” the first place it appears and inserting “Mutual Mortgage Insurance Fund”; and**

**(B) in the second sentence, by striking the comma and all that follows through “General Insurance Fund”.**

**SEC. 15. DISCRETIONARY ACTION.**

The National Housing Act is amended—

(1) in subsection (e) of section 202 (12 U.S.C. 1708(e))—

(A) in paragraph (3)(B), by striking “section 202(e) of the National Housing Act” and inserting “this subsection”; and

(B) by redesignating such subsection as subsection (f);

(2) by striking paragraph (4) of section 203(s) (12 U.S.C. 1709(s)(4)) and inserting the following new paragraph:

“(4) the Secretary of Agriculture;”;

(3) by transferring subsection (s) of section 203 (as amended by paragraph (2) of this section) to section 202, inserting such subsection after subsection (d) of section 202, and redesignating such subsection as subsection (e).

**SEC. 16. INSURANCE OF CONDOMINIUMS AND MANUFACTURED HOUSING.**

(a) IN GENERAL.—Section 234 of the National Housing Act (12 U.S.C. 1715y) is amended—

(1) in subsection (c)—

(A) in the first sentence—

(i) by striking “and” before “(2)”; and

(ii) by inserting before the period at the end the following: “, and (3) the project has a blanket mortgage insured by the Secretary under subsection (d)”; and

(B) in clause (B) of the third sentence, by striking “thirty-five years” and inserting “forty years”; and

(2) in subsection (g), by striking “, except that” and all that follows and inserting a period.

(b) DEFINITION OF MORTGAGE.—Section 201(a) of the National Housing Act (12 U.S.C. 1707(a)) is amended—

(1) before “a first mortgage” insert “(A)”;

(2) by striking “or on a leasehold (1)” and inserting “(B) a first mortgage on a leasehold on real estate (i)”;

(3) by striking “or (2)” and inserting “, or (ii)”; and

(4) by inserting before the semicolon the following: “, or (C) a first mortgage given to secure the unpaid purchase price of a fee interest in, or long-term leasehold interest in, real estate consisting of a one-family unit in a multifamily project, including a project in which the dwelling units are attached, or are manufactured housing units, semi-detached, or detached, and an undivided interest in the common areas and facilities which serve the project”.

(c) DEFINITION OF REAL ESTATE.—Section 201 of the National Housing Act (12 U.S.C. 1707), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

“(h) The term ‘real estate’ means land and all natural resources and structures permanently affixed to the land, including residential buildings and stationary manufactured housing. The Secretary may not require, for treatment of any land or other property as real estate for purposes of this title, that such land or property be treated as real estate for purposes of State taxation.”.

**SEC. 17. MUTUAL MORTGAGE INSURANCE FUND.**

(a) IN GENERAL.—Subsection (a) of section 202 of the National Housing Act (12 U.S.C. 1708(a)) is amended to read as follows:

“(a) MUTUAL MORTGAGE INSURANCE FUND.—

“(1) ESTABLISHMENT.—Subject to the provisions of the Federal Credit Reform Act of 1990, there is hereby created a Mutual Mortgage Insurance Fund (in this title referred to as the ‘Fund’), which shall be used by the Secretary to carry out the provisions of this title with respect to mortgages insured under section 203. The Secretary may enter into commitments to guarantee, and may guarantee, such insured mortgages.

“(2) LIMIT ON LOAN GUARANTEES.—The authority of the Secretary to enter into commitments to guarantee such insured mortgages shall be effective for any fiscal year only to the

extent that the aggregate original principal loan amount under such mortgages, any part of which is guaranteed, does not exceed the amount specified in appropriations Acts for such fiscal year.

“(3) FIDUCIARY RESPONSIBILITY.—The Secretary has a responsibility to ensure that the Mutual Mortgage Insurance Fund remains financially sound.

“(4) ANNUAL INDEPENDENT ACTUARIAL STUDY.—The Secretary shall provide for an independent actuarial study of the Fund to be conducted annually, which shall analyze the financial position of the Fund. The Secretary shall submit a report annually to the Congress describing the results of such study and assessing the financial status of the Fund. The report shall recommend adjustments to underwriting standards, program participation, or premiums, if necessary, to ensure that the Fund remains financially sound.

“(5) QUARTERLY REPORTS.—During each fiscal year, the Secretary shall submit a report to the Congress for each quarter, which shall specify for mortgages that are obligations of the Fund—

“(A) the cumulative volume of loan guarantee commitments that have been made during such fiscal year through the end of the quarter for which the report is submitted;

“(B) the types of loans insured, categorized by risk;

“(C) any significant changes between actual and projected claim and prepayment activity;

“(D) projected versus actual loss rates; and

“(E) updated projections of the annual subsidy rates to ensure that increases in risk to the Fund are identified and mitigated by adjustments to underwriting standards, program participation, or premiums, and the financial soundness of the Fund is maintained.

The first quarterly report under this paragraph shall be submitted on the last day of the first quarter of fiscal year 2008, or upon the expiration of the 90-day period beginning on the date of the enactment of the Expanding American Homeownership Act of 2007, whichever is later.

“(6) ADJUSTMENT OF PREMIUMS.—If, pursuant to the independent actuarial study of the Fund required under paragraph (5), the Secretary determines that the Fund is not meeting the operational goals established under paragraph (8) or there is a substantial probability that the Fund will not maintain its established target subsidy rate, the Secretary may either make programmatic adjustments under section 203 as necessary to reduce the risk to the Fund, or make appropriate premium adjustments.

“(7) OPERATIONAL GOALS.—The operational goals for the Fund are—

“(A) to charge borrowers under loans that are obligations of the Fund an appropriate premium for the risk that such loans pose to the Fund;

“(B) to minimize the default risk to the Fund and to homeowners;

“(C) to curtail the impact of adverse selection on the Fund; and

“(D) to meet the housing needs of the borrowers that the single family mortgage insurance program under this title is designed to serve.”.

(b) OBLIGATIONS OF FUND.—The National Housing Act is amended as follows:

(1) HOMEOWNERSHIP VOUCHER PROGRAM MORTGAGES.—In section 203(v) (12 U.S.C. 1709(v))—

(A) by striking “Notwithstanding section 202 of this title, the” and inserting “The”; and

(B) by striking “General Insurance Fund” the first place such term appears and all that follows and inserting “Mutual Mortgage Insurance Fund”.

(2) HOME EQUITY CONVERSION MORTGAGES.—Section 255(i)(2)(A) of the National Housing Act (12 U.S.C. 1715z–20(i)(2)(A)) is amended by striking “General Insurance Fund” and inserting “Mutual Mortgage Insurance Fund”.

(c) CONFORMING AMENDMENTS.—The National Housing Act is amended—

(1) in section 205 (12 U.S.C. 1711), by striking subsections (g) and (h); and

(2) in section 519(e) (12 U.S.C. 1735c(e)), by striking “203(b)” and all that follows through “203(i)” and inserting “203, except as determined by the Secretary”.

**SEC. 18. HAWAIIAN HOME LANDS AND INDIAN RESERVATIONS.**

(a) HAWAIIAN HOME LANDS.—Section 247(c) of the National Housing Act (12 U.S.C. 1715z–12) is amended—

(1) by striking “General Insurance Fund established in section 519” and inserting “Mutual Mortgage Insurance Fund”; and

(2) in the second sentence, by striking “(1) all references” and all that follows through “and (2)”.

(b) INDIAN RESERVATIONS.—Section 248(f) of the National Housing Act (12 U.S.C. 1715z–13) is amended—

(1) by striking “General Insurance Fund” the first place it appears and all that follows through “519” and inserting “Mutual Mortgage Insurance Fund”; and

(2) in the second sentence, by striking “(1) all references” and all that follows through “and (2)”.

**SEC. 19. CONFORMING AND TECHNICAL AMENDMENTS.**

(a) REPEALS.—The following provisions of the National Housing Act are repealed:

(1) Subsection (i) of section 203 (12 U.S.C. 1709(i)).

(2) Subsection (o) of section 203 (12 U.S.C. 1709(o)).

(3) Subsection (p) of section 203 (12 U.S.C. 1709(p)).

(4) Subsection (q) of section 203 (12 U.S.C. 1709(q)).

(5) Section 222 (12 U.S.C. 1715m).

(6) Section 237 (12 U.S.C. 1715z–2).

(7) Section 245 (12 U.S.C. 1715z–10).

(b) DEFINITION OF AREA.—Section 203(u)(2)(A) of the National Housing Act (12 U.S.C. 1709(u)(2)(A)) is amended by striking “shall” and all that follows and inserting “means a metropolitan statistical area as established by the Office of Management and Budget;”.

(c) DEFINITION OF STATE.—Section 201(d) of the National Housing Act (12 U.S.C. 1707(d)) is amended by striking “the Trust Territory of the Pacific Islands” and inserting “the Commonwealth of the Northern Mariana Islands”.

**SEC. 20. HOME EQUITY CONVERSION MORTGAGES.**

(a) IN GENERAL.—Section 255 of the National Housing Act (12 U.S.C. 1715z–20) is amended—

(1) in subsection (b)(2), insert “‘real estate,’” after “mortgagor;”;

(2) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking “established under section 203(b)(2)” and all that follows through “located” and inserting “limitation established under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 1-family residence”;

(3) in subsection (i)(1)(C), by striking “limitations” and inserting “limitation”; and

(4) by adding at the end the following new subsection:

“(o) AUTHORITY TO INSURE HOME PURCHASE MORTGAGE.—

“(1) IN GENERAL.—Notwithstanding any other provision in this section, the Secretary may insure, upon application by a mortgagee, a home equity conversion mortgage upon such terms and conditions as the Secretary may prescribe, when the primary purpose of the home equity conversion mortgage is to enable an elderly mortgagor to purchase a 1- to 4-family dwelling in which the mortgagor will occupy or occupies one of the units.

“(2) LIMITATION ON PRINCIPAL OBLIGATION.—A home equity conversion mortgage insured pursuant to paragraph (1) shall involve a principal obligation that does not exceed the dollar

amount limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a residence of the applicable size.”.

(b) **MORTGAGES FOR COOPERATIVES.**—Subsection (b) of section 255 of the National Housing Act (12 U.S.C. 1715z–20(b)) is amended—

(1) in paragraph (4)—

(A) by inserting “a first or subordinate mortgage or lien” before “on all stock”;

(B) by inserting “unit” after “dwelling”; and

(C) by inserting “a first mortgage or first lien” before “on a leasehold”; and

(2) in paragraph (5), by inserting “a first or subordinate lien on” before “all stock”.

(c) **LIMITATION ON ORIGINATION FEES.**—Section 255 of the National Housing Act (12 U.S.C. 1715z–20), as amended by the preceding provisions of this section, is further amended—

(1) by redesignating subsections (k), (l), and (m) as subsections (l), (m), and (n), respectively; and

(2) by inserting after subsection (j) the following new subsection:

“(k) **LIMITATION ON ORIGINATION FEES.**—The Secretary shall establish limits on the origination fee that may be charged to a mortgagor under a mortgage insured under this section, which limitations shall—

“(1) equal to 1.5 percent of the maximum claim amount of the mortgage, except that the Secretary may adjust the limitation under this paragraph on the basis of an analysis of (A) costs to mortgagors, and (B) the impact on the reverse mortgage market;

“(2) be subject to a minimum allowable amount;

“(3) provide that the origination fee may be fully financed with the mortgage;

“(4) include any fees paid to correspondent mortgagees approved by the Secretary or to mortgage brokers; and

“(5) apply beginning upon the date that the maximum dollar amount limitation on the benefits of insurance under this section is first increased pursuant to the amendments made by section 19(a)(2) of the Expanding American Homeownership Act of 2007.”.

(d) **STUDY REGARDING MORTGAGE INSURANCE PREMIUMS.**—The Secretary of Housing and Urban Development shall conduct a study regarding mortgage insurance premiums charged under the program under section 255 of the National Housing Act (12 U.S.C. 1715z–20) for insurance of home equity conversion mortgages to analyze and determine the effects of reducing the amounts of such premiums from the amounts charged as of the date of the enactment of this Act on (1) costs to mortgagors, and (2) the financial soundness of the program. Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress setting forth the results and conclusions of the study.

**SEC. 21. PARTICIPATION OF MORTGAGE BROKERS AND CORRESPONDENT LENDERS.**

(a) **IN GENERAL.**—

(1) **DEFINITIONS.**—

(A) **IN GENERAL.**—Section 201 of the National Housing Act (12 U.S.C. 1707), as amended by the preceding provisions of this Act, is further amended—

(i) by striking “As used in section 203 of this title—” and inserting “As used in this title and for purposes of participation in insurance programs under this title, except as specifically provided otherwise, the following definitions shall apply.”;

(ii) by striking subsection (b) and inserting the following:

“(2) The term ‘mortgagee’ means any of the following entities, and its successors and assigns, to the extent such entity is approved by the Secretary:

“(A) **QUALIFICATION BY AUDIT AND NET WORTH.**—A lender who—

“(i) closes a mortgage in its name and underwrites the mortgage, services the mortgage, or both underwrites and services the mortgage;

“(ii) submits to the Secretary such financial audits performed in accordance with the standards for financial audits of the Government Auditing Standards issued by the Comptroller General of the United States;

“(iii) meet the minimum net worth requirement that the Secretary shall establish;

“(iv) is licensed, under the laws of the State in which the property that is subject to the mortgage is located, to act as a lender in such State; and

“(v) complies with such other requirements as the Secretary may establish.

“(B) **QUALIFICATION OF CORRESPONDENT LENDERS BY SURETY BOND.**—Except as provided in subparagraph (D), a correspondent lender who—

“(i) closes a mortgage in its name, but does not underwrite and does not service the mortgage;

“(ii) is licensed, under the laws of the State in which the property that is subject to the mortgage is located, to act as a correspondent lender in such State;

“(iii) posts a surety bond, in lieu of any requirement to provide audited financial statements or meet a minimum net worth requirement, that—

“(I) is in a form satisfactory to the Secretary;

“(II) is in an aggregate amount, to be determined by the Secretary based on the aggregate principal amount of single-family mortgages insured under this title that are placed in a calendar year, which shall not be less than \$50,000 or more than \$100,000, as such amount is adjusted annually by the Secretary (as determined by the Secretary) by the change for such year in the Consumer Price Index for All Urban Consumers published monthly by the Bureau of Labor Statistics of the Department of Labor;

“(III) guarantees payment of any liability of the correspondent lender arising from its participation in the program, up to the penal sum of the surety bond; without regard to the number of years the bond remains in effect, the number of claims or claimants, and the number of premiums paid, in no event shall the aggregate liability of the surety exceed the penal sum of the bond; and

“(IV) may be cancelled by the surety as to future liability by giving 30 days notice in writing to the Secretary, except that any such cancellation shall not alter the liability of the surety for actions of the correspondent lender prior to the effective date of the cancellation; and

“(v) complies with such other requirements as the Secretary may establish, except that the Secretary shall not require any minimum net worth or certified financial statements.

“(C) **QUALIFICATION OF BROKERS BY SURETY BOND.**—Except as provided in subparagraph (D), a mortgage broker who—

“(i) closes the mortgage in the name of the lender, and does not underwrite and does not service the mortgage;

“(ii) is licensed, under the laws of the State in which the property that is subject to the mortgage is located, to act as a mortgage broker in such State;

“(iii) posts a surety bond in accordance with the requirements of subparagraph (B)(ii); and

“(iv) complies with such other requirements as the Secretary may establish, except that the Secretary shall not require any minimum net worth or certified financial statement.

“(D) **CONDITIONS FOR CONTINUED APPLICABILITY.**—(i) Subparagraphs (B) and (C) shall continue to apply after the expiration of the 5-year period beginning on the date of the enactment of the Expanding American Homeownership Act of 2007 only if, after the expiration of the 4-year period beginning upon such date of enactment and taking into consideration the report submitted in accordance with section 19(b) of such Act, the Secretary—

“(I) makes a determination that such subparagraphs provide protection to mortgage insurance funds for mortgages insured under this

title that are comparable to the protection provided by the requirements for mortgagees under this title as in effect immediately before the enactment of such Act; and

“(II) publishes in the Federal Register a notice of such determination and an order extending the applicability of such subparagraphs.

“(ii) If, taking into consideration such report, the Secretary makes a determination after the expiration of such 4-year period that subparagraphs (B) and (C) do not provide protection as referred to in clause (i) of this subparagraph, the Secretary may, by order published in the Federal Register, provide for the participation, after the expiration of the 5-year period referred to in clause (i), of correspondent lenders and mortgage brokers as mortgagees in the insurance programs under this title in accordance with subparagraphs (B) and (C) as modified by the Secretary as the Secretary considers appropriate to provide such protection.

“(E) **ADDITIONAL MORTGAGE BROKER REQUIREMENTS.**—

“(i) In addition to the requirements under subparagraphs (A) and (C) and to duties imposed under other statutes or common law, to be eligible as a mortgagee under this section, a broker shall—

“(I) safeguard and account for any money handled for the borrower;

“(II) follow reasonable and lawful instructions from the borrower; and

“(III) act with reasonable skill, care, and diligence.

“(ii) For purposes of this subparagraph, a loan correspondent shall be considered to be a mortgage broker.

“(iii) The duties and standards of care created in this subparagraph shall not be waived or modified.

“(iv) Any broker found by the Secretary to have violated the requirements of this subparagraph may not originate mortgage loans insured under this title.

“(3) The term ‘mortgagor’ includes the original borrower under a mortgage and the successors and assigns of the original borrower.”; and

(iii) by redesignating subsections (a), (c), (d), (e), (f), (g), and (h) as paragraphs (1), (4), (5), (6), (7), (8), and (9), respectively, and indenting such paragraphs two ems so as to align the left margins of such paragraphs with the left margins of paragraphs (2) and (3) (as added by clause (ii) of this subparagraph).

(B) **MORTGAGEE REVIEW.**—Section 202(c)(7) of the National Housing Act (12 U.S.C. 1708(c)(7)) is amended—

(i) in subparagraph (A), by inserting “, as defined in section 201,” after “mortgagee”;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(C) **MULTIFAMILY RENTAL HOUSING INSURANCE.**—Section 207(a)(2) of the National Housing Act (12 U.S.C. 1713(a)(2)) is amended by striking “means the original lender under a mortgage, and its successors and assigns, and” and inserting “has the meaning given such term in section 201, except that such term also”.

(D) **WAR HOUSING INSURANCE.**—Section 601(b) of the National Housing Act (12 U.S.C. 1736(b)) is amended by striking “includes the original lender under a mortgage, and his successors and assigns approved by the Secretary” and inserting “has the meaning given such term in section 201”.

(E) **ARMED SERVICES HOUSING MORTGAGE INSURANCE.**—Section 801(b) of the National Housing Act (12 U.S.C. 1748(b)) is amended by striking “includes the original lender under a mortgage, and his successors and assigns approved by the Secretary” and inserting “has the meaning given such term in section 201”.

(F) **GROUP PRACTICE FACILITIES MORTGAGE INSURANCE.**—Section 1106(8) of the National Housing Act (12 U.S.C. 1749aaa–5(8)) is amended by striking “means the original lender under a mortgage, and his or its successors and assigns,

and” and inserting “has the meaning given such term in section 201, except that such term also”.

(2) ELIGIBILITY FOR INSURANCE.—

(A) TITLE I.—Paragraph (1) of section 8(b) of the National Housing Act (12 U.S.C. 1706c(b)(1)) is amended—

(i) by striking “, and be held by,”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(B) SINGLE FAMILY HOUSING MORTGAGE INSURANCE.—Paragraph (1) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(1)) is amended—

(i) by striking “, and be held by,”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(C) SECTION 221 MORTGAGE INSURANCE.—Paragraph (1) of section 221(d) of the National Housing Act (12 U.S.C. 1715u(d)(1)) is amended—

(i) by striking “and be held by”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(D) HOME EQUITY CONVERSION MORTGAGE INSURANCE.—Paragraph (1) of section 255(d) of the National Housing Act (12 U.S.C. 1715z–20(d)(1)) is amended by striking “as responsible and able to service the mortgage properly”.

(E) WAR HOUSING MORTGAGE INSURANCE.—Paragraph (1) of section 603(b) of the National Housing Act (12 U.S.C. 1738(b)(1)) is amended—

(i) by striking “, and be held by,”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(F) WAR HOUSING MORTGAGE INSURANCE FOR LARGE-SCALE HOUSING PROJECTS.—Paragraph (1) of section 611(b) of the National Housing Act (12 U.S.C. 1746(b)(1)) is amended—

(i) by striking “and be held by”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(G) GROUP PRACTICE FACILITY MORTGAGE INSURANCE.—Section 1101(b)(2) of the National Housing Act (12 U.S.C. 1749aaa(b)(2)) is amended—

(i) by striking “and held by”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(H) NATIONAL DEFENSE HOUSING INSURANCE.—Paragraph (1) of section 903(b) of the National Housing Act (12 U.S.C. 1750b(b)(1)) is amended—

(i) by striking “, and be held by,”; and  
(ii) by striking “as responsible and able to service the mortgage properly”.

(I) CONTINGENT REPEAL.—Unless there is published in the Federal Register, before the expiration of the 5-year period beginning on the date of the enactment of this Act, an order under clause (i) or (ii) of section 201(2)(D) of the National Housing Act (12 U.S.C. 1707(2)(D)), as added by paragraph (1)(A)(2) of this subsection, upon the expiration of such period the provisions of such Act amended by this paragraph are amended to read as such provisions would be in effect upon such expiration if this Act had not been enacted (taking into consideration any amendments, after such date of enactment, to such provisions other than under this Act).

(b) GAO STUDY AND REPORT.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study, upon the expiration of the 42-month period beginning on the date of the enactment of this Act, regarding the effect of the amendments made by subsection (a), which shall analyze and determine—

(A) the extent to which such amendments have resulted in increased participation, by mortgage brokers and correspondent lenders, in the mortgage insurance programs under the National Housing Act, as measured by the number and amounts of such insured mortgages, disaggregated by the States in which the properties subject to such mortgages are located;

(B) with respect to mortgages insured under such Act, a comparison in the numbers and rate of defaults, foreclosures, and mortgage insurance claims on such mortgages originated by

mortgage brokers and correspondent lenders authorized to participate in the programs under such Act pursuant to the amendments made by subsection (a) to such numbers and rates on such mortgages originated by lenders who would be authorized to participate in such programs notwithstanding such amendments;

(C) any impact of such amendments on the costs to the Secretary of Housing and Urban Development of administering the mortgage insurance programs under such title; and

(D) the extent and effectiveness of the supervision and enforcement, by the Secretary, of the additional authority provided under the amendments made by subsection (a).

(2) REPORT.—Not later than the expiration of 4-year period beginning on the date of the enactment of this Act, the Comptroller General shall submit a report to the Congress and the Secretary of Housing and Urban Development setting forth the results and conclusions of the study conducted pursuant to paragraph (1).

**SEC. 22. CONFORMING LOAN LIMIT IN DISASTER AREAS.**

Section 203(h) of the National Housing Act (12 U.S.C. 1709) is amended—

(1) by inserting after “property” the following: “plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary,”;

(2) by striking the second sentence (as added by chapter 7 of the Emergency Supplemental Appropriations Act of 1994 (Public Law 103–211; 108 Stat. 12)); and

(3) by adding at the end the following new sentence: “In any case in which the single family residence to be insured under this subsection is within a jurisdiction in which the President has declared a major disaster to have occurred, the Secretary is authorized, for a temporary period not to exceed 36 months from the date of such Presidential declaration, to enter into agreements to insure a mortgage which involves a principal obligation of up to 100 percent of the dollar limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a single family residence, and not in excess of 100 percent of the appraised value of the property plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”

**SEC. 23. FAILURE TO PAY AMOUNTS FROM ESCROW ACCOUNTS FOR SINGLE FAMILY MORTGAGES.**

(a) PENALTIES.—Section 536 of the National Housing Act (12 U.S.C. 1735f–14) is amended—

(1) in subsection (a)(1), by inserting “servicers (including escrow account servicers),” after “appraisers,”;

(2) in subsection (b)(1)—

(A) in the matter preceding subparagraph (A), by inserting “or other participant referred to in subsection (a),” after “lender,”; and

(B) by inserting at the end the following new subparagraphs:

“(K) In the case of a mortgage for a 1- to 4-family residence insured under title II that requires the mortgagor to make payments to the mortgagee or other servicer of the mortgage for deposit into an escrow account for the purpose of assuring payment of taxes, insurance premiums, and other charges with respect to the property, failure on the part of the servicer to make any such payment from the escrow account by the deadline to avoid a penalty with respect to such payment provided for in the mortgage, unless the servicer was not provided notice of such deadline.

“(L) In the case of any failure to make any payment as described in subparagraph (K), submitting any information to a consumer reporting agency (as such term is defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f))) regarding such failure that is adverse to the credit rating or interest of the mortgagor.”; and

(3) in subsection (c)(3), by adding at the end the following: “In the case of any failure to make a payment described in subsection (b)(1)(K) for which the servicer fails to reimburse the mortgagor (A) before the expiration of the 60-day period beginning on the deadline to avoid a penalty with respect to such payment, in the sum of the amount not paid from the escrow account by such deadline and the amount of any penalties accruing to the mortgagor that are attributable to such failure, or (B) in the amount of any attorneys fees incurred by the mortgagor and attributable to such failure, the Secretary shall increase the amount of the penalty under subsection (a) for any such failure to reimburse, unless the Secretary determines there are mitigating circumstances.”.

(b) PROHIBITION ON SUBMISSION OF INFORMATION BY HUD.—Title II of the National Housing Act (12 U.S.C. 1707 et seq.) is amended by adding at the end the following new section:

**“SEC. 257. PROHIBITION REGARDING FAILURE ON PART OF SERVICER TO MAKE ESCROW PAYMENTS.**

“In the case of any failure to make any payment as described in section 536(b)(1)(K), the Secretary may not submit any information to a consumer reporting agency (as such term is defined in section 603(f) of the Fair Credit Reporting Act (15 U.S.C. 1681a(f))) regarding such failure that is adverse to the credit rating or interest of the mortgagor.”.

**SEC. 24. ACCEPTABLE IDENTIFICATION FOR FHA MORTGAGORS.**

(a) IN GENERAL.—Title II of the National Housing Act is amended by inserting after section 209 (12 U.S.C. 1715) the following new section:

**“SEC. 210. FORMS OF ACCEPTABLE IDENTIFICATION.**

“The Secretary may not insure a mortgage under any provision of this title unless the mortgagor under the mortgage provides personal identification in one of the following forms:

“(1) SOCIAL SECURITY CARD WITH PHOTO IDENTIFICATION CARD OR REAL ID ACT IDENTIFICATION.—

“(A) A social security card accompanied by a photo identification card issued by the Federal Government or a State Government; or

“(B) A driver’s license or identification card issued by a State in the case of a State that is in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109–13; 49 U.S.C. 30301 note).

“(2) PASSPORT.—A passport issued by the United States or a foreign government.

“(3) USCIS PHOTO IDENTIFICATION CARD.—A photo identification card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).”.

(b) EFFECTIVE DATE.—The requirements of section 210 of the National Housing Act (as added by subsection (a) of this section) shall take effect six months after the date of the enactment of this Act.

**SEC. 25. PILOT PROGRAM FOR AUTOMATED PROCESS FOR BORROWERS WITHOUT SUFFICIENT CREDIT HISTORY.**

(a) ESTABLISHMENT.—Title II of the National Housing Act (12 U.S.C. 1707 et seq.), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new section:

**“SEC. 258. PILOT PROGRAM FOR AUTOMATED PROCESS FOR BORROWERS WITH SUFFICIENT CREDIT HISTORY.**

“(a) ESTABLISHMENT.—The Secretary shall carry out a pilot program to establish, and make available to mortgagors, an automated process for providing alternative credit rating information for mortgagors and prospective mortgagors under mortgages on 1- to 4-family residences to be insured under this title who have insufficient

credit histories for determining their credit-worthiness. Such alternative credit rating information may include rent, utilities, and insurance payment histories, and such other information as the Secretary considers appropriate.

“(b) SCOPE.—The Secretary may carry out the pilot program under this section on a limited basis or scope, and may consider limiting the program—

“(1) to first-time homebuyers; or  
“(2) metropolitan statistical areas significantly impacted by subprime lending.

“(c) LIMITATION.—In any fiscal year, the aggregate number of mortgages insured pursuant to the automated process established under this section may not exceed 5 percent of the aggregate number of mortgages for 1- to 4-family residences insured by the Secretary under this title during the preceding fiscal year.

“(d) SUNSET.—After the expiration of the 5-year period beginning on the date of the enactment of the Expanding American Homeownership Act of 2007, the Secretary may not enter into any new commitment to insure any mortgage, or newly insure any mortgage, pursuant to the automated process established under this section.”

(b) GAO REPORT.—Not later than the expiration of the four-year period beginning on the date that the Secretary of Housing and Urban Development first insures any mortgage pursuant to the automated process established under pilot program under section 258 of the National Housing Act (as added by the amendment made by subsection (a) of this section). Such automated process and the impact of such process and the insurance of mortgages pursuant to such process on the safety and soundness of the insurance funds under the National Housing Act of which such mortgages are obligations.

#### SEC. 26. SENSE OF CONGRESS REGARDING TECHNOLOGY FOR FINANCIAL SYSTEMS.

(a) CONGRESSIONAL FINDINGS.—The Congress finds the following:

(1) The Government Accountability Office has cited the FHA single family housing mortgage insurance program as a “high-risk” program, with a primary reason being non-integrated and out-dated financial management systems.

(2) The “Audit of the Federal Housing Administration’s Financial Statements for Fiscal Years 2004 and 2003”, conducted by the Inspector General of the Department of Housing and Urban Development reported as a material weakness that “HUD/FHA’s automated data processing [ADP] system environment must be enhanced to more effectively support FHA’s business and budget processes”.

(3) Existing technology systems for the FHA program have not been updated to meet the latest standards of the Mortgage Industry Standards Maintenance Organization and have numerous deficiencies that lenders have outlined.

(4) Improvements to technology used in the FHA program will—

(A) allow the FHA program to improve the management of the FHA portfolio, garner greater efficiencies in its operations, and lower costs across the program;

(B) result in efficiencies and lower costs for lenders participating in the program, allowing them to better use the FHA products in extending homeownership opportunities to higher credit risk or lower-income families, in a sound manner.

(5) The Mutual Mortgage Insurance Fund operates without cost to the taxpayers and generates revenues for the Federal Government.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Secretary of Housing and Urban Development should use a portion of the funds received from premiums paid for FHA single family housing mortgage insurance that are in excess of the amounts paid out in claims to substantially increase the funding for technology used in such FHA program;

(2) the goal of this investment should be to bring the technology used in such FHA program

to the level and sophistication of the technology used in the conventional mortgage lending market, or to exceed such level; and

(3) the Secretary of Housing and Urban Development should report to the Congress not later than 180 days after the date of the enactment of this Act regarding the progress the Department is making toward such goal and if progress is not sufficient, the resources needed to make greater progress.

#### SEC. 27. MULTIFAMILY HOUSING MORTGAGE LIMITS IN HIGH COST AREAS.

The National Housing Act is amended—

(1) in sections 207(c)(3), 213(b)(2)(B)(i), 221(d)(3)(ii)(II), 221(d)(4)(ii)(II), 231(c)(2)(B), and 234(e)(3)(B) (12 U.S.C. 1713(c)(3), 1715e(b)(2)(B)(i), 1715l(d)(3)(ii)(II), 1715l(d)(4)(ii)(II), 1715v(c)(2)(B), and 1715y(e)(3)(B))—

(A) by striking “140 percent” each place such term appears and inserting “170 percent”; and

(B) by striking “170 percent in high cost areas” each place such term appears and inserting “215 percent in high cost areas”; and

(2) in section 220(d)(3)(B)(iii)(III) (12 U.S.C. 1715k(d)(3)(B)(iii)(III)) by striking “206A” and all that follows through “project-by-project basis” and inserting the following: “206A of this Act) by not to exceed 170 percent in any geographical area where the Secretary finds that cost levels so require and by not to exceed 170 percent, or 215 percent in high cost areas, where the Secretary determines it necessary on a project-by-project basis”.

#### SEC. 28. DISCOUNT SALES OF MULTIFAMILY PROPERTIES.

There is authorized to be appropriated, for discount sales of multifamily real properties under section 207(1) or 246 of the National Housing Act (12 U.S.C. 1713(1), 1715z–11), section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11), or section 204 of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z–11a), and for discount loan sales under section 207(k) of the National Housing Act (12 U.S.C. 1713(k)), section 203 of the Housing and Community Development Amendments of 1978 (12 U.S.C. 1701z–11(k)), or section 204(a) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 1997 (12 U.S.C. 1715z–11a(a)), \$5,000,000, for fiscal year 2008.

#### SEC. 29. CLARIFICATION OF DISPOSITION OF CERTAIN PROPERTIES.

Notwithstanding any other provision of law, subtitle A of title II of the Deficit Reduction Act of 2005 (12 U.S.C. 1701z–11 note) and the amendments made by such title shall not apply to any transaction regarding a multifamily real property for which—

(1) the Secretary of Housing and Urban Development has received, before the date of the enactment of such Act, written expressions of interest in purchasing the property from both a city government and the housing commission of such city;

(2) after such receipt, the Secretary acquires title to the property at a foreclosure sale; and

(3) such city government and housing commission have resolved a previous disagreement with respect to the disposition of the property.

#### SEC. 30. NONCOMPETITIVE SALES BY HUD TO STATES AND LOCALITIES.

Subtitle A of title II of the Deficit Reduction Act of 2005 (Public Law 109–171; 120 Stat. 7) is amended by adding at the end the following new section:

#### SEC. 2004. NONCOMPETITIVE SALES IN FISCAL YEAR 2011.

“Notwithstanding any other provision of law, the Secretary may not sell any multifamily real property through any discount sale during fiscal year 2011 under the provisions of law referred to in section 2002(a) or any multifamily

loan through any discount loan sale during such fiscal year under the provisions referred to in section 2002(b), unless the property or loan is sold for an amount that is equal to or greater than 60 percent of the property market value or loan market value, respectively.”

#### SEC. 31. USE OF FHA SAVINGS FOR COSTS OF MORTGAGE INSURANCE, HOUSING COUNSELING, FHA TECHNOLOGIES, PROCEDURES, AND PROCESSES, AND FOR AFFORDABLE HOUSING GRANT FUND, AND STUDY.

(a) IN GENERAL.—Subject to subsection (c), there is authorized to be appropriated for each fiscal year an amount equal to the net increase for such fiscal year in, except as provided in subsection (b), the negative credit subsidy for the mortgage insurance programs under title II of the National Housing Act resulting from this Act and the amendments made by this Act, for the following purposes in the following amounts:

(1) SINGLE FAMILY HOUSING MORTGAGE INSURANCE.—For each fiscal year, for costs (as such term is defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a)) of mortgage insurance provided pursuant to section 203(b) of the National Housing Act (12 U.S.C. 1709(b)), the additional amount (not including any costs of such mortgage insurance resulting from this Act or the amendments made by this Act), if any, necessary to ensure that the credit subsidy cost of such mortgage insurance for such fiscal year is \$0.

(2) HOUSING COUNSELING.—For each of fiscal years 2008 through 2012, the amount needed to increase funding, for the housing counseling program under section 106 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701x), in connection with homebuyers and homeowners with mortgages insured under title II of the National Housing Act, from the amount appropriated for the preceding fiscal year to \$100,000,000.

(3) MORTGAGE INSURANCE TECHNOLOGY, PROCEDURES, PROCESSES, PROGRAM PERFORMANCE, AND SALARIES.—For each of fiscal years 2008 through 2012, \$25,000,000 for increasing funding for the purpose of improving technology, procedures, processes, and program performance, and salaries in connection with the mortgage insurance programs under title II of the National Housing Act.

(4) AFFORDABLE HOUSING FUND.—For each fiscal year, for an affordable housing fund available for use only for grants to provide affordable rental housing and affordable homeownership opportunities for low-income families, the amount remaining under this section after amounts are made available for such fiscal year in accordance with paragraphs (1), (2), and (3).

(b) EXCLUSION OF EARNINGS FROM THE SINGLE FAMILY MORTGAGE INSURANCE PROGRAM.—With respect to a fiscal year, the negative credit subsidy determined under subsection (a) shall not include the negative credit subsidy cost for such fiscal year, if any, for mortgage insurance provided pursuant to section 203(b) of the National Housing Act.

(c) CERTIFICATION.—Subsection (a) shall not be effective for a fiscal year unless the Secretary of Housing and Urban Development has, by rule making in accordance with section 553 of title 5, United States Code (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section), made a determination that premiums being, or to be, charged during such fiscal year for mortgage insurance under title II of the National Housing Act are established at the minimum amount sufficient to comply with the requirements of section 205(f) of such Act (relating to required capital ratio for the Mutual Mortgage Insurance Fund) and ensure the safety and soundness of the other mortgage insurance funds under such Act, and any negative credit subsidy for such fiscal year resulting from such mortgage insurance programs adequately ensures the efficient delivery and availability of such programs.

(d) *STUDY AND REPORT.*—The Secretary of Housing and Urban Development shall conduct a study to obtain recommendations from participants in the private residential mortgage lending business and the secondary market for such mortgages on how best to update and upgrade procedures, processes, and technologies for the mortgage insurance programs under title II of the National Housing Act so that the policies and procedures for originating, insuring, and servicing of such mortgages conform with those customarily used by secondary market purchasers of residential mortgage loans. Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress describing the progress made and to be made toward updating and upgrading such procedures, processes, and technology, and providing appropriate staffing for such mortgage insurance programs.

**SEC. 32. LIMITATION ON MORTGAGE INSURANCE PREMIUM INCREASES.**

Notwithstanding any other provision of law, including any provision of this Act and any amendment made by this Act—

(1) the premiums charged for mortgage insurance under any program under the National Housing Act may not be increased above the premium amounts in effect under such program on October 1, 2006, unless the Secretary of Housing and Urban Development determines that, absent such increase, insurance of additional mortgages under such program would, under the Federal Credit Reform Act of 1990, require the appropriation of new budget authority to cover the costs (as such term is defined in section 502 of the Federal Credit Reform Act of 1990 (2 U.S.C. 661a) of such insurance; and

(2) a premium increase pursuant to paragraph (1) may be made only by rule making in accordance with the procedures under section 553 of title 5, United States Code (notwithstanding subsections (a)(2), (b)(B), and (d)(3) of such section).

**SEC. 33. CIVIL MONEY PENALTIES FOR IMPROPERLY INFLUENCING APPRAISALS.**

Paragraph (2) of section 536(b) of the National Housing Act (12 U.S.C. 1735f-14(b)(2)) is amended—

(1) in subparagraph (B), by striking “or” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following new subparagraph:

“(D) in the case of an insured mortgage under title II for a 1- to 4-family residence, compensating, instructing, inducing, coercing, or intimidating any person who conducts an appraisal of the property in connection with such mortgage, or attempting to compensate, instruct, induce, coerce, or intimidate such a person, for the purpose of causing the appraised value assigned to the property under the appraisal to be based on any other factor other than the independent judgment of such person exercised in accordance with applicable professional standards.”

**SEC. 34. SAVINGS PROVISION.**

Any mortgage insured under title II of the National Housing Act before the date of enactment of this title shall continue to be governed by the laws, regulations, orders, and terms and conditions to which it was subject on the day before the date of the enactment of this Act.

**SEC. 35. IMPLEMENTATION.**

Except as provided in section 23(b), the Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this Act. The notice shall take effect upon issuance.

The CHAIRMAN. No further amendment to the bill, as amended, is in order except those printed in part B of the report. Each further amendment

may be offered only in the order printed in the report, except for amendment No. 2, which may be offered out of sequence, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 2 OFFERED BY MR. CARDOZA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in part B of House Report 110-330.

Mr. CARDOZA. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. CARDOZA:

Strike line 19 on page 4 and all that follows through page 5, line 22, and insert the following:

**SEC. 3. MAXIMUM PRINCIPAL LOAN OBLIGATION.**

Section 203(b)(2) of the National Housing Act (12 U.S.C. 1709(b)(2)(A)) is amended by striking subparagraph (A) and inserting the following new subparagraph:

“(A) not to exceed the lesser of—

“(i) in the case of a 1-family residence, 125 percent of the median 1-family house price in the area, as determined by the Secretary; and in the case of a 2-, 3-, or 4-family residence, the percentage of such median price that bears the same ratio to such median price as the dollar amount limitation in effect for 2007 under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation in effect for 2007 under such section for a 1-family residence; or

“(ii) 175 percent of the dollar amount limitation in effect for 2007 under such section 305(a)(2) for a residence of the applicable size (without regard to any authority to increase such limitations with respect to properties located in Alaska, Guam, Hawaii, or the Virgin Islands), except that each such maximum dollar amount shall be adjusted effective January 1 of each year beginning with 2008, by adding to or subtracting from each such amount (as it may have been previously adjusted) a percentage thereof equal to the percentage increase or decrease, during the most recently completed 12-month or 4-quarter period ending before the time of determining such annual adjustment, in an housing price index developed or selected by the Secretary for purposes of adjustments under this clause;

except that the dollar amount limitation in effect under this subparagraph for any size residence for any area may not be less than the greater of (I) the dollar amount limitation in effect under this section for the area on October 21, 1998, or (II) 65 percent of the dollar amount limitation in effect for 2007 under such section 305(a)(2) for a residence of the applicable size, as such limitation is adjusted by any subsequent percentage adjustments determined under clause (ii) of this subparagraph; and except that, if the Secretary determines that market conditions warrant such an increase, the Secretary may, for such period as the Secretary considers appropriate, increase the maximum dollar amount limitation determined pursuant to the preceding provisions of this subparagraph with respect to any particular size or sizes of residences, or with respect to residences located in any particular area or

areas, to an amount that does not exceed the maximum dollar amount then otherwise in effect pursuant to the preceding provisions of this subparagraph for such size residence, or for such area (if applicable), by not more than \$100,000; and”.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from California (Mr. CARDOZA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. CARDOZA. Madam Chairman, I yield myself 2½ minutes.

I rise in support of this amendment, Madam Chairman. And I wish to begin by thanking Chairman FRANK for bringing this much-needed legislation to the floor, and for all his efforts to help the reeling housing industry in my area, and the country in general.

As we have heard from countless media reports, we are facing a growing mortgage crisis. Sadly, I represent an area that is particularly hard hit by this crisis. The community of Stockton has acquired the distinction of having the highest foreclosure rate of any U.S. city in the country, and there one in 20 households are in jeopardy of foreclosure at this time. In fact, Stockton has had 8,000 foreclosures so far in 2007.

This morning, the Modesto Bee reported that central California and central valley homeowners were six times more likely to be in mortgage default for last year than the national average. In addition, home values have plunged 15 to 20 percent so far this year.

This amendment will address this problem and help ameliorate the harsh effects of the credit crunch. First, the amendment raises the FHA loan limit to the lower of, A, 125 percent of the local median home price or, B, 175 percent of the national GSE conforming loan limit.

The biggest impact of this will be to make FHA loans available in low- and moderately income priced home markets. By raising the local loan limit up to 125 percent of the local median home price, FHA will be able to serve currently neglected populations and ensure loans in this vast and middle-market area. In addition, the amendment will have the effect of serving high-cost areas as well. By raising this artificial cap to 175 percent of the GSE conforming loan limit, the amendment will allow FHA to serve high-cost areas.

California has some of the highest priced real estate anywhere in the country. This amendment, by expanding FHA's reach to high-priced areas, will finally bring the benefits of FHA to millions of deserving Californians.

In addition, there are other areas of the country where this will have a monumental impact. Massachusetts, New York, Connecticut and other areas are all high-cost areas and will benefit tremendously from raising the loan limit. Raising loan limits and enhancing the ability of FHA to serve currently neglected populations will have the effect of generating more liquidity

in the market and enhancing lender confidence. This will enable more borrowers who are facing loan resets to refinance their mortgages on more favorable terms.

This amendment has strong support of the National Association of Realtors, the National Association of Home Builders, and others on the front lines of the housing industry. They know the needs of this industry, and they know that this bill will help.

Mrs. BIGGERT. Madam Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. With that, I yield 4 minutes to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Madam Chairman, I'm rising asking for strong support of this amendment, so it's not really in opposition to the amendment.

This bill, and this amendment, particularly, is to encourage the FHA program and products and make sure they're available across this country to help working families to achieve and maintain homeownership through the FHA program.

The bill we are considering here today reforms the FHA single-family mortgage insurance program so that we can reach working families it was created to serve. I don't think there is any question that the FHA program, as currently structured, has not kept pace.

Today, FHA is no longer a useful product to prospective home buyers. The problem is that statutory limitations preclude the FHA from adopting a rapidly changing marketplace that we experience today.

As the private sector mortgage markets become more efficient, the FHA program's inflexible rules and requirements left it virtually irrelevant as a financing option. Under the current limitations, FHA products are not available for home buyers in high-cost areas of the country because the maximum loan limits are so much lower than the median home prices in that area.

We did something very similar to this when we did the GSE in the high-cost areas. And the only people arguing against raising this conforming loan limit to high-cost areas were those whose home median prices fell far lower than the median amount they were able to loan on. If your median home area is 200,000 and it isn't 435, you don't care. But in California and other areas, it is quite the opposite.

Now California's drop in FHA volumes have been nothing short of stunning. In 2000, FHA insured 109,074 mortgages in California, but last year it only insured 5,137. In my district, FHA insured 7,000 mortgages in 2000 and only 80 mortgages in 2005. These figures represent a 99 percent drop in what FHA is able to loan in these high-cost areas. That in and of itself states that

there is a huge problem that this amendment is trying to cover and create the shortfall that currently exists in the program. Arguably, working families in high-cost areas of the country are just the kind of underserved populations the FHA program was originally intended to serve.

If we want to ensure that FHA is relevant for all those who need it, we must reform the program so it is available to low- and moderate-income families across the country, even those in high-cost areas.

On August 31, the President announced his goal to help an estimated 240,000 families avoid foreclosures by enhancing the FHA program. Under the President's plan, FHA will allow families with strong credit histories who have been making timely mortgage payments before their loan reset, but are now in default, to qualify for refinancing. Unfortunately, without an increase in the loan limits, this program will not help families in high-cost areas.

This amendment, supported by Mr. FRANK, Mr. CARDOZA and myself, would make sure that families can refinance in the FHA products by raising the FHA single-family loan limits in each local area to the lower of 125 percent of the area median home price, or 175 percent of the national GSE conforming loan amendments.

The amendment also gives HUD authority to raise these loan limit amounts by up to \$100,000 "if market conditions warrant."

The NAHB, National Association of Home Builders, has written a very strong letter in support of what we are trying to do. Many builders are selling homes today, and the problem they have is the person buying their home cannot find financing to sell their home. And this will help those people who are looking for financing and dealing with liquidity shortages in the marketplace.

The National Association of Realtors has also written a very strong letter supporting what we're trying to do today. The problem they're facing today with people in the mortgage bracket that we're trying to deal with in this amendment, this will go a long way to providing liquidity and competition in the marketplace to ensure that American home buyers and families have the best and most opportunities that can be achieved through the marketplace through this amendment. So this is a very good amendment, and I would ask for an "aye" vote.

Mr. CARDOZA. Madam Speaker, I want to thank my colleague, Mr. MILLER, for his kind and accurate comments. And I would like to now yield 1 minute to my colleague from California (Ms. WATERS).

Ms. WATERS. I appreciate Mr. CARDOZA's amendment so much because it does have an important impact on high-cost markets like our home State of California. The FHA statute creates an artificial cap on the max-

imum home price, meaning that FHA does almost no loan business in certain high-cost markets. Now, this will put FHA back in the business of insuring loans in high-cost areas, not only in California, New York, Connecticut, Massachusetts, and other areas with a limited FHA presence. This amendment also puts FHA in a better position to help subprime borrowers and address temporary dislocations.

Even before the recent mortgage crisis developed, there was a bipartisan consensus shared by the administration that reformed H.R. 1852 would help get FHA back in the business of making loans at good terms and conditions to borrowers that turned to predatory loans in recent years. This amendment expands the extent to which this objective can be achieved. This is absolutely a great amendment, and I support it.

□ 1300

Mrs. BIGGERT. Madam Chairman, I recognize myself for 1 minute.

I really believe in the concept of this. I think that there are a lot of high-cost areas that will really benefit from this. I hope that this will not hurt some of the low-cost areas; in other words, I think that the administration has said something about the fact that some of the areas across the country would be hurt and would lower, go below the \$419,000 limit. So I hope that that will be addressed. I see Mr. FRANK getting up. Maybe he would like to comment on that.

Madam Chairman, I yield back the balance of my time.

Mr. CARDOZA. I yield 1 minute to the chairman of the committee, Mr. FRANK.

Mr. FRANK of Massachusetts. Madam Chairman, I thank the gentleman, and I thank the gentlewoman from Illinois. She is absolutely right. If I thought this would in any way impinge on our ability to help middle- and lower-income people, I would be opposed to it. In fact, if this works as we believe it will work, it will be the opposite. Because CBO has consistently scored, we haven't had this particular amendment scored, but prior amendments that have raised the limit at which the FHA can operate have been scored by CBO as generating a surplus, a positive number. That is some of the money that we are going to use. As the gentlewoman knows, while there is some controversy about this thing, we significantly increase in this bill the amount for counseling, because if there had been proper counseling, a lot of people wouldn't have been stuck at preprime. The counseling is aimed at people in the lower brackets. This is part of the money for it.

I would be willing, when we get to conference, to say, if, in any way, this would appear to be impinging on the ability to do the rest of the mission, we would cut it off. But the way it is going to work, it will, in fact, generate a surplus which we intend to use to help precisely the people whom the gentlewoman refers to.

I thank the gentleman. I appreciate his advocacy of this. He has been one of those who, from California, has been most vigorous in reminding us of the need to do it.

Mr. CARDOZA. Madam Chairman, in the short period of time we have remaining, I just want to thank the chairman of the Financial Services Committee for his leadership, my colleagues on the Republican side for their support, particularly Mr. GARY G. MILLER. This is important legislation for our country when you live in an area where the housing prices have declined precipitously by 20 percent less in a year, where you see foreclosures rampant. In my district alone, there are probably over 20,000 such foreclosures. It is having real impacts on real families in my district and across America. We need to change these regulations and bring help to these citizens in need.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CARDOZA).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. TIERNEY

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in part B of House Report 110-330.

Mr. TIERNEY. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. TIERNEY:  
Page 66, after line 25, insert the following new section:

**SEC. 31. MORTGAGE INSURANCE PREMIUM REFUNDS.**

(a) AUTHORITY.—The Secretary of Housing and Urban Development shall, to the extent that amounts are made available pursuant to subsection (c), provide refunds of unearned premium charges paid, at the time of insurance, for mortgage insurance under title II of the National Housing Act (12 U.S.C. 1707 et seq.) to or on behalf of mortgagors under mortgages described in subsection (b).

(b) ELIGIBLE MORTGAGES.—A mortgage described in this section is a mortgage on a one- to four-family dwelling that—

(1) was insured under title II of the National Housing Act (12 U.S.C. 1707 et seq.);

(2) is otherwise eligible, under the last sentence of subparagraph (A) of section 203(c)(2) of such Act (12 U.S.C. 1709(c)(2)(A)), for a refund of all unearned premium charges paid on the mortgage pursuant to such subparagraph, except that the mortgage—

(A) was closed before December 8, 2004; and

(B) was endorsed on or after such date.

(c) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated for each fiscal year such sums as may be necessary to provide refunds of unearned mortgage insurance premiums pursuant to this section.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from Massachusetts (Mr. TIERNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. TIERNEY. Madam Chairman, this amendment seeks to assist those individuals who are eligible borrowers

that have been unfairly impacted by a statutory change to HUD's upfront mortgage insurance premium refund policy.

Under the HUD program, borrowers pay an upfront mortgage insurance of 1.5 percent of their FHA loan amount, and if they repay that loan, the borrowers may be due refunds of the prepaid insurance.

However, back in 2005 when Congress passed a Consolidated Appropriations Act, it included language directing that, for mortgages endorsed for insurance on or after the date of enactment, which was December 8 of 2004, borrowers would not be eligible for refunds on their prepaid insurance.

I have heard from constituents in my district, and I am sure there are constituents in other districts as well, who closed on their mortgage prior to December 8, 2004, but regrettably have been prevented from receiving their refund because HUD did not endorse their loan until after December 2004. These constituents reportedly were not adequately informed by their lender about the potential revisions to the refund policy because the lenders themselves were not informed by HUD of the change until January of 2005.

I have heard from one family, for instance, who is seeking to buy a home in Gloucester, Massachusetts, and found themselves harmed by this provision. Although they seemed to do everything right in their own front, they were closing on their loan in November 2004, the family was prevented from receiving a refund that totaled almost as much as \$5,000 because HUD endorsed their mortgage on December 10, 2004, and their lender never informed them of that consequence because, as I mentioned, the lender didn't learn it until December 2005. It certainly seems that it was an unintended consequence of the provisions in the Consolidated Appropriations Act of 2005.

Also worth noting is that in response to a letter that was sent by Chairman FRANK and me to the HUD Secretary, Alphonso Jackson, it was indicated in his letter that he did not support the changes to the refund policy in their Consolidated Appropriations Act of 2005.

This amendment makes a meaningful first step toward helping certain eligible borrowers, many of whom are low-income families who have played by the rules in pursuing their dreams of homeownership.

Madam Chairman, I urge my colleagues to support this amendment.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts (Mr. TIERNEY).

The amendment was agreed to.

AMENDMENT 3 OFFERED BY MR. GARY G. MILLER OF CALIFORNIA

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in part B of House Report 110-330.

Mr. GARY G. MILLER of California. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. GARY G. MILLER of California:

Page 7, strike line 10 and insert the following:

(2) in paragraph (9)—

(A) by striking the paragraph

Page 7, line 19, strike the last period and insert “; and”.

Page 7, after line 19, insert the following:

(B) by inserting after the period at the end the following: “For purposes of this paragraph, the Secretary shall consider as cash or its equivalent any amounts gifted by a family member (as such term is defined in section 201), the mortgagor's employer or labor union, or a qualified homeownership assistance entity, but only if there is no obligation on the part of the mortgagor to repay the gift: For purposes of the preceding sentence, the term ‘qualified homeownership assistance entity’ means any governmental agency or charity that has a program to provide homeownership assistance to low- and moderate-income families or first-time home buyers, or any private nonprofit organization that has such a program and evidences sufficient fiscal soundness to protect the fiscal integrity of the Mutual Mortgage Insurance Fund by maintaining a minimum net worth of \$4,000,000 of acceptable assets.”.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARY G. MILLER of California. I rise to offer an amendment to H.R. 1852, the Expanding American Homeownership Act of 2007.

My amendment would allow qualified down payment assistance providers to participate in the FHA program if certain conditions are satisfied to ensure that the down payment assistance program is legitimate and that the gift that is provided to the homeowner and the home buyer is truly a gift.

One of the primary barriers for many Americans to achieving the dream of homeownership is the lack of accumulated wealth and disposable income required to come up with the down payment and closing costs needed to purchase a home. While they can afford monthly payments, some families have not been able to accumulate enough to cover down payment and closing costs.

Fortunately, some charitable organizations have developed programs to help provide down payments to families that would qualify for the mortgage for the FHA program but for the lack of cash for a down payment. These down payment assistance programs have been successful in expanding homeownership opportunity for millions of families. The private sector has been working without government intervention to assist individuals and families who lack the necessary funds for down payments and other related costs become home buyers. In fact, Congress looked at the success of these

programs when it created the American Dream Downpayment Act, a government program passed in 2003 to provide up to \$10,000 in down payment and closing cost assistance to first-time home buyers.

Similarly, H.R. 1852, the bill you are reviewing today, authorizes HUD to allow zero down payment FHA loans for home buyers who could not otherwise make the down payment required under the FHA rule.

In the past, HUD has permitted the use of charitable down payment assistance programs in conjunction with FHA insured loans. Recently, however, HUD issued a proposed rule that would effectively eliminate many legitimate down payment assistance providers from assisting in FHA programs.

We are hearing that just last week HUD sent a rule over to OMB for final approval. I am very concerned about the impact of this proposed rule on homeownership in our country.

Rather than going too far by eliminating all down payment assistance providers, all that is really needed is a reasonable and fair criteria by which these programs can continue to operate while also protecting the FHA insurance fund. If there are legitimate problems that have been identified by HUD, then we should absolutely fix these problems. In fact, the full House has agreed that we should strengthen the rules for down payment assistance providers rather than eliminate them completely from the FHA program.

In July, the House unanimously passed an amendment I offered with Housing and Community Opportunity Subcommittee Chairman WATERS and Representative AL GREEN to the Transportation-HUD appropriations bill, which prohibited HUD from taking any action to issue its final rule or otherwise implement all or any part of the proposed rule.

The amendment prevented HUD from finalizing or implementing the rule to end participation of down payment assistance providers in the FHA program. Our argument, then, was that HUD's proposal was too harsh a step and we would work to include language in the FHA bill to fix the problems that HUD has identified with some down payment assistance providers.

This is what my amendment before you today seeks to do. The amendment I offer today is a followup on our work during the THUD bill to put the brakes on the HUD rule and instead address the problem HUD has identified with certain down payment assistance providers. This amendment would put the controls in place to weed out the bad actors while allowing those who help millions become homeowners continue to do the good work they are doing. Unlike the HUD rule, my amendment would preserve the down payment assistance programs' participation in FHA while ensuring they are legitimate and helpful to the home buyers.

As you know, H.R. 1582 already includes language to end the practice of

inflated appraisals, which was a key argument HUD used against the down payment assistance programs. My amendment builds on this provision and says that down payment assistance providers may participate in FHA so long as the down payment they are offering is truly a gift; in other words, that it reduces the amount owed on the home. My amendment also imposes a net worth requirement on such providers to alleviate the quality and quantity involved within the activity. This provision specifically responds to HUD's complaints regarding the plethora of small, fly-by-night operators that open up and that close down on a regular basis to avoid regulatory scrutiny. Many of these groups are starting business one day, getting involved in things they should not, and closing down immediately.

These three improvements to the current situation, number one, prohibiting inflated appraisals; two, ensuring DPA providers offer an actual gift; and three, imposing a net worth requirement, will weed out the bad actors while not prohibiting all down payment assistance providers from participating in FHA, as the HUD proposal would have done.

With limited resources at the Federal level, Congress viewed the American Dream Downpayment Act as a complement, rather than a replacement, to the tremendous work down payment assistance providers were already doing to help build communities. There are simply not enough resources at the Federal level to do this alone.

To address HUD's concerns, we should implement the same underwriting criteria that would be used on the new zero down payment program within FHA and what HUD already uses on the American Dream Downpayment Act.

If we have come up with a reasonable system of underwriting to give Federal dollars to assist a family in buying a home, then we can certainly use the same criteria to allow the private sector to put forth people and moneys in these programs to allow people to own their homes.

If FHA can offer a zero down payment loan under a given underwriting criteria, as proposed by this bill, then the private sector down payment assistance programs should also certainly be subject to this same criteria.

To eliminate the possibility for a million families to own a home through down payment assistance providers but allow them to use the Federal Government for a down payment grant seems contradictory. If it works for the Federal program, then it should work for the private sector alternative, as well.

My amendment addresses the problems with certain down payment assistance providers that HUD has identified. Rather than eliminating all providers, as the HUD rule attempts to do, it puts the protections in place to ensure the home buyers are getting a le-

gitimate helping hand from these charitable entities.

Madam Chairman, I ask for an "aye" vote on the amendment.

I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I rise to seek the time to discuss this, with a certain ambiguity as to my position.

The CHAIRMAN. Is the gentleman opposed to the amendment?

Mr. FRANK of Massachusetts. To two aspects of it, yes, Madam Chair.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. I yield to the gentlewoman from California such time as she may consume.

□ 1315

Ms. WATERS. Madam Chairman, I hope that our chairman didn't confuse you with that convoluted definition of what the time is that we are claiming.

Madam Chairman, I am in strong support of this amendment. As a matter of fact, I would like to take this moment to commend and thank my colleague, Mr. MILLER, for the work that he has done in helping other Members to understand what this is all about.

I can recall when we had the hearing and everybody said, well, this is such a wonderful idea. As a matter of fact, all of us voted for the American Dream Down Payment Act on both sides of the aisle. We can't understand why there would be any questions or any problems about the way that there is assistance being given to would-be homeowners by organizations such as the ones who were presented to us on that day of the hearing. So because of his expertise and his understanding and his appreciation, he has helped us all to come together, and it has support on both sides of the aisle.

As was mentioned, the amendment would allow qualified down payment assistance providers to participate in an FHA program if certain conditions are satisfied, that is, no obligation for the mortgagor to repay and net worth requirement.

The Secretary shall consider as cash or its equivalent any amounts gifted by a family member, the mortgagor's employer or labor union, or a qualified homeownership assistance entity, but only if there is no obligation on the part of the mortgagor to repay the gift.

I rise in support of this amendment. It is a major step in the direction of capturing the benefits of down payment assistance programs to over 1 million households since 1999, many of them FHA-insured borrowers, while safeguarding against bad actors in the field. The minimum capitalization requirement will protect borrowers from fly-by-night operations, which the explicit prohibition against requiring repayment of such assistance by the borrower will ensure that the benefit is indeed a gift.

Equally important, the additional measures to ensure the legitimacy of

appraisals in FHA-insured transactions contained in H.R. 1852 and the manager's amendment to the bill will help safeguard the entire progress. Inflated appraisals undercut the legitimacy of seller-financed down payment assistance.

Down payment assistance that is repaid from a seller's proceeds that derive from a borrower's ability to get a loan based on an inflated appraisal is no gift at all to the borrower. H.R. 1852 cracks down on such schemes, while preserving the field for legitimate down payment programs. Accordingly, I urge my colleagues to support this amendment.

Mr. GARY G. MILLER of California. Madam Chairman, I want to thank MAXINE WATERS for her kind comments. I remember when we were debating the American Dream Down Payment Assistance Act, and we used the private sector down payment assistance program as the tool and the argument to expand upon and have government also get involved. These private sector groups have put over 1 million people in homes that could not otherwise be in homes.

This continues a program that has worked very well and eliminates the bad actors that HUD is talking about. I think if this is implemented, this bill will be a very strong bill, and I ask for an "aye" vote.

Madam Chairman, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I claimed the time in opposition, but having listened to my two very persuasive colleagues, I have been converted and I now support this amendment.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. GARY G. MILLER).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF NEW YORK

The CHAIRMAN. It is now in order to consider amendment No. 4 printed in part B of House Report 110-330.

Mr. BISHOP of New York. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. BISHOP of New York:

Page 35, after line 24, insert the following: (2) in subsection (b)(4), by striking subparagraph (B) and inserting the following new subparagraph:

“(B) under a lease that has a term that ends no earlier than the minimum number of years, as specified by the Secretary, beyond the actuarial life expectancy of the mortgagor or comortgagor, whichever is the later date.”.

Page 35, line 25, strike “(2)” and insert “(3)”.

Page 36, line 7, strike “(3)” and insert “(4)”.

Page 36, line 9, strike “(4)” and insert “(5)”.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from New York (Mr. BISHOP) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. BISHOP of New York. Madam Chairman, let me start by thanking both Chairman FRANK and Chairwoman WATERS and their staffs for working with us on this amendment.

Very simply, my amendment would make it easier for those who owned fixed-foundation homes on leased land to receive a reverse mortgage. Current law allows seniors who own fixed-foundation homes on leased land to receive a reverse mortgage only if the lease is for a term of not less than 99 years or if the lease is for a period of not less than 10 years beyond the maturity of the mortgage. While this language covers some seniors, many elderly Americans who own a permanent-foundation home in a senior community where the land is leased are not covered by either of these two categories of leases.

My amendment would remove the provision in the bill that allows for a reverse mortgage if the lease term is for 10 years beyond the maturity of the mortgage and replace it with language that both clarifies and expands eligibility. Specifically, my amendment would broaden eligibility to seniors who have a lease term that ends no earlier than a minimum number of years beyond their actuarial life expectancy.

This amendment is a commonsense solution to a problem that affects many seniors, both in my district and across the country; and I urge its adoption.

Madam Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I claim the time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Madam Chairman, I did want to ask a question of the gentleman from New York. I have a concern about his amendment, only because it does not seem to me to go far enough.

One of the things we have tried very hard to do in our committee is to end what has been a kind of discrimination against manufactured housing, because if we are going to get to more people being able to own homes without getting into a subprime type of situation where people are induced to borrow more than they should, manufactured housing should be part of it.

The gentleman's amendment is properly, from his standpoint, addressed to a situation in his own district where fixed-foundation housing is involved. But my question here would be, and I realize it is under the rule not possible to change the amendment now, but I would have this question: If his amendment would be adopted, if as the process went forward some of us were able to work to expand this so it wasn't lim-

ited to fixed foundation, would the gentleman from New York have any objection to that?

And I will yield to him.

Mr. BISHOP of New York. I would have no objection. In fact, I would welcome it.

Mr. FRANK of Massachusetts. Madam Chairman, in the face of that degree of reasonableness, I withdraw my opposition.

I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BISHOP).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. HENSARLING

The CHAIRMAN. It is now in order to consider amendment No. 5 printed in part B of House Report 110-330.

Mr. HENSARLING. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. HENSARLING:

Page 64, strike lines 6 through 13.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from Texas (Mr. HENSARLING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. HENSARLING. Madam Chairman, I yield myself such time as I may consume.

Madam Chairman, recently the Democrat majority in this institution sought to create yet another new government housing program, the Affordable Housing Fund. This is on top of the roughly 80 other programs that HUD administers for Housing and Urban Development. So, Madam Chairman, we are being asked today in the underlying bill to fund a new program, without terminating any of the other 80-some-odd programs that are presently on the books; although many have already achieved their mission, many are ineffective, many are duplicative and many are quite costly.

Madam Chairman, the so-called Affordable Housing Fund, as designed, will grant moneys to States for a variety of purposes. I know that the purposes are noble, but many of us believe that, unfortunately, this could become a de facto housing slush fund.

I furthermore note, as moneys are handed to the States, almost every State in our Union is presently running a surplus, yet we regrettably know the Federal Government continues to run a deficit. So how much sense does this make?

For those who tell us that the Federal housing function is underfunded, I might note that according to OMB, in a little over 10 years we have gone from \$15.4 billion to \$30 billion, roughly double. That rate is higher than the increase in veterans spending, education spending, energy spending, transportation spending, international affairs, and even Social Security over the same period.

Although the House has passed this ill-conceived program, there has been no Senate action. The President has signed no bill. So we are being asked, Madam Chairman, to fund a program that doesn't even exist, when hard-working Americans can't even fund the roughly 10,000 Federal programs that are already on the books.

My amendment is a simple one. It would remove this funding mechanism in this bill for the so-called Affordable Housing Fund. The funding mechanism shouldn't be in this bill. It has nothing to do with fundamentally reforming FHA. And the bill siphons money from the FHA through what I believe and many of us believe to be a back-door tax on the FHA premiums paid by 4.8 million families that are using FHA insurance. It does this by diverting part of the increase from a negative credit subsidy.

To try to speak English here, it appears that people are overpaying their premiums. If so, maybe that money ought to go back to the people who paid the premiums in the first place.

I know the creation of the fund has been a long-time goal for Chairman FRANK. I appreciate his sincerity, and I appreciate the nobility of his purpose and his ideological consistency. But the fact remains that this is a back-door tax on low- and moderate-income Americans who use FHA.

This funding provision is unnecessary, it is unwise, it is unsound. The money ought to go back to the people who paid it. And if that is not the will of the House, it should at least, at least, be used for those who paid the premiums in the first place.

Madam Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I rise to sincerely seek time in opposition.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Thank you, Madam Chairman.

We have been debating this. It is a legitimate issue. We debated it when the gentleman from Georgia offered a version of it in the appropriations bill. We debated it previously. We debated a similar argument when we had the GSE bill.

The gentleman says there are 80 HUD programs and HUD money has gone up. The major reason the HUD funding has gone up, the single biggest one, has been in the section 8 rental program. There is a problem with section 8. Section 8 adds equity. But the current section 8 program provides rental assistance for one year at a time. No one can build affordable housing based on an annual grant. So what section 8 does, while it does provide some equity and I have been supportive of it, it increases the demand for housing without increasing the supply.

So in the current formation of Federal policies, the Federal Government puts upward pressure on rentals in the moderate- and low-income areas, be-

cause we give people billions of dollars to rent apartments in a way that does not lead to any construction.

This tries to make it a more balanced program. This and the GSE bill take money to begin the process of constructing affordable housing, which in the end could save us money, because it will then say that the rental levels which section 8 is driving up will no longer be driven up.

The gentleman says it is going to be a tax on the FHA. In fact, I hope the gentleman, given his concern about a tax on the people who get mortgage insurance from the FHA, will vote against the amendment to be offered by the gentlewoman from Illinois, because in this bill, unlike the gentlewoman's amendment, we have very tough restrictions on HUD's ability to raise the FHA fund unless it is necessary for solvency.

In a bipartisan basis last year, we wrote to them and we did it in the appropriations bill, because HUD was being told by OMB, not HUD, HUD made it very clear, this was an OMB directive, raise the FHA fees because FHA isn't contributing enough to the budget.

We put into our bill's restrictions, we have a restriction in our bill on the amount that can be charged for home equity mortgages by the originators. It is not in the gentlewoman from Illinois's amendment. We put caps on the FHA. So exactly the opposite is the case. And as far as this is concerned, the bill specifically says that no money can go to the Housing Trust Fund until the HUD Secretary has certified that the fund will be totally solvent and this will not endanger it.

The money that would go to affordable housing does not come from raising anybody's fee. It comes from an increase in volume. We capped the fees. I want to emphasize this. In the bill that we have, as opposed to the gentlewoman from Illinois's substitute, there are two separate restrictions on FHA's ability to raise fees that she doesn't have.

What we do is the law now says FHA can only do 65,000 home equity reverse mortgages a year. We say, no, there is no reason for that limit. We say do as many as the market will bear, with a restriction on what can be charged.

That is what generates the money. It is an increase in volume at a lower price to the consumer that generates the money; and if that increased volume and the lower price to the consumer results in there being a surplus that we can spend to build rental housing, as long as HUD certifies that that would not in any way require any increase in the FHA, we say, go ahead.

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As to affordable housing, there is a severe crisis in rental housing in this country, and you had some of the people pushed into subprime situations because there wasn't enough rental housing. We think the Affordable Housing Trust Fund helps deal with that.

Madam Chairman, I reserve the balance of my time.

Mr. HENSARLING. Madam Chairman, I yield 1½ minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE. Madam Chairman, I rise in support of this amendment, and I rise in opposition to the financing of an affordable housing fund.

I don't believe that this fund should be included in legislation to update and improve the Federal Housing Administration. I hope my colleagues will join me in opposing the underlying bill if this provision is included in the legislation.

In 2005, I offered an amendment in the Committee on Financial Services to strike the creation of an affordable housing fund. Part of this is philosophical, but ideas have consequences and bad ideas have had consequences in the long run. As I said 2 years ago, this fund is straight out of central planning 101. It should not be supported by this body.

I think by now we should be able to agree that government housing grants do little to increase homeownership levels in this country. If these funds must be derived, they should be geared towards ensuring that the FHA remains solvent rather than supporting an experiment in socialism here.

Furthermore, this fund could not be proposed at a worse time, as we see the current spike in foreclosures in the subprime mortgage market, many of which are backed by the Federal Housing Administration. Homeownership rates improve when real interest rates are low and when consumer incomes are rising, are going up. I believe free market policies are the most effective way to generate those results, creeping towards socialism will not. This fund will waste resources and provide false hope for those who wish to increase homeownership.

Mr. FRANK of Massachusetts. Madam Chairman, I yield myself 30 seconds to say that I appreciate the candor of the gentleman from California. He is against Federal programs that help build affordable housing; I understand that. By the way, this is not, of course, the old forms of public housing. This is going to be a private corporation.

But I would say to my friends on the other side, I don't think that you can argue both that we already have enough programs to do this and that we shouldn't have any at all. In fact, we do not now have programs that help build family affordable housing. We think in cooperation with the private sector, and the gentleman mentions the market, every private market entity, the Realtors, the home builders who are involved in construction in the private market, support the creation of the housing fund.

Mr. HENSARLING. Madam Chairman, either there is a surplus or there is not a surplus. It is really that simple. So now the question is if there is a surplus, what do you do with it. We believe that surplus ought to go back to

the people who paid for it in the first place. And if it is not going to go back to them, it ought to serve them and it should ensure the solvency of this program, since we know Uncle Sam's track record on just about every other Federal insurance program is terrible. This should ensure the solvency of the program.

We do not need a funding mechanism for another housing program that does not exist on top of the 90, many of which are not working.

Madam Chairman, I yield back the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I congratulate the gentleman's dexterity, on his ability to go 180 degrees opposite on his argument mid-amendment.

He started out saying we can't do this because it will jeopardize the FHA. We point out that in the bill that couldn't happen. This bill says this money cannot be used if it would in any way jeopardize an FHA situation. So he says okay, let's take the surplus and put it into the regular budget. That is a debate. Do we take surplus and put it into the budget to detract from other spending? I don't think so. I guess the question is this. If you take out an FHA mortgage and get mortgage insurance, and if our bill doesn't pass, this administration will raise that fee to make more money, should that go to the war in Iraq and for contractors in Iraq who are wasting money? Or should it go to build affordable housing in our cities, because that is where the money is going. The money is not going to reduce the deficit; it is going to be wasted elsewhere.

What we say is this. We should be building affordable housing. Some Members say don't give money to the States. No, I think that is a very good way to go. I think the States and the localities are best able to respond, and I hope the amendment is defeated.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. HENSARLING).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. HENSARLING. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. TIBERI

The CHAIRMAN. It is now in order to consider amendment No. 6 printed in part B of House Report 110-330.

Mr. TIBERI. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. TIBERI:

Page 17, strike lines 3 through 16 and insert the following:

“(I) AT APPLICATION.—At the time of application for the loan involved in the mortgage, a list of counseling agencies, approved by the Secretary, in the area of the applicant.”.

Page 18, strike lines 20 through 22 and insert the following:

“(i) REQUIREMENT.—The Secretary shall require that the mortgagor shall”.

Page 19, strike lines 4 through 5 and insert the following:

“(I) prior to closing for the loan involved in the mortgage;”.

The CHAIRMAN. Pursuant to House Resolution 650, the gentleman from Ohio (Mr. TIBERI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. TIBERI. Madam Chairman, I yield myself such time as I may consume.

I would like to thank Chairman FRANK and Chairman WATERS for their leadership on these issues. For the, last 6 years I had an opportunity to work with both in the Committee on Financial Services and Housing Subcommittee on very important issues. Unfortunately, I am no longer on the committee but the issues are still very important to me.

This amendment today is about empowering home buyers. It would require the Secretary of Housing and Urban Development to ensure high-risk borrowers and borrowers who are applying for zero down-payment loans to receive housing counsel. Under the current bill, the language allows the Secretary to provide counseling; this requires it.

Madam Chairman, as a former Realtor, I have seen firsthand the benefits, the joys, the importance of homeownership in America. However, given the current environment in our country, we need to make sure that there are safeguards put in place to protect homeowners to ensure fiscal responsible homeownership and guard against further default, bankruptcy and loss of home.

Buying a house today arguably is the most important and biggest investment in a person's life. Counseling, I have found, plays a very important role in empowering consumers, leveling the playing field, and making sure they have all of the right information to go into owning their own home.

In the past year, Ohio, California, Florida, Michigan and Georgia have comprised over half of our Nation's foreclosed homes. Recently Ohio, under the leadership of Governor Strickland, established the Ohio Foreclosure Prevention Task Force, which is comprised of various advocates and people in the housing community throughout the State.

In their report, they listed seven recommendations. One of those recommendations was to focus on expanding housing counseling services and making it available to everyone.

This amendment today only deals with two classes of borrowers: high-risk borrowers and those who are applying for zero-down loans under this legislation.

I believe it is very, very important, critically important, Madam Chairman, to make sure these borrowers un-

derstand the importance of homeownership, the responsibilities of homeownership. Madam Chairman, it is important because if we are going to take a bite out of this problem, and a bite is all this does today with this amendment because it only deals with those two types of borrowers, we need to make sure that every single borrower who is applying for a home under these two circumstances get all of the education that they need and deserve.

So I urge the adoption of this amendment. This is about empowering consumers, and I hope the House supports the amendment.

Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, I claim the time in opposition.

The CHAIRMAN. The gentlewoman from Illinois is recognized for 5 minutes.

Mrs. BIGGERT. Madam Chairman, I have some concerns about what we would call unintended consequences. I am a big supporter of financial literacy, and I chair the caucus. It is so important home buyers know what they are getting into, and I think that counseling is very important. I think that if we have an educated home buyer, we might not see so many of these foreclosures or near foreclosures or bankruptcy with the counseling.

My concern is the mandatory counseling for FHA, and only because of something that has happened in Illinois, that happened in Chicago when this mandatory counseling was put in for FHA mortgages.

What happened was that the lenders withdrew from the area. It was put in first by a ZIP Code in the city of Chicago and then put in for all of Cook County. The lenders withdrew from the area so there were no mortgages or very few available for those in that area because they weren't able to get the counseling that was needed in time to get the mortgages.

It takes time for counseling, and I know that you put in, and I think this would help, is that people could get counseling on the Internet. I think it is a very important thing. I just worry about when it is mandatory that we are going to have less availability of FHA involvement than when it is discretionary as in the bill.

I think that it makes FHA less attractive. If you are a prospective home buyer and one lender, a non-FHA, offers to put you into a mortgage that day while the FHA loan requires you to go through a counseling course, which will you pick? People will leave FHA, and we don't want that to happen. I know it is important that we have counseling and get people into this type of loan. The whole thing is, FHA is much better than the more exotic subprime loans, and that is the whole focus of this bill. I would hope that we can promote FHA, and I hope as this amendment moves forward, we can take a look at.

Mr. FRANK of Massachusetts. Will the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. I would say to my friend from Ohio, and we have worked together on a lot of things, I understand his purpose is a good one, but I share some of the concerns of the gentlewoman from Illinois.

I hope the gentleman understands that if this becomes part of the bill, as I believe it will, we haven't had a chance to consult with the FHA. We would like their advice. We could wind up strengthening the urging but allow for some exceptions. I would hope as we went forward the gentleman could work with us on doing that.

Mr. TIBERI. Would the gentlewoman yield?

Mrs. BIGGERT. I yield to the gentleman from Ohio.

Mr. TIBERI. Yes, I think we can take a look at the best of what is happening in Ohio right now. We are doing some pretty innovative things. I am sure in Massachusetts and Illinois there is some innovation going on as well.

The intent at the end of the day is to help the borrower and level the playing field. And so yes, I would be happy to work with the committee.

Mr. FRANK of Massachusetts. If the gentlewoman would continue to yield, there are some differences that we have of an ideological sort. There are a lot of general areas of agreement. Mr. Montgomery, the head of the FHA, has been, I think, a responsible and thoughtful administrator of the program. We have a common interest in this, and I would look forward to having him in on this conversation with us, and I think we can move in that direction with some of the flexibility that the gentlewoman asked for.

Mrs. BIGGERT. Madam Chairman, with that, I withdraw my objection, and I yield back the balance of my time.

Mr. TIBERI. Madam Chairman, I yield myself the balance of my time.

I thank the chairman and the gentlewoman from Illinois. Just a point of clarification: Some of the things that are happening now in Ohio is you have online counseling that is taking place for people that don't have access maybe in person to a counselor. So there is room to grow here, Chairman FRANK and Mrs. BIGGERT.

I think we have an opportunity to empower consumers and look forward to working with both of you. I urge adoption of this amendment, and urge passage of the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. TIBERI).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MRS. BIGGERT

The CHAIRMAN. It is now in order to consider amendment No. 7 printed in part B of House Report 110-330.

Mrs. BIGGERT. Madam Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mrs. BIGGERT: Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Expanding American Homeownership Act of 2007”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title and table of contents.
- Sec. 2. Findings and purposes.
- Sec. 3. Maximum principal loan obligation.
- Sec. 4. Extension of mortgage term.
- Sec. 5. Cash investment requirement.
- Sec. 6. Temporary reinstatement of down-payment requirement in event of increased defaults.
- Sec. 7. Mortgage insurance premiums.
- Sec. 8. Rehabilitation loans.
- Sec. 9. Discretionary action.
- Sec. 10. Insurance of condominiums.
- Sec. 11. Mutual Mortgage Insurance Fund.
- Sec. 12. Hawaiian home lands and Indian reservations.
- Sec. 13. Conforming and technical amendments.
- Sec. 14. Home equity conversion mortgages.
- Sec. 15. Conforming loan limit in disaster areas.
- Sec. 16. Participation of mortgage brokers and correspondent lenders.
- Sec. 17. Sense of Congress regarding technology for financial systems.
- Sec. 18. Savings provision.
- Sec. 19. Implementation.

**SEC. 2. FINDINGS AND PURPOSES.**

(a) **FINDINGS.**—The Congress finds that—

(1) one of the primary missions of the Federal Housing Administration (FHA) single family mortgage insurance program is to reach borrowers who are underserved, or not served, by the existing conventional mortgage marketplace;

(2) the FHA program has a long history of innovation, which includes pioneering the 30-year self-amortizing mortgage and a safe-to-seniors reverse mortgage product, both of which were once thought too risky to private lenders;

(3) the FHA single family mortgage insurance program traditionally has been a major provider of mortgage insurance for home purchases;

(4) the FHA mortgage insurance premium structure, as well as FHA's product offerings, should be revised to reflect FHA's enhanced ability to determine risk at the loan level and to allow FHA to better respond to changes in the mortgage market;

(5) during past recessions, including the oil-patch downturns in the mid-1980s, FHA remained a viable credit enhancer and was therefore instrumental in preventing a more catastrophic collapse in housing markets and a greater loss of homeowner equity; and

(6) as housing price appreciation slows and interest rates rise, many homeowners and prospective homebuyers will need the less-expensive, safer financing alternative that FHA mortgage insurance provides.

(b) **PURPOSES.**—The purposes of this Act are—

(1) to provide flexibility to FHA to allow for the insurance of housing loans for low- and moderate-income homebuyers during all economic cycles in the mortgage market;

(2) to modernize the FHA single family mortgage insurance program by making it more reflective of enhancements to loan-level risk assessments and changes to the mortgage market; and

(3) to adjust the loan limits for the single family mortgage insurance program to reflect rising house prices and the increased costs associated with new construction.

**SEC. 3. MAXIMUM PRINCIPAL LOAN OBLIGATION.**

Paragraph (2) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(2)) is amended—

(1) by striking subparagraphs (A) and (B) and inserting the following new subparagraphs:

“(A) not to exceed the lesser of—

“(i) in the case of a 1-family residence, the median 1-family house price in the area, as determined by the Secretary; and in the case of a 2-, 3-, or 4-family residence, the percentage of such median price that bears the same ratio to such median price as the dollar amount limitation in effect under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1454(a)(2)) for a 2-, 3-, or 4-family residence, respectively, bears to the dollar amount limitation in effect under such section for a 1-family residence; or

“(ii) the dollar amount limitation determined under such section 305(a)(2) for a residence of the applicable size; except that the dollar amount limitation in effect for any area under this subparagraph may not be less than the greater of (I) the dollar amount limitation in effect under this section for the area on October 21, 1998, or (II) 65 percent of the dollar limitation determined under such section 305(a)(2) for a residence of the applicable size; and

“(B) not to exceed the appraised value of the property, plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”;

(2) in the matter after and below subparagraph (B), by striking the second sentence (relating to a definition of “average closing cost”) and all that follows through “title 38, United States Code”; and

(3) by striking the last undesignated paragraph (relating to counseling with respect to the responsibilities and financial management involved in homeownership).

**SEC. 4. EXTENSION OF MORTGAGE TERM.**

Paragraph (3) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(3)) is amended—

(1) by striking “thirty-five years” and inserting “forty years”; and

(2) by striking “(or thirty years if such mortgage is not approved for insurance prior to construction)”.

**SEC. 5. CASH INVESTMENT REQUIREMENT.**

Paragraph (9) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(9)) is amended by striking the paragraph designation and all that follows through “*Provided further, That for*” and inserting the following:

“(9) Be executed by a mortgagor who shall have paid on account of the property, in cash or its equivalent, an amount, if any, as the Secretary may determine based on factors determined by the Secretary and commensurate with the likelihood of default. For”.

**SEC. 6. TEMPORARY REINSTATEMENT OF DOWN-PAYMENT REQUIREMENT IN EVENT OF INCREASED DEFAULTS.**

Section 203(b) of the National Housing Act (12 U.S.C. 1709(b)) is amended by adding at the end the following new paragraph:

“(10) **EFFECT OF INCREASED DEFAULTS.**—

“(A) **ANNUAL DETERMINATION.**—If, for any calendar year described in subparagraph (B)(i), the Secretary determines, pursuant such subparagraph, that—

“(i) the ratio of the number of mortgage insurance claims made during such calendar year on mortgages insured under this section to the total number of mortgages having such insurance in force during such calendar year exceeds, by 25 percent or more, such ratio for the 12-month period ending on the effective date of this Act, or

“(ii) the ratio of the aggregate remaining principal obligation under mortgages insured under this section for which an insurance claim is made during such calendar year to the average, for such calendar year, of the aggregate outstanding principal obligation under mortgages so insured exceeds, by 25 percent or more, such ratio for the 12-month period ending on such effective date, during the 90-day period beginning upon the submission of the report for such calendar year under subparagraph (B)(ii) containing such determination, the Secretary may insure a mortgage under this section only pursuant to the requirement under subparagraph (C), and the Secretary shall, not later than 60 days after submission of the report containing such determination, submit a report to the Congress under subparagraph (D) regarding mortgage insurance claims during such calendar year.

“(B) 5 YEARS OF ANNUAL DETERMINATIONS.—

“(i) IN GENERAL.—The Secretary shall, for each of the 5 calendar years commencing after the date of the enactment of this Act, compare the ratios referred to in subparagraph (A) and make a determination under such subparagraph.

“(ii) ANNUAL REPORT ON DEFAULTS.—Not later than 90 days after the conclusion of each of the calendar years described in clause (i), the Secretary shall submit a report to the Congress containing the determination of the Secretary under such clause with respect to such calendar year and setting forth the ratios referred to in such clause for such calendar year.

“(C) REINSTATEMENT OF DOWNPAYMENT REQUIREMENT.—The requirement under this subparagraph is that paragraph (9) of this subsection shall apply as such paragraph was in effect on the day before the effective date of the Expanding American Homeownership Act of 2007.

“(D) REPORTS REGARDING INCREASED DEFAULT RATE.—A report under this subparagraph, as required under subparagraph (A), shall contain—

“(i) an analysis of mortgage insurance claims, made during the calendar year for which the report is submitted, on mortgages insured under this section;

“(ii) an analysis of the reasons for the increase during such calendar year in the applicable ratio or ratios under subparagraph (A), including an analysis of the extent to which such increase is attributable to the amendments made by the Expanding American Homeownership Act of 2007;

“(iii) the effect of such increase on the Mutual Mortgage Insurance Fund;

“(iv) recommendations regarding—

“(I) whether the Congress should, to respond to such increase, take legislative action (aa) to apply paragraph (9) of this subsection as such paragraph was in effect on the day before the effective date of Expanding American Homeownership Act of 2007, (bb) to apply paragraph (2)(A)(ii) by substituting ‘87 percent of the dollar amount limitation’ for ‘the dollar amount limitation’, or (cc) both; and

“(II) whether such provisions should be temporary or permanent, and, if temporary, the period during which such provisions should apply; and

“(v) recommendations regarding any other administrative, regulatory, legislative, or other actions that should be taken to respond to such increase.

“(E) DEFAULTS IN DISASTER AREAS NOT COUNTED FOR 24 MONTHS.—In determining the number of mortgage insurance claims made and the aggregate remaining principal obligation under mortgages for which an insurance claim is made for purposes of subparagraph (A) for any calendar year, the Secretary shall not take into consideration any

claim made during such period on a mortgage on any property that is located in an area for which a major disaster was declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act if such claim was made during the 24-month period beginning upon such declaration.”.

#### SEC. 7. MORTGAGE INSURANCE PREMIUMS.

Section 203(c) of the National Housing Act (12 U.S.C. 1709(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “Notwithstanding” and inserting “Except as provided in paragraph (3) and notwithstanding”; and

(2) by adding at the end the following new paragraph:

“(3) FLEXIBLE RISK-BASED PREMIUMS.—

“(A) IN GENERAL.—For any mortgage insured by the Secretary under this title that is secured by a 1- to 4-family dwelling and for which the loan application is received by the mortgagee on or after October 1, 2007, the Secretary may establish a mortgage insurance premium structure involving a single premium payment collected prior to the insurance of the mortgage or annual payments (which may be collected on a periodic basis), or both, subject to the limitations in subparagraphs (B) and (C). The rate of premium for such a mortgage may vary during the mortgage term as long as the basis for determining the variable rate is established before the execution of the mortgage. The Secretary may change a premium structure established under this subparagraph but only to the extent that such change is not applied to any mortgage already executed.

“(B) MAXIMUM UP-FRONT PREMIUM AMOUNTS.—For any mortgage insured under a premium structure established pursuant to this paragraph, the amount of any single premium payment authorized by subparagraph (A), if established and collected prior to the insurance of the mortgage, may not exceed the following amount:

“(i) Except as provided in clauses (ii) and (iii), 3.0 percent of the amount of the original insured principal obligation of the mortgage.

“(ii) If the mortgagor has a credit score equivalent to a FICO score of 560 or more and has paid on account of the property, in cash or its equivalent, at least 3 percent of the Secretary’s estimate of the cost of acquisition (excluding the mortgage insurance premium paid at the time the mortgage is insured), 2.25 percent of the original insured principal obligation of the mortgage.

“(iii) If the annual premium payment is equal to the maximum amount allowable under clause (i) of subparagraph (C), 1.5 percent of the amount of the original insured principal obligation of the mortgage.

“(C) MAXIMUM ANNUAL PREMIUM AMOUNTS.—For any mortgage insured under a premium structure established pursuant to this paragraph, the amount of any annual premium payment collected may not exceed the following amount:

“(i) Except as provided in clauses (ii) and (iii), 2.0 percent of the remaining insured principal obligation of the mortgage.

“(ii) If the mortgagor is a mortgagor described in clause (ii) of subparagraph (B), 0.55 percent of the remaining insured principal obligation of the mortgage.

“(iii) If the single premium payment collected at the time of insurance is equal to maximum amount allowable under clause (i) of subparagraph (B), 1.0 percent of the remaining insured principal obligation of the mortgage.

“(D) PAYMENT INCENTIVE.—Notwithstanding subparagraph (C), for any mortgage insured under a premium structure established pursuant to this paragraph and for which the annual premium payment exceeds

the amount set forth in subparagraph (C)(ii), if during the 5-year period beginning upon the time of insurance all mortgage insurance premiums for such mortgage have been paid on a timely basis, upon the expiration of such period the Secretary shall reduce the amount of the annual premium payments due thereafter under such mortgage to an amount equal to the amount set forth in subparagraph (C)(ii).

“(E) ESTABLISHMENT AND ALTERATION OF PREMIUM STRUCTURE.—A premium structure shall be established or changed under subparagraph (A) only by providing notice to mortgagees and to the Congress, at least 30 days before the premium structure is established or changed.

“(F) CONSIDERATIONS FOR PREMIUM STRUCTURE.—When establishing a premium structure under subparagraph (A) or when changing such a premium structure, the Secretary shall consider the following:

“(i) The effect of the proposed premium structure on the Secretary’s ability to meet the operational goals of the Mutual Mortgage Insurance Fund as provided in section 202(a).

“(ii) Underwriting variables.

“(iii) The extent to which new pricing under the proposed premium structure has potential for acceptance in the private market.

“(iv) The administrative capability of the Secretary to administer the proposed premium structure.

“(v) The effect of the proposed premium structure on the Secretary’s ability to maintain the availability of mortgage credit and provide stability to mortgage markets.”.

#### SEC. 8. REHABILITATION LOANS.

Subsection (k) of section 203 of the National Housing Act (12 U.S.C. 1709(k)) is amended—

(1) in paragraph (1), by striking “on” and all that follows through “1978”; and

(2) in paragraph (5)—

(A) by striking “General Insurance Fund” the first place it appears and inserting “Mutual Mortgage Insurance Fund”; and

(B) in the second sentence, by striking the comma and all that follows through “General Insurance Fund”.

#### SEC. 9. DISCRETIONARY ACTION.

The National Housing Act is amended—

(1) in subsection (e) of section 202 (12 U.S.C. 1708(e))—

(A) in paragraph (3)(B), by striking “section 202(e) of the National Housing Act” and inserting “this subsection”; and

(B) by redesignating such subsection as subsection (f);

(2) by striking paragraph (4) of section 203(s) (12 U.S.C. 1709(s)(4)) and inserting the following new paragraph:

“(4) the Secretary of Agriculture;” and

(3) by transferring subsection (s) of section 203 (as amended by paragraph (2) of this section) to section 202, inserting such subsection after subsection (d) of section 202, and redesignating such subsection as subsection (e).

#### SEC. 10. INSURANCE OF CONDOMINIUMS.

(a) IN GENERAL.—Section 234 of the National Housing Act (12 U.S.C. 1715y) is amended—

(1) in subsection (c)—

(A) in the first sentence—

(i) by striking “and” before “(2)”; and

(ii) by inserting before the period at the end the following: “, and (3) the project has a blanket mortgage insured by the Secretary under subsection (d)”; and

(B) in clause (B) of the third sentence, by striking “thirty-five years” and inserting “forty years”; and

(2) in subsection (g), by striking “, except that” and all that follows and inserting a period.

(b) DEFINITION OF MORTGAGE.—Section 201(a) of the National Housing Act (12 U.S.C. 1707(a)) is amended—

(1) in clause (1), by striking “or” and inserting a comma; and

(2) by inserting before the semicolon the following: “, or (c) a first mortgage given to secure the unpaid purchase price of a fee interest in, or long-term leasehold interest in, a one-family unit in a multifamily project, including a project in which the dwelling units are attached, semi-detached, or detached, and an undivided interest in the common areas and facilities which serve the project”.

#### SEC. 11. MUTUAL MORTGAGE INSURANCE FUND.

(a) IN GENERAL.—Subsection (a) of section 202 of the National Housing Act (12 U.S.C. 1708(a)) is amended to read as follows:

“(a) MUTUAL MORTGAGE INSURANCE FUND.—

“(1) ESTABLISHMENT.—Subject to the provisions of the Federal Credit Reform Act of 1990, there is hereby created a Mutual Mortgage Insurance Fund (in this title referred to as the ‘Fund’), which shall be used by the Secretary to carry out the provisions of this title with respect to mortgages insured under section 203. The Secretary may enter into commitments to guarantee, and may guarantee, such insured mortgages.

“(2) LIMIT ON LOAN GUARANTEES.—The authority of the Secretary to enter into commitments to guarantee such insured mortgages shall be effective for any fiscal year only to the extent that the aggregate original principal loan amount under such mortgages, any part of which is guaranteed, does not exceed the amount specified in appropriations Acts for such fiscal year.

“(3) FIDUCIARY RESPONSIBILITY.—The Secretary has a responsibility to ensure that the Mutual Mortgage Insurance Fund remains financially sound.

“(4) ANNUAL INDEPENDENT ACTUARIAL STUDY.—The Secretary shall provide for an independent actuarial study of the Fund to be conducted annually, which shall analyze the financial position of the Fund. The Secretary shall submit a report annually to the Congress describing the results of such study and assessing the financial status of the Fund. The report shall recommend adjustments to underwriting standards, program participation, or premiums, if necessary, to ensure that the Fund remains financially sound.

“(5) QUARTERLY REPORTS.—During each fiscal year, the Secretary shall submit a report to the Congress for each quarter, which shall specify for mortgages that are obligations of the Fund—

“(A) the cumulative volume of loan guarantee commitments that have been made during such fiscal year through the end of the quarter for which the report is submitted;

“(B) the types of loans insured, categorized by risk;

“(C) any significant changes between actual and projected claim and prepayment activity;

“(D) projected versus actual loss rates; and

“(E) updated projections of the annual subsidy rates to ensure that increases in risk to the Fund are identified and mitigated by adjustments to underwriting standards, program participation, or premiums, and the financial soundness of the Fund is maintained. The first quarterly report under this paragraph shall be submitted on the last day of the first quarter of fiscal year 2008, or upon the expiration of the 90-day period beginning on the date of the enactment of the Expanding American Homeownership Act of 2007, whichever is later.

“(6) ADJUSTMENT OF PREMIUMS.—If, pursuant to the independent actuarial study of the

Fund required under paragraph (5), the Secretary determines that the Fund is not meeting the operational goals established under paragraph (8) or there is a substantial probability that the Fund will not maintain its established target subsidy rate, the Secretary may either make programmatic adjustments under section 203 as necessary to reduce the risk to the Fund, or make appropriate premium adjustments.

“(7) OPERATIONAL GOALS.—The operational goals for the Fund are—

“(A) to charge borrowers under loans that are obligations of the Fund an appropriate premium for the risk that such loans pose to the Fund;

“(B) to minimize the default risk to the Fund and to homeowners;

“(C) to curtail the impact of adverse selection on the Fund; and

“(D) to meet the housing needs of the borrowers that the single family mortgage insurance program under this title is designed to serve.”.

(b) OBLIGATIONS OF FUND.—The National Housing Act is amended as follows:

(1) HOMEOWNERSHIP VOUCHER PROGRAM MORTGAGES.—In section 203(v) (12 U.S.C. 1709(v))—

(A) by striking “Notwithstanding section 202 of this title, the” and inserting “The”; and

(B) by striking “General Insurance Fund” the first place such term appears and all that follows and inserting “Mutual Mortgage Insurance Fund”.

(2) HOME EQUITY CONVERSION MORTGAGES.—Section 255(i)(2)(A) of the National Housing Act (12 U.S.C. 1715z-20(i)(2)(A)) is amended by striking “General Insurance Fund” and inserting “Mutual Mortgage Insurance Fund”.

(c) CONFORMING AMENDMENTS.—The National Housing Act is amended—

(1) in section 205 (12 U.S.C. 1711), by striking subsections (g) and (h); and

(2) in section 519(e) (12 U.S.C. 1735c(e)), by striking “203(b)” and all that follows through “203(i)” and inserting “203, except as determined by the Secretary”.

#### SEC. 12. HAWAIIAN HOME LANDS AND INDIAN RESERVATIONS.

(a) HAWAIIAN HOME LANDS.—Section 247(c) of the National Housing Act (12 U.S.C. 1715z-12) is amended—

(1) by striking “General Insurance Fund established in section 519” and inserting “Mutual Mortgage Insurance Fund”; and

(2) in the second sentence, by striking “(1) all references” and all that follows through “and (2)”.

(b) INDIAN RESERVATIONS.—Section 248(f) of the National Housing Act (12 U.S.C. 1715z-13) is amended—

(1) by striking “General Insurance Fund” the first place it appears through “519” and inserting “Mutual Mortgage Insurance Fund”; and

(2) in the second sentence, by striking “(1) all references” and all that follows through “and (2)”.

#### SEC. 13. CONFORMING AND TECHNICAL AMENDMENTS.

(a) REPEALS.—The following provisions of the National Housing Act are repealed:

(1) Subsection (i) of section 203 (12 U.S.C. 1709(i)).

(2) Subsection (o) of section 203 (12 U.S.C. 1709(o)).

(3) Subsection (p) of section 203 (12 U.S.C. 1709(p)).

(4) Subsection (q) of section 203 (12 U.S.C. 1709(q)).

(5) Section 222 (12 U.S.C. 1715m).

(6) Section 237 (12 U.S.C. 1715z-2).

(7) Section 245 (12 U.S.C. 1715z-10).

(b) DEFINITION OF AREA.—Section 203(u)(2)(A) of the National Housing Act (12

U.S.C. 1709(u)(2)(A)) is amended by striking “shall” and all that follows and inserting “means a metropolitan statistical area as established by the Office of Management and Budget”.

(c) DEFINITION OF STATE.—Section 201(d) of the National Housing Act (12 U.S.C. 1707(d)) is amended by striking “the Trust Territory of the Pacific Islands” and inserting “the Commonwealth of the Northern Mariana Islands”.

#### SEC. 14. HOME EQUITY CONVERSION MORTGAGES.

(a) IN GENERAL.—Section 255 of the National Housing Act (12 U.S.C. 1715z-20) is amended—

(1) in subsection (g)—

(A) by striking the first sentence; and

(B) by striking “established under section 203(b)(2)” and all that follows through “located” and inserting “limitation established under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a 1-family residence”;

(2) in subsection (i)(1)(C), by striking “limitations” and inserting “limitation”; and

(3) by adding at the end the following new subsection:

“(n) AUTHORITY TO INSURE HOME PURCHASE MORTGAGE.—

“(1) IN GENERAL.—Notwithstanding any other provision in this section, the Secretary may insure, upon application by a mortgagee, a home equity conversion mortgage upon such terms and conditions as the Secretary may prescribe, when the primary purpose of the home equity conversion mortgage is to enable an elderly mortgagor to purchase a 1- to 4-family dwelling in which the mortgagor will occupy or occupies one of the units.

“(2) LIMITATION ON PRINCIPAL OBLIGATION.—A home equity conversion mortgage insured pursuant to paragraph (1) shall involve a principal obligation that does not exceed the dollar amount limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a residence of the applicable size.”.

(b) MORTGAGES FOR COOPERATIVES.—Subsection (b) of section 255 of the National Housing Act (12 U.S.C. 1715z-20(b)) is amended—

(1) in paragraph (4)—

(A) by inserting “a first or subordinate mortgage or lien” before “on all stock”; and

(B) by inserting “unit” after “dwelling”; and

(C) by inserting “a first mortgage or first lien” before “on a leasehold”; and

(2) in paragraph (5), by inserting “a first or subordinate lien on” before “all stock”.

(c) STUDY REGARDING MORTGAGE INSURANCE PREMIUMS.—The Secretary of Housing and Urban Development shall conduct a study regarding mortgage insurance premiums charged under the program under section 255 of the National Housing Act (12 U.S.C. 1715z-20) for insurance of home equity conversion mortgages to analyze and determine—

(1) the effects of reducing the amounts of such premiums from the amounts charged as of the date of the enactment of this Act on—

(A) costs to mortgagors; and

(B) the financial soundness of the program; and

(2) the feasibility and effectiveness of exempting, from all the requirements under the program regarding payment of mortgage insurance premiums (including both up-front or annual mortgage insurance premiums under section 203(c)(2) of such Act), any mortgage insured under the program under which part or all of the amount of future payments made to the homeowner are used for costs of a long-term care insurance contract covering the mortgagor or members of the household residing in the mortgaged property.

Not later than the expiration of the 12-month period beginning on the date of the enactment of this Act, the Secretary shall submit a report to the Congress setting forth the results and conclusions of the study.

#### SEC. 15. CONFORMING LOAN LIMIT IN DISASTER AREAS.

Section 203(h) of the National Housing Act (12 U.S.C. 1709) is amended—

(1) by inserting after “property” the following: “plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”;

(2) by striking the second sentence (as added by chapter 7 of the Emergency Supplemental Appropriations Act of 1994 (Public Law 103-211; 108 Stat. 12)); and

(3) by adding at the end the following new sentence: “In any case in which the single family residence to be insured under this subsection is within a jurisdiction in which the President has declared a major disaster to have occurred, the Secretary is authorized, for a temporary period not to exceed 36 months from the date of such Presidential declaration, to enter into agreements to insure a mortgage which involves a principal obligation of up to 100 percent of the dollar limitation determined under section 305(a)(2) of the Federal Home Loan Mortgage Corporation Act for a single family residence, and not in excess of 100 percent of the appraised value of the property plus any initial service charges, appraisal, inspection and other fees in connection with the mortgage as approved by the Secretary.”.

#### SEC. 16. PARTICIPATION OF MORTGAGE BROKERS AND CORRESPONDENT LENDERS.

##### (a) DEFINITIONS.—

(1) IN GENERAL.—Section 201 of the National Housing Act (12 U.S.C. 1707) is amended—

(A) by striking “As used in section 203 of this title—” and inserting “As used in this title and for purposes of participation in insurance programs under this title, except as specifically provided otherwise, the following definitions shall apply.”;

(B) by striking subsection (b) and inserting the following:

“(2) The term ‘mortgagee’ means any of the following entities, and its successors and assigns, to the extent such entity is approved by the Secretary:

“(A) A lender or correspondent lender, who—

“(i) makes, underwrites, and services mortgages;

“(ii) submits to the Secretary such financial audits performed in accordance with the standards for financial audits of the Government Auditing Standards issued by the Comptroller of the United States;

“(iii) meet the minimum net worth requirement that the Secretary shall establish; and

“(iv) complies with such other requirements as the Secretary may establish.

“(B) A correspondent lender who—

“(i) closes a mortgage in its name but does not underwrite or service the mortgage;

“(ii) posts a surety bond, in lieu of any requirement to provide audited financial statements or meet a minimum net worth requirement, in—

“(I) a form satisfactory to the Secretary; and

“(II) an amount of \$75,000, as such amount is adjusted annually by the Secretary (as determined under regulations of the Secretary) by the change for such year in the Consumer Price Index for All Urban Consumers published monthly by the Bureau of Labor Statistics of the Department of Labor; and

“(iii) complies with such other requirements as the Secretary may establish.

“(C) A mortgage broker who—

“(i) closes the mortgage in the name of the lender and does not make, underwrite, or service the mortgage;

“(ii) is licensed, under the laws of the State in which the property that is subject to the mortgage is located, to act as a mortgage broker in such State;

“(iii) posts a surety bond in accordance with the requirements of subparagraph (B)(ii); and

“(iv) complies with such other requirements as the Secretary may establish.

“(3) The term ‘mortgagor’ includes the original borrower under a mortgage and the successors and assigns of the original borrower.”;

(C) in subsection (a), by redesignating clauses (1) and (2) as clauses (A) and (B) respectively; and

(D) by redesignating subsections (a), (c), (d), (e), and (f) as paragraphs (1), (4), (5), (6), and (7), respectively, and realigning such paragraphs two ems from the left margin.

(2) MORTGAGEE REVIEW.—Section 202(c)(7) of the National Housing Act (12 U.S.C. 1708(c)(7)) is amended—

(A) in subparagraph (A), by inserting “, as defined in section 201,” after “mortgagee”;

(B) by striking subparagraph (B); and

(C) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively.

(3) MULTIFAMILY RENTAL HOUSING INSURANCE.—Section 207(a)(2) of the National Housing Act (12 U.S.C. 1713(a)(2)) is amended by striking “means the original lender under a mortgage, and its successors and assigns, and” and inserting “has the meaning given such term in section 201, except that such term also”.

(4) WAR HOUSING INSURANCE.—Section 601(b) of the National Housing Act (12 U.S.C. 1736(b)) is amended by striking “includes the original lender under a mortgage, and his successors and assigns approved by the Secretary” and inserting “has the meaning given such term in section 201”.

(5) ARMED SERVICES HOUSING MORTGAGE INSURANCE.—Section 801(b) of the National Housing Act (12 U.S.C. 1748(b)) is amended by striking “includes the original lender under a mortgage, and his successors and assigns approved by the Secretary” and inserting “has the meaning given such term in section 201”.

(6) GROUP PRACTICE FACILITIES MORTGAGE INSURANCE.—Section 1106(8) of the National Housing Act (12 U.S.C. 1749aaa-5(8)) is amended by striking “means the original lender under a mortgage, and his or its successors and assigns, and” and inserting “has the meaning given such term in section 201, except that such term also”.

(b) ELIGIBILITY FOR INSURANCE.—

(1) TITLE I.—Paragraph (1) of section 8(b) of the National Housing Act (12 U.S.C. 1706c(b)(1)) is amended—

(A) by striking “, and be held by,”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(2) SINGLE FAMILY HOUSING MORTGAGE INSURANCE.—Paragraph (1) of section 203(b) of the National Housing Act (12 U.S.C. 1709(b)(1)) is amended—

(A) by striking “, and be held by,”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(3) SECTION 221 MORTGAGE INSURANCE.—Paragraph (1) of section 221(d) of the National Housing Act (12 U.S.C. 1715l(d)(1)) is amended—

(A) by striking “ and be held by”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(4) HOME EQUITY CONVERSION MORTGAGE INSURANCE.—Paragraph (1) of section 255(d) of the National Housing Act (12 U.S.C. 1715z-

20(d)(1)) is amended by striking “as responsible and able to service the mortgage properly”.

(5) WAR HOUSING MORTGAGE INSURANCE.—Paragraph (1) of section 603(b) of the National Housing Act (12 U.S.C. 1738(b)(1)) is amended—

(A) by striking “, and be held by,”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(6) WAR HOUSING MORTGAGE INSURANCE FOR LARGE-SCALE HOUSING PROJECTS.—Paragraph (1) of section 611(b) of the National Housing Act (12 U.S.C. 1746(b)(1)) is amended—

(A) by striking “ and be held by”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(7) GROUP PRACTICE FACILITY MORTGAGE INSURANCE.—Section 1101(b)(2) of the National Housing Act (12 U.S.C. 1749aaa(b)(2)) is amended—

(A) by striking “ and held by”; and

(B) by striking “as responsible and able to service the mortgage properly”.

(8) NATIONAL DEFENSE HOUSING INSURANCE.—Paragraph (1) of section 903(b) of the National Housing Act (12 U.S.C. 1750b(b)(1)) is amended—

(A) by striking “, and be held by,”; and

(B) by striking “as responsible and able to service the mortgage properly”.

#### SEC. 17. SENSE OF CONGRESS REGARDING TECHNOLOGY FOR FINANCIAL SYSTEMS.

(a) CONGRESSIONAL FINDINGS.—The Congress finds the following:

(1) The Government Accountability Office has cited the FHA single family housing mortgage insurance program as a “high-risk” program, with a primary reason being non-integrated and out-dated financial management systems.

(2) The “Audit of the Federal Housing Administration’s Financial Statements for Fiscal Years 2004 and 2003”, conducted by the Inspector General of the Department of Housing and Urban Development reported as a material weakness that “HUD/FHA’s automated data processing [ADP] system environment must be enhanced to more effectively support FHA’s business and budget processes”.

(3) Existing technology systems for the FHA program have not been updated to meet the latest standards of the Mortgage Industry Standards Maintenance Organization and have numerous deficiencies that lenders have outlined.

(4) Improvements to technology used in the FHA program will—

(A) allow the FHA program to improve the management of the FHA portfolio, garner greater efficiencies in its operations, and lower costs across the program;

(B) result in efficiencies and lower costs for lenders participating in the program, allowing them to better use the FHA products in extending homeownership opportunities to higher credit risk or lower-income families, in a sound manner.

(5) The Mutual Mortgage Insurance Fund operates without cost to the taxpayers and generates revenues for the Federal Government.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) the Secretary of Housing and Urban Development should use a portion of the funds received from premiums paid for FHA single family housing mortgage insurance that are in excess of the amounts paid out in claims to substantially increase the funding for technology used in such FHA program;

(2) the goal of this investment should be to bring the technology used in such FHA program to the level and sophistication of the technology used in the conventional mortgage lending market, or to exceed such level; and

(3) the Secretary of Housing and Urban Development should report to the Congress not later than 180 days after the date of the enactment of this Act regarding the progress the Department is making toward such goal and if progress is not sufficient, the resources needed to make greater progress.

#### SEC. 18. SAVINGS PROVISION.

Any mortgage insured under title II of the National Housing Act before the date of enactment of this Act shall continue to be governed by the laws, regulations, orders, and terms and conditions to which it was subject on the day before the date of the enactment of this Act.

#### SEC. 19. IMPLEMENTATION.

The Secretary of Housing and Urban Development shall by notice establish any additional requirements that may be necessary to immediately carry out the provisions of this Act. The notice shall take effect upon issuance.

The CHAIRMAN. Pursuant to House Resolution 650, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Massachusetts (Mr. FRANK) each will control 10 minutes.

The Chair recognizes the gentlewoman from Illinois.

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Mrs. BIGGERT. Madam Chairman, I yield myself such time as I may consume.

My amendment strikes the bill in its entirety and inserts language that is identical to last year's bipartisan FHA modernization bill, H.R. 5121. Last year the bill had 54 Republicans, 51 Democrats, and one Independent cosponsor. Last year the bill was the bipartisan compromise that was agreed to by Chairman WATERS and Chairman FRANK and then chairman Mike Oxley. Last year's bill passed the House by a vote of 415-7 on July 25, 2006.

There are differences in the bills. This amendment, last year's bipartisan bill, I would like to highlight a couple of important differences. The Frank-Waters bill authorizes the FHA to implement risk-based pricing, but leaves in place the current, I think, outdated premium caps. My concern is that these limits on the premium caps will prevent FHA from serving riskier borrowers who could be prudently served by charging a slightly higher premium.

With the flexibility to charge slightly higher premiums, FHA would be able to serve borrowers with lower FICO scores who are currently being served only by the subprime market at very high interest rates. Just like last year's bipartisan House-passed bill, my amendment modernizes and updates premium caps, enabling FHA to reach down and serve riskier borrowers, but in a prudent manner. I think this is where growth comes in, because there will be more loans that FHA will be able to make.

Second, the Frank-Waters bill requires the refund of excess upfront premiums charged to higher-risk borrowers, those with FICO scores below 560. I am concerned that this new provision may treat your higher initial premiums and unintentionally limit the number of borrowers that could be served by FHA.

A refund provision also would be difficult to implement. Perhaps most importantly, refunds like this undercut the very concept of insurance. It is the logical equivalent of a healthy person requesting a 100 percent refund of his or her health insurance premium, or a driver who doesn't get into an accident demanding all of his car insurance back.

Just like last year's House-passed bill, my amendment includes another bipartisan agreement, the automatic reduction of annual premiums to no more than 55 base points for loans, and remains active after 5 years. Automatic premium reductions can be a good thing. They can reduce refinancing and perhaps some defaults and foreclosures as well.

Finally, the most significant difference between the bill I have introduced and the Frank-Waters FHA reform proposal, which has been of great concern to me and many of my colleagues, is the inclusion of a provision that creates a funding placeholder that you have heard talked about so much today that siphons off the FHA funds to create a brand-new government trust fund.

The other provisions that I mentioned are ones that represent significant differences between our introduced bills. Using FHA program funds to create a housing trust fund, to me, is where we have the most difference, and I believe it is not an appropriate use of FHA funds. Taking funds out of FHA and using them for a purpose unrelated to its core mission would threaten the solvency of the FHA fund and its ability to pay out the insurance claims. We don't want to have to come back here and do a bailout because FHA funds were diverted for other projects.

There is general agreement on the need for FHA modernization legislation. By modernizing FHA with my amendment, we can expand FHA and give a viable alternative to more low-income borrowers who may otherwise lose their home or be forced into the higher-cost subprime loans, or even predatory products. It is true that FHA cannot help all homeowners that are in the red, but it may help a good portion of them.

I would urge my colleagues to support my amendment, last year's bipartisan bill, the House-passed bill that many of my colleagues supported last year.

Madam Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, I yield myself 3 minutes.

The gentlewoman, incredibly, says this will jeopardize the solvency of the fund if we put money into affordable housing. I thought reading was one of the basic things we did around here. In the bill it says nothing can go to the Affordable Housing Fund if it would jeopardize solvency. Simply denying plain facts is not an appropriate way to debate.

In much of her argument she talks about another piece that represents the difference between us. We say that if you are someone with a weaker credible, a lower FICO score, the great god, FICO, that governs the lives of lower-income people, if you get your mortgage insured and you work hard and make all your payments, you should still be charged more than the gentlewoman from Illinois or I would be charged for a mortgage, because that is the insurance principle.

It is an appropriate principle for a private insurance company. For the Federal Government to say to hard-working people who are making their payments that they will be held accountable for the fact that other people didn't make their payments, and I won't be and the gentlewoman from Illinois wouldn't be, that is not appropriate.

So this principle of, yes, they say if you are healthy, you shouldn't get your money back, if you work hard and make your mortgage payments, why should you be charged more because somebody else like you defaulted? Let's all share that burden.

The gentlewoman said, well, it will be hard to give lower-income people loans. Those are crocodile tears. You are going to help these lower-income people by making them pay more for their mortgage than we would pay.

I would also note, and I wasn't in charge of the drafting, but we did adopt several amendments today. The gentlewoman's amendment would, of course, wipe all of them out because it would go back to last year's bill.

I understand there is regret on the part of many of my colleagues at the results of last November's election, and it is appropriate to try to undue last year's election. The appropriate time to do that is in next November's election, not by bills that passed a year ago with a differently constructed House and say let's not make any changes.

We made changes to accommodate refinancing for people caught in the subprime crisis. That is in this bill. It is not in the gentlewoman's substitute. Taking a year-old bill, with none of the improvements we have made, it goes beyond the philosophy.

Now, I understand Members don't want to do an affordable housing fund. That was the gentleman from Texas's amendment. I oppose it. That one makes some sense in terms of ideological division. But to say let's ignore everything that has happened in the last year, amendments adopted here today, several amendments by Members of both parties, the gentleman from California (Mr. GARY G. MILLER); the gentleman from Ohio (Mr. TIBERI); the gentleman from Massachusetts (Mr. TIERNEY); the gentleman from New York (Mr. BISHOP). We adopted their amendments. The gentlewoman wants to wipe them out. That is not an appropriate way to legislate.

I hope that the amendment is defeated, that we do not say in particular

that if you are someone in a lower-income category and you make your mortgage payments, the Federal Government will charge you more.

Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, we could have passed this bill 9 months ago, and then we would have added on to it. Unfortunately, this is my opportunity to do it, and this is the bill that I have had. I bring it up now.

As I said before, there are good things that have come out in the discussion today; there are some good things that have been added onto the bill that you have brought forward. The reason for bringing this up is I have some real concerns about some of the things that are in there, and this is my opportunity.

I don't think that we are penalizing low-income people that much. I know that in the discussion that we had in committee when this came up about no down payment, there are people that can't afford a mortgage with no down payment and can meet the monthly payments, but there was no risk with those people, no premium for FHA to ensure that kind of mortgage.

That isn't fair for other people that based on their credit scores are having to pay a premium. I would just disagree. If you are able to always meet those, then the risk should be dependent on what you do, not what somebody else does either. I would agree with that.

Madam Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. I think the gentlewoman confused a couple of issues. When I talk about not charging someone more because she has a lower credit score, and it is often a "she" that is in that category, it is not the no-down-payment category. What the bill does that the gentlewoman has is to say if you are someone with a lower credit score and get a loan with a down payment, you get charged more even if you make your payments.

By the way, the bill that she would replace with last year's bill would also knock out several protections we have in this bill against FHA fees being raised. The FHA doesn't want to raise fees. OMB has ordered FHA to try to raise fees. Congress has had to intervene.

There are in our version, unlike the version the gentlewoman is offering, protections against fee increases. We have an amendment that was advocated by the gentlewoman from Florida, Ms. GINNY BROWN-WAITE, and the gentleman from Georgia, Mr. MARSHALL, to limit the amount that can be charged to older people taking out reverse equity mortgages. That is in the bill that the gentlewoman wants to displace, and she would displace it with a bill that has no such protection for older people.

Madam Chairman, I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, just because someone is low income

does not mean that they have poor credit. I think that is not where they are going to have to pay higher premiums, necessarily. It is inevitable in an insurance fund that lower-risk borrowers will subsidize higher-risk borrowers. Refunds of the nature that is in your bill would undercut the concept of insurance, as I said before, being the equivalent of a healthy person requiring a percent refund of his or her insurance premium, or a driver that does not get into an accident requiring their insurance back.

Madam Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from Massachusetts has 6 minutes remaining. The gentlewoman from Illinois has 3 minutes remaining.

Mr. FRANK of Massachusetts. Madam Chairman, I yield myself 3 minutes.

The gentlewoman has quite honestly joined this one issue. She says it is the principle of insurance. If you are healthy, you should pay less for insurance than if you are sick. That is not the principle we follow in the Federal Government. That is the point the gentlewoman misses.

Yes, if you go to a private company, they will do that. You don't pay more in a Medicare premium if you are sick than if you are healthy. That is apparently what the gentlewoman is advocating, that senior citizens who are sick should pay more premiums than senior citizens who are healthy.

The question is whether a principle that is necessary in a private insurance scheme is appropriate for the Federal Government. She says just because you are low income doesn't mean you have poor credit. True. Not in every case. She knows there is a correlation; that the weaker the credit, the likely the people are to have low income. She, again, is saying explicitly that she believes, and she doesn't deny it, that it is the principle of insurance.

You are a working woman making in the forties, you get FHA insurance, you make all your payments, and you have got weaker credit than somebody who serves in Congress and makes \$180,000 a year. You have to pay more, according to the gentlewoman, than I would pay, even if you made all your payments.

What we are saying is at the outset it may be that you want to charge more. Yes, we will give FHA the ability to do that upfront. But you can earn your way out of that. If you have weaker credit, but you work hard, you are diligent and you make your payments, why should the Federal Government charge you more than someone far wealthier than you?

The gentlewoman is wrong to think that is the precedent. In the health insurance field and the Federal Government field, if you are under Medicare, you don't pay more in Medicare premiums if you were sick than if you were healthy. This is what we are saying, that you should not charge people more.

I would also point out, again, that she said we don't want to raise fees to people. Our bill limits what the FHA can be forced to charge by OMB. We have three separate provisions. I will point out again to the gentlewoman, we adopted a provision, there were negotiations between AARP and the originators of the home equity mortgages, the services, and we have in there a reduction, we put a cap on. We cut by one-third the maximum fee elderly people can be charged for an FHA-insured home mortgage.

□ 1400

We reduced the fee that elderly people can be charged by one-third. The gentlewoman's amendment, it is not her fault, she is not gratuitously trying to hurt older people; she just picked up this old amendment from a year ago, this old bill, and offered it without taking into account the progress we have made. That is not a good way to legislate.

I reserve the balance of my time.

Mrs. BIGGERT. Madam Chairman, looking at the two bills, let's look at flexibility risk-based premiums. H.R. 1752 permits upfront or annual premiums or both. Premium rates may vary over loan term if basis for change is determined at origination.

Under your bill, the same: requires annual report on risk-based premiums and how they were determined, authorizes premiums based on product risk.

The maximum upfront premium amounts, H.R. 1752: 3 percent, or 1.5 percent if annual premium is at its maximum. Under your bill, 2.25 percent for standard-risk and higher-risk mortgages, 3.0 for zero and lower down mortgages for first-time buyers. And then the maximum annual premium amounts in H.R. 1752, 2.0, or 1.0 if upfront premium is at its maximum. Under yours, 0.55 percent for standard and high-risk mortgages, 0.75 for zero down mortgages. And then the limit on premium charged for certain mortgages. If a borrower has 3 percent cash contribution and a score of 560 or more, the upfront premium is limited to 2.25 percent and the annual 0.55 percent. And then, under your bill it is included by creation of the standard-risk and higher-risk mortgage categories.

I guess we disagree on this, but I think I want the same thing. I want FHA to be used. I want it to be used for low-income, first-time home buyers and those that are trying to refinance. This is critical right now, and I just think there is some differences in what we have.

Madam Chairman, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Chairman, let me ask the gentlewoman from Illinois: If someone has weaker credit and gets mortgage insurance but makes all the payments for 5 years, why does the gentlewoman think that she should be charged more? And how does it hurt the FHA's ability to go forward if, after someone has

made the payments for 5 years, she gets refunded the extra? I would yield to the gentlewoman to answer that question, a fundamental difference on the bill.

Mrs. BIGGERT. I think under the bill, H.R. 1752, their premiums are reduced; they are not refunded.

Mr. FRANK of Massachusetts. No. Answer the question. They are not refunded under your bill. They are under, the gentlewoman would not refund them. How does it hurt the FHA in their ability to lend to people with weaker credit if they say to people with weaker credit, if you make your payments for 5 years, we will refund the extra we charged you?

Mrs. BIGGERT. If the gentleman will yield.

Mr. FRANK of Massachusetts. I yield.

Mrs. BIGGERT. Because the FHA is self-funded. It is not funded by the government just putting money into it just so that they can do other mortgages. It is self-funded and it is an insurance program. Now, we haven't been able to use it because it has been so capped in the amount of what they can do.

Mr. FRANK of Massachusetts. I take back my time because the gentlewoman is simply, I understand her answer. It is, if there is a higher loan loss rate from lending to lower-income people, people with weaker credit, they have to subsidize each other.

We say, no; raise the jumbo limit, and let those people in California and Massachusetts and New York who are getting mortgages at \$600,000 and \$500,000, let them subsidize it. Nobody is subsidizing. You shouldn't have to subsidize if you are making your own payments.

NATIONAL ASSOCIATION OF REALTORS,  
Washington, DC, September 14, 2007.  
HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the 1.3 million members of the National Association of REALTORS, I urge you to support H.R. 1852, the "Expanding American Homeownership Act of 2007", when the bill is considered by the full House. This is an important measure that will allow FHA to function in the 21st century. Equally important and worthy of your strongest support is an amendment to be offered by Representatives Barney Frank (D-MA), Gary Miller (R-CA) and Dennis Cardoza (D-CA) that is vital to improving the stability of mortgage markets, a critical component of our national economy.

The Frank/Miller/Cardoza amendment would increase the Federal Housing Administration (FHA) loan limits beyond the language originally included in H.R. 1852. Such an increase is now needed in light of the significant housing and mortgage market turmoil that has severely limited the ability of families to refinance a problematic existing loan or, alternatively, purchase a home in a high cost market with a safe and affordable mortgage.

As you well know, many American homeowners now have mortgages with payments that will soon increase dramatically, putting them at risk of foreclosure. Raising the FHA loan limits will provide many of these homeowners living in the nation's high housing cost markets with a safe FHA loan alter-

native. In addition, with the even more recent tightening of the jumbo market, many homebuyers may not be able to find a safe, affordable financing option without an increase in the FHA loan limits.

Although the underlying bill would increase the loan limits, we strongly believe that the Frank/Miller/Cardoza amendment is needed to affect real change. H.R. 1852 creates a new loan ceiling of \$417,000. Many markets are significantly higher than this limit. Median home prices of communities in New York, New Jersey, Connecticut, California, Massachusetts, and Pennsylvania are already far above this limit. The Frank/Miller/Cardoza amendment creates geographic fairness by raising the loan limit to 125% of the area median home price. Under the amendment working families in Newark, NJ can buy a home for \$512,000, and families in Los Angeles, CA can buy homes for \$650,000—both median price homes for their area.

FHA reform is needed now, more than ever. Please vote for H.R. 1852 and the Frank/Miller/Cardoza amendment when these measures come to the Floor.

Thank you,

PAT V. COMBS,  
President.

NATIONAL ASSOCIATION  
OF HOME BUILDERS,

Washington, DC, September 17, 2007.

Hon. JOHN BOEHNER,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR LEADER BOEHNER: On behalf of the 235,000 members of the National Association of Home Builders (NAHB), I am writing to express the building industry's support for H.R. 1852, the Expanding American Homeownership Act of 2007. NAHB urges you to support this bill, which modernizes the Federal Housing Administration (FHA), when it comes to the House floor next week. Because of the importance of this issue to our industry, we are designating the vote on passage of H.R. 1852 as a KEY VOTE.

NAHB also supports the Frank/Miller/Cardoza amendment that will further enable home buyers the ability to purchase an FHA-insured home in many high-cost areas. Currently, the FHA loan limit is too low to enable many deserving home buyer to purchase a home in high-cost areas.

Since its creation in 1934, and for much of its existence, the FHA has been viewed as a housing finance innovator by insuring millions of mortgage loans, which have made it possible for America's families to achieve homeownership. FHA's single family mortgage insurance programs have served home buyers in all parts of the country during all types of economic conditions. Moreover, FHA has done this without any cost to America's taxpayers.

Unfortunately, over the past two decades, the popularity and relevance of FHA's single family mortgage insurance programs have waned as FHA's programs have failed to keep pace with competing conventional mortgage loan programs. Faced with a deepening construction in the availability and affordability of housing credit, Congress now has the opportunity to modernize the FHA and enable it to play a key role in stabilizing the mortgage markets, while offering borrowers a safe and fair mortgage alternative. Recently, President Bush outlined a plan to help American homeowners weather the current difficulties in mortgage markets, which included asking Congress to send him an FHA reform bill as soon as possible.

To address the problems in today's housing finance market, I urge your support for H.R. 1852 on the House floor this week. Again, NAHB will KEY VOTE the vote on passage of

H.R. 1852. Thank you for considering the views of the home building industry.

Sincerely,

JOSEPH M. STANTON,  
Chief Lobbyist.

I yield my remaining time to the gentlewoman from California, the chairman of the subcommittee.

Ms. WATERS. Madam Chairman and Members, earlier today we talked about how we worked together so well in order to get the best possible legislation. And I am just a little bit sad that this substitute amendment would reform for the Federal Housing Administration's FHA single-family mortgage insurance activities and would allow FHA to base each borrower's mortgage insurance premiums on the risk that the borrower poses to the FHA mortgage insurance fund with slight variations.

Under this proposal, mortgage insurance premiums will be based on the borrower's credit history, loan-to-value ratio, debt-to-income ratio, and on FHA's historical experience with similar borrowers.

This amendment maintains FHA reserves within the insurance fund to preserve the future solvency of the FHA program. I just rise in strong opposition to this amendment for the simple reason that H.R. 1852 is a better bill than the FHA reform bill that passed the House last year. And I could go on and on and on talking about why this is a much better bill, but I think this would be a step backwards, and I would ask my colleagues not to support this amendment. It is not a good amendment.

The CHAIRMAN. The gentleman's time has expired.

The gentlewoman from Illinois has 1 minute remaining.

Mrs. BIGGERT. I guess we will have to agree to disagree that last year's bill would have served more borrowers. And we are moving forward here, so I would urge Members to support my amendment.

Madam Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Illinois (Mrs. BIGGERT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mrs. BIGGERT. Madam Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Illinois will be postponed.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 5 by Mr. HENSARLING of Texas.

Amendment No. 7 by Mrs. BIGGERT of Illinois.

The Chair will reduce to 5 minutes the time for the second electronic vote in this series.

AMENDMENT NO. 5 OFFERED BY MR. HENSARLING.

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Texas (Mr. HENSARLING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 148, noes 280, not voting 9, as follows:

[Roll No. 873]

AYES—148

Aderholt	Forbes	Miller (FL)
Akin	Fortenberry	Miller (MI)
Bachmann	Fortuño	Moran (KS)
Bachus	Fossella	Musgrave
Baker	Fox	Myrick
Barrett (SC)	Franks (AZ)	Neugebauer
Barton (TX)	Gallely	Nunes
Biggert	Garrett (NJ)	Paul
Billray	Gingrey	Pearce
Bilirakis	Gohmert	Pence
Bishop (UT)	Goode	Peterson (PA)
Blackburn	Goodlatte	Petri
Blunt	Granger	Pickering
Boehner	Graves	Pitts
Bonner	Hall (TX)	Poe
Bono	Hastert	Price (GA)
Boozman	Hastings (WA)	Pryce (OH)
Boustany	Hayes	Putnam
Brady (TX)	Heller	Radanovich
Brown (GA)	Hensarling	Reynolds
Brown (SC)	Hoekstra	Rogers (AL)
Buchanan	Hulshof	Rogers (KY)
Burgess	Hunter	Rogers (MI)
Burton (IN)	Inglis (SC)	Rohrabacher
Buyer	Issa	Ros-Lehtinen
Camp (MI)	Johnson, Sam	Roskam
Campbell (CA)	Jordan	Royce
Cannon	Keller	Ryan (WI)
Cantor	King (IA)	Sali
Carter	Kingston	Schmidt
Chabot	Kirk	Sensenbrenner
Coble	Kline (MN)	Sessions
Conaway	Kuhl (NY)	Shadegg
Crenshaw	LaHood	Shays
Culberson	Lamborn	Shimkus
Davis (KY)	Latham	Shuster
Davis, David	Lewis (KY)	Smith (NE)
Davis, Tom	Linder	Smith (TX)
Deal (GA)	Lucas	Souder
Diaz-Balart, L.	Lungren, Daniel	Stearns
Diaz-Balart, M.	E.	Sullivan
Doolittle	Mack	Terry
Drake	Manzullo	Thornberry
Dreier	Marchant	Tiahrt
Duncan	McCarthy (CA)	Tiberi
Ehlers	McCaul (TX)	Turner
Everett	McCotter	Walberg
Fallin	McCrery	Wamp
Feeney	McHenry	Weldon (FL)
Flake	Mica	Weller
		Westmoreland

NOES—280

Abercrombie	Bordallo	Carson
Ackerman	Boren	Castle
Alexander	Boswell	Castor
Altmire	Boucher	Chandler
Andrews	Boyd (FL)	Christensen
Arcuri	Boyda (KS)	Clarke
Baca	Brady (PA)	Clay
Baird	Braley (IA)	Cleaver
Baldwin	Brown, Corrine	Clyburn
Barrow	Brown-Waite,	Cohen
Bartlett (MD)	Ginny	Conyers
Bean	Butterfield	Cooper
Berkley	Calvert	Costa
Berman	Capito	Costello
Berry	Capps	Courtney
Bishop (GA)	Capuano	Cramer
Bishop (NY)	Cardoza	Crowley
Blumenauer	Carnahan	Cuellar

Cummings	King (NY)	Reyes
Davis (AL)	Klein (FL)	Richardson
Davis (CA)	Kucinich	Rodriguez
Davis (IL)	Lampson	Ross
Davis, Lincoln	Langevin	Rothman
DeFazio	Lantos	Roybal-Allard
DeGette	Larsen (WA)	Ruppersberger
Delahunt	Larson (CT)	Rush
DeLauro	LaTourette	Ryan (OH)
Dent	Lee	Salazar
Dicks	Levin	Sánchez, Linda
Dingell	Lewis (CA)	T.
Doggett	Lewis (GA)	Sanchez, Loretta
Donnelly	Lipinski	Sarbanes
Doyle	LoBiondo	Saxton
Edwards	Loebsack	Schakowsky
Ellison	Lofgren, Zoe	Schiff
Ellsworth	Lowey	Schwartz
Emanuel	Lynch	Scott (GA)
Emerson	Mahoney (FL)	Scott (VA)
Engel	Maloney (NY)	Serrano
English (PA)	Markey	Sestak
Eshoo	Marshall	Shays
Etheridge	Matheson	Shea-Porter
Faleomavaega	Matsui	Sherman
Farr	McCarthy (NY)	Shuler
Fattah	McCollum (MN)	Simpson
Ferguson	McDermott	Sires
Filner	McGovern	Skelton
Frank (MA)	McHugh	Slaughter
Frelinghuysen	McIntyre	Smith (NJ)
Gerlach	McKeon	Smith (WA)
Giffords	McMorris	Snyder
Gilchrest	Rodgers	Solis
Gillibrand	McNerney	Souder
Gonzalez	McNulty	Space
Gordon	Meeke (FL)	Spratt
Green, Al	Meeks (NY)	Stark
Green, Gene	Melancon	Stupak
Grijalva	Michaud	Sutton
Gutierrez	Miller (NC)	Tanner
Hall (NY)	Miller, Gary	Tauscher
Hare	Miller, George	Taylor
Harman	Mitchell	Terry
Hastings (FL)	Mollohan	Thompson (CA)
Herger	Moore (KS)	Thompson (MS)
Herseth Sandlin	Moore (WI)	Tierney
Higgins	Moran (VA)	Towns
Hill	Murphy (CT)	Turner
Hinchee	Murphy, Patrick	Udall (CO)
Hinojosa	Murphy, Tim	Udall (NM)
Hirono	Murtha	Upton
Hobson	Nader	Van Hollen
Hodes	Napolitano	Velázquez
Holden	Neal (MA)	Visclosky
Holt	Norton	Walberg
Honda	Oberstar	Walden (OR)
Hooley	Obey	Walsh (NY)
Hoyer	Olver	Walz (MN)
Inlee	Ortiz	Wasserman
Israel	Pallone	Schultz
Jackson (IL)	Pascrell	Waters
Jackson-Lee	Pastor	Watson
(TX)	Payne	Watt
Jefferson	Perlmutter	Waxman
Johnson (GA)	Peterson (MN)	Weiner
Johnson (IL)	Platts	Welch (VT)
Johnson, E. B.	Pomeroy	Weller
Jones (NC)	Porter	Wexler
Jones (OH)	Price (NC)	Wilson (NM)
Kagen	Rahall	Wilson (OH)
Kanjorski	Ramstad	Wolf
Kaptur	Rangel	Woolsey
Kennedy	Regula	Wu
Kildee	Rehberg	Wynn
Kilpatrick	Reichert	Yarmuth
Kind	Renzi	Young (FL)

NOT VOTING—9

Allen	Cole (OK)	Jindal
Becerra	Cubin	Knollenberg
Carney	Davis, Jo Ann	Tancredo

□ 1432

Messrs. HODES, ORTIZ, OBEY, RICHARDSON, PASTOR, ALEXANDER, REHBERG, TERRY, BISHOP of Georgia, BARTLETT of Maryland, MCKEON, LEWIS of California, Ms. GINNY BROWN-WAITE of Florida and Ms. JACKSON-LEE of Texas changed their vote from “aye” to “no.”

Mr. LUCAS, Ms. PRYCE of Ohio, Mr. HOEKSTRA, Mr. BOOZMAN, Mrs. MUSGRAVE and Mr. KING of Iowa changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for:

Mr. HERGER. Madam Chairman, on rollcall No. 873, I inadvertently voted “nay.” I meant to vote “aye.”

AMENDMENT NO. 7 OFFERED BY MRS. BIGGERT

The CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Illinois (Mrs. BIGGERT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 175, noes 252, not voting 10, as follows:

[Roll No. 874]

AYES—175

Aderholt	Fortenberry	Miller (FL)
Akin	Fortuño	Miller (MI)
Alexander	Fossella	Moran (KS)
Bachmann	Fox	Murphy, Tim
Bachus	Franks (AZ)	Musgrave
Baker	Gallely	Myrick
Barrett (SC)	Garrett (NJ)	Neugebauer
Bartlett (MD)	Gilchrest	Nunes
Barton (TX)	Gingrey	Paul
Biggert	Gohmert	Pearce
Billray	Goode	Pence
Bilirakis	Goodlatte	Peterson (PA)
Bishop (UT)	Granger	Petri
Blackburn	Graves	Pickering
Blunt	Hall (TX)	Pitts
Boehner	Hastert	Poe
Bonner	Hastings (WA)	Price (GA)
Bono	Hayes	Pryce (OH)
Boozman	Heller	Putnam
Boustany	Hensarling	Radanovich
Brady (TX)	Herger	Regula
Brown (GA)	Hobson	Rehberg
Brown (SC)	Hoekstra	Renzi
Brown-Waite,	Hulshof	Reynolds
Ginny	Hunter	Rogers (AL)
Buchanan	Inglis (SC)	Rogers (KY)
Burgess	Issa	Rogers (MI)
Burton (IN)	Johnson (IL)	Rohrabacher
Buyer	Johnson, Sam	Ros-Lehtinen
Camp (MI)	Jones (NC)	Roskam
Campbell (CA)	Jordan	Royce
Cannon	Keller	Ryan (WI)
Cantor	King (IA)	Sali
Carter	King (NY)	Schmidt
Castle	Kingston	Sensenbrenner
Chabot	Kirk	Sessions
Coble	Kline (MN)	Shadegg
Cole (OK)	Kuhl (NY)	Shays
Conaway	LaHood	Shimkus
Crenshaw	Lamborn	Shuster
Culberson	Latham	Simpson
Davis (KY)	LaTourette	Smith (NE)
Davis, David	Lewis (KY)	Smith (TX)
Davis, Tom	Linder	Souder
Deal (GA)	Lucas	Stearns
Diaz-Balart, L.	Lungren, Daniel	Sullivan
Diaz-Balart, M.	E.	Terry
Doolittle	Mack	Thornberry
Drake	Manzullo	Tiahrt
Dreier	Marchant	Tiberi
Duncan	McCarthy (CA)	Turner
Ehlers	McCaul (TX)	Walberg
Emerson	McCotter	Wamp
Everett	McCrery	Weldon (FL)
Fallin	McHenry	Weller
Feeney	McMorris	Westmoreland
Flake	Rodgers	
Forbes	Mica	

Whitfield Wilson (NM) Wolf  
 Wicker Wilson (SC) Young (AK)

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1440

So the amendment was rejected. The result of the vote was announced as above recorded.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HOLDEN) having assumed the chair, Mrs. JONES of Ohio, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1852) to modernize and update the National Housing Act and enable the Federal Housing Administration to use risk-based pricing to more effectively reach underserved borrowers, and for other purposes, pursuant to House Resolution 650, she reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. PRICE of Georgia. In its current form, I am.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Price of Georgia moves to recommit the bill H.R. 1852 to the Committee on Financial Services with instructions that the Committee report the same back promptly with the following amendment:

Page 64, strike line 6, and insert the following:

(4) AFFORDABLE HOUSING FUND.—  
 (A) IN GENERAL.—For each fis-

Page 64, after line 13, insert the following:

“(B) LIMITATION ON USE OF FUNDS.—

“(i) IN GENERAL.—Amounts made available pursuant to subparagraph (A) for affordable housing fund referred to in such subparagraph may not be used for, or on behalf of, any individual or household unless the individual provides, or, in the case of a household, all adult members of the household provide, personal identification in one of the following forms:

“(I) SOCIAL SECURITY CARD WITH PHOTO IDENTIFICATION CARD OR REAL ID ACT IDENTIFICATION.—

“(aa) A social security card accompanied by a photo identification card issued by the Federal Government or a State Government; or

“(bb) A driver’s license or identification card issued by a State in the case of a State that is in compliance with title II of the REAL ID Act of 2005 (title II of division B of Public Law 109-13; 49 U.S.C. 30301 note).

“(II) PASSPORT.—A passport issued by the United States or a foreign government.

“(III) USCIS PHOTO IDENTIFICATION CARD.—A photo identification card issued by the Secretary of Homeland Security (acting through the Director of the United States Citizenship and Immigration Services).

“(ii) REGULATIONS.—The Federal official responsible for administering the affordable housing fund referred to in subparagraph (A) shall, by regulation, require that each grantee and recipient of assistance from such fund take such actions as such official considers necessary to ensure compliance with the requirements of clause (i).”

□ 1445

The SPEAKER pro tempore. The gentleman from Georgia is recognized for 5 minutes.

Mr. PRICE of Georgia. Mr. Speaker, this is a commonsense motion to recommit that would require that any individual or household receiving money from the Affordable Housing Fund must present verification of legal residency by a secure identification document.

Americans believe that it’s appropriate to ask those receiving hard-earned taxpayer dollars, taxpayer assistance, that it’s right to establish that they are legal residents of the United States. It’s common sense.

Across the country, whether it’s Denver, where in 2006 there were an estimated 20,000 illegal immigrants holding FHA insured loans, or L.A. or Atlanta, where similar activity occurs, illegal immigrants are being given unprecedented access to taxpayer benefits and taxpayer money. In many of these cases of FHA loans, the documents submitted with their applications later proved to be false, resident alien numbers that were never issued, or Social Security numbers belonging to other people, or W-2 forms that were fabricated. In the case of financial institutions, minimal documents are required by their regulators to establish a new customer’s identity to open accounts.

The current loopholes in Federal law are an invitation, they’re an attraction, they’re a magnet to illegal immigration. We must not reward those coming here illegally by allowing them the services that ought to be only afforded to American citizens and they’re here legally. If we do so, this results in back-door amnesty.

This motion to recommit would require that the Federal official responsible for administering the Housing Trust Fund ensure that any assistance provided from the Affordable Housing Fund must require that all adults are legal residents of the United States. Simple common sense.

Recipients may use one of three different forms of identification. These forms are considered the most secure types of identification because they’re harder to forge or to duplicate. They’re all issued by a government agency

NOES—252

Ackerman	Green, Gene	Oberstar
Altmire	Grijalva	Obey
Andrews	Gutierrez	Olver
Arcuri	Hall (NY)	Ortiz
Baca	Hare	Pallone
Baird	Harman	Pascrell
Baldwin	Hastings (FL)	Pastor
Barrow	Herseeth Sandlin	Payne
Bean	Higgins	Perlmutter
Becerra	Hill	Peterson (MN)
Berkley	Hinchev	Platts
Berman	Hinojosa	Pomeroy
Berry	Hirono	Porter
Bishop (GA)	Hodes	Price (NC)
Bishop (NY)	Holden	Rahall
Blumenauer	Holt	Ramstad
Bordallo	Honda	Rangel
Boren	Hooley	Reichert
Boswell	Hoyer	Reyes
Boucher	Inslee	Richardson
Boyd (FL)	Israel	Rodriguez
Boyd (KS)	Jackson (IL)	Ross
Brady (PA)	Jackson-Lee	Rothman
Bralley (IA)	(TX)	Roybal-Allard
Brown, Corrine	Jefferson	Ruppersberger
Butterfield	Johnson (GA)	Rush
Calvert	Johnson, E. B.	Ryan (OH)
Capito	Jones (OH)	Salazar
Capps	Kagen	Sánchez, Linda
Capuano	Kanjorski	T.
Cardoza	Kaptur	Sanchez, Loretta
Carnahan	Kennedy	Sarbanes
Carson	Kildee	Saxton
Castor	Kilpatrick	Schakowsky
Chandler	Kind	Schiff
Christensen	Klein (FL)	Schwartz
Clarke	Kucinich	Scott (GA)
Clay	Lampson	Scott (VA)
Cleaver	Langevin	Serrano
Clyburn	Lantos	Sestak
Cohen	Larsen (WA)	Shea-Porter
Conyers	Larson (CT)	Sherman
Cooper	Lee	Shuler
Costa	Levin	Sires
Costello	Lewis (CA)	Skelton
Courtney	Lewis (GA)	Slaughter
Cramer	Lipinski	Smith (NJ)
Crowley	LoBiondo	Smith (WA)
Cuellar	Loeb sack	Snyder
Cummings	Lofgren, Zoe	Solis
Davis (AL)	Lowey	Space
Davis (CA)	Lynch	Spratt
Davis (IL)	Mahoney (FL)	Stark
Davis, Lincoln	Maloney (NY)	Stupak
DeFazio	Markey	Tanner
DeGette	Marshall	Tauscher
Delahunt	Matheson	Taylor
DeLauro	Matsui	Thompson (CA)
Dent	McCarthy (NY)	Thompson (MS)
Dicks	McCollum (MN)	Tierney
Dingell	McDermott	Towns
Doggett	McGovern	Udall (CO)
Donnelly	McHugh	Udall (NM)
Doyle	McIntyre	Upton
Edwards	McKeon	Van Hollen
Ellison	McNerney	Velázquez
Ellsworth	McNulty	Visclosky
Emanuel	Meek (FL)	Walden (OR)
Engel	Meeks (NY)	Walsh (NY)
English (PA)	Melancon	Walz (MN)
Eshoo	Michaud	Wasserman
Etheridge	Miller (NC)	Schultz
Faleomavaega	Miller, Gary	Waters
Farr	Miller, George	Watson
Fattah	Mitchell	Watt
Ferguson	Mollohan	Waxman
Filner	Moore (KS)	Weiner
Frank (MA)	Moore (WI)	Welch (VT)
Frelinghuysen	Moran (VA)	Wexler
Gerlach	Murphy (CT)	Wilson (OH)
Giffords	Murphy, Patrick	Woolsey
Gillibrand	Murtha	Wu
Gonzalez	Nadler	Wynn
Gordon	Napolitano	Yarmuth
Green, Al	Neal (MA)	Young (FL)

NOT VOTING—10

Abercrombie	Davis, Jo Ann	Sutton
Allen	Jindal	Tancredo
Carney	Knollenberg	
Cubin	Norton	

which has more checks and balances, more checks and balances preventing illegal immigrants or criminals or terrorists from obtaining these documents.

Everyone who is in the United States legally can easily obtain one of the three identification forms, but illegal immigrants, criminals, and terrorists would have to go to significant lengths to receive one.

Now, we have offered this type of amendment to bills in the past on this floor, and it's needed on this bill as well, as there appears to be no end in sight to the appetite of our friends in the majority to provide taxpayer benefits to illegals against the will and against the desire of the American people.

Now, you will hear that this MTR, this motion to recommit, provides for the committee to report back promptly and that that would "kill the bill." But we all know that's not true. In fact, the Speaker has previously ruled that any bill adopted with this language could readily be returned to the House floor with the new language.

You will hear that those already here illegally cannot get federally subsidized benefits. Then because it's clear that there are currently some loopholes in our current system, we ought not have any problem adopting more enforceable criteria for legal documentation.

You will hear that if you don't drive or you don't travel to foreign countries, that this is an undue burden. But the American people don't believe that it is inappropriate to ask those citizens receiving Federal taxpayer assistance to first establish that they are legal residents of the United States.

You will hear that this might lead us down the path to using Social Security as a universal identifier. But if you read this motion, what it does is simply provide for an array of options for secure IDs that all Americans and legal immigrants have ready access to. Simple common sense.

You may hear that it's already in the bill. Well, in fact it is, Mr. Speaker; but it doesn't cover the Affordable Housing Fund. The current regulations to establish a customer's identity do a disservice to the American people. Greater clarification in this area will help stem the tide of illegal immigrants.

The Federal Government should not be operating under obscure parameters that do not serve our Nation. We can and should strengthen these regulations to protect the American people.

This is a much more appropriate solution to the problem of back-door amnesty than simply saying that we're not going to let illegal immigrants live in government-subsidized housing. To the best of our ability, we must eliminate using hard-earned American taxpayer money to subsidize illegal activity. This motion to recommit does just that, and I urge my colleagues to support the motion.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. FRANK of Massachusetts. Mr. Speaker, I ask the Members to follow closely because there are some unusual twists and turns even to this.

In the first place, the gentleman talked about people getting FHA loans who weren't here legally, and he made a big point of that. As he later acknowledged, the bill, as reported, already deals with that.

The gentleman from Georgia is so enamored of this amendment that he's offering it twice to this bill. Now, he's making up for the fact that last week he wanted to offer it and couldn't. The gentleman from Georgia had filed in the CONGRESSIONAL RECORD a version of this amendment to offer to the Native American housing bill to prevent illegal immigrant Native Americans from sneaking in. And when we pointed that out, the gentleman from Georgia for once thought better of it and didn't offer the amendment. I think he was afraid that the Indians would have said, you know, sir, that's a good idea, why didn't we think of it?

But now, in the amendment, the gentleman offered this amendment in committee, so the illustration he gave of how they are getting FHA loans when they shouldn't, that's already in the bill. What he has done now is to say that this should apply to the Affordable Housing Trust Fund, which is not created by this bill. The bill does say that if we later, on the floor of this House, created an affordable housing trust fund, funds from the FHA excess, if there are any, will go into it. So there is plenty of time when we deal with the Affordable Housing Trust Fund.

So last week he couldn't offer the amendment to keep the illegal immigrants out of the Navajo housing. This week, he's already got it in the bill that covers the bill before us, but he has now got amendment envy in the worst way, so he's going to offer it to a program that doesn't exist yet, preempting our chance to do it. Even that wouldn't be a problem except that he could have said "forthwith." He said "promptly." It doesn't kill the bill; it significantly delays it.

If this comes back to the Committee on Financial Services, it is now wide open. The committee then has a markup, and any amendment can be offered. And I will tell my colleagues that there are Members, yes, there is your indication of what will happen, this will be filibustered again. Thank you for your honesty. I appreciate it. If this bill comes back to committee, it will be wide open.

We are in the midst of a crisis. The President said last month, please pass the FHA bill promptly. Even the United States Senate is now acting on this bill. If it comes back to committee, I have 3 days to notice a mark-

up. How quickly could we do it? Well, I don't think I can have this markup on Yom Kippur. There may be a lot to atone for in this amendment, but I can't have it on Friday.

So we go over to next week. We have markups scheduled next week on HOPE VI and on flood insurance and other important issues, so we couldn't get to this for a couple of weeks. And then when we do get to it, the clappers over there are going to offer a whole bunch of amendments.

Now, if the gentleman just wanted to put this into the program that doesn't yet exist, and that he will have a chance to do it later, he could have said "forthwith." Members are asked, when they rise on a recommit, are you opposed to the bill? The gentleman from Georgia honestly answered that he is. And he used the choice he had to substantially delay this bill. No, not kill it, but this will delay this bill by several weeks in the midst of this subprime crisis.

I would say to Members, preventing the FHA loans from going there, that's already in the bill. Read pages 54 and following. The Affordable Housing Trust Fund, it will be created later. I'm sure the gentleman will offer that amendment again and you will have a chance to vote on it.

So the sole effect of voting for this recommit is substantially to delay the bill on the FHA because the program that the bill covers, this amendment applies already from the committee. And the program that he would apply it to is not yet in existence and won't be in existence until we vote.

And for Members who worry about some cheap shot ad that says, oh, well, "promptly," "forthwith," too complicated, I hope people don't vote for this amendment. Many of them will. You will have a chance to vote for it. Long before the next election, the gentleman from Georgia will have offered this amendment four more times, at least. We've got more bills in our committee, and so you will have the chance to vote for it.

Please, if you support the low-income Housing Trust Fund as a concept and want the funding available when we set it up, if you support, in particular, the President's request that we move promptly to let the FHA be available for the subprime crisis, do not vote for a recommit whose sole effect will be to delay for several weeks passage of this bill. It won't kill it, but a several-week delay. I've got to hold off and call the hearing, we have to then have a long markup, they will be offering more amendments. It will substantially delay a very important bill, and I hope Members will defeat it.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

Mr. PRICE of Georgia. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1852, if ordered, and suspending the rules and passing H.R. 3096.

The vote was taken by electronic device, and there were—yeas 209, nays 216, not voting 8, as follows:

[Roll No. 875]

YEAS—209

Aderholt	Fossella	Murphy, Patrick
Akin	Fox	Murphy, Tim
Alexander	Franks (AZ)	Musgrave
Altmire	Frelinghuysen	Myrick
Bachmann	Gallely	Neugebauer
Bachus	Garrett (NJ)	Nunes
Baker	Gerlach	Paul
Barrett (SC)	Giffords	Pearce
Barrow	Gilchrest	Pence
Bartlett (MD)	Gingrey	Peterson (PA)
Barton (TX)	Gohmert	Petri
Bean	Goode	Pickering
Biggert	Goodlatte	Pitts
Billray	Granger	Platts
Bilirakis	Graves	Poe
Bishop (UT)	Hall (TX)	Porter
Blackburn	Hastert	Price (GA)
Blunt	Hastings (WA)	Pryce (OH)
Boehner	Hayes	Putnam
Bonner	Heller	Radanovich
Bono	Hensarling	Ramstad
Boozman	Herger	Regula
Boswell	Hobson	Rehberg
Boustany	Hoekstra	Reichert
Brady (TX)	Hulshof	Reynolds
Brown (GA)	Hunter	Rogers (AL)
Brown (SC)	Inglis (SC)	Rogers (KY)
Brown-Waite,	Issa	Rogers (MI)
Ginny	Johnson (IL)	Rohrabacher
Buchanan	Johnson, Sam	Ros-Lehtinen
Burgess	Jones (NC)	Roskam
Burton (IN)	Jordan	Royce
Buyer	Keller	Ryan (WI)
Calvert	King (IA)	Saxton
Camp (MI)	King (NY)	Schmidt
Campbell (CA)	Kingston	Sensenbrenner
Cannon	Kirk	Sessions
Cantor	Kline (MN)	Shadegg
Capito	Kuhl (NY)	Shays
Carter	LaHood	Shimkus
Castle	Lamborn	Shuler
Chabot	Lampson	Shuster
Coble	Latham	Simpson
Cole (OK)	LaTourette	Smith (NE)
Conaway	Lewis (CA)	Smith (NJ)
Crenshaw	Lewis (KY)	Smith (TX)
Culberson	Linder	Souder
Davis (KY)	LoBiondo	Space
Davis, David	Lucas	Stearns
Davis, Tom	Lungren, Daniel	Sullivan
Deal (GA)	E.	Terry
DeFazio	Mack	Thornberry
Dent	Manzullo	Tiahrt
Diaz-Balart, L.	Marchant	Tiberi
Diaz-Balart, M.	Marshall	Turner
Donnelly	McCarthy (CA)	Upton
Doolittle	McCaul (TX)	Walberg
Drake	McCotter	Walsh (OR)
Dreier	McCrery	Walsh (NY)
Duncan	McHenry	Wamp
Ehlers	McHugh	Weldon (FL)
Ellsworth	McIntyre	Weller
Emerson	McKeon	Westmoreland
English (PA)	McMorris	Whitfield
Everett	Rodgers	Wicker
Fallin	Mica	Wilson (NM)
Feeney	Miller (FL)	Wilson (SC)
Ferguson	Miller (MI)	Wolf
Flake	Miller, Gary	Young (AK)
Forbes	Mitchell	Young (FL)
Fortenberry	Moran (KS)	

NAYS—216

Abercrombie	Baldwin	Bishop (NY)
Ackerman	Becerra	Blumenauer
Andrews	Berkley	Boren
Arcuri	Berman	Boucher
Baca	Berry	Boyd (FL)
Baird	Bishop (GA)	Boyd (KS)

Brady (PA)	Hooley	Peterson (MN)
Braley (IA)	Hoyer	Pomeroy
Brown, Corrine	Inslee	Price (NC)
Butterfield	Israel	Rahall
Capps	Jackson (IL)	Rangel
Capuano	Jackson-Lee	Renzi
Cardoza	(TX)	Reyes
Carnahan	Jefferson	Richardson
Carson	Johnson (GA)	Rodriguez
Castor	Johnson, E. B.	Ross
Chandler	Jones (OH)	Rothman
Clarke	Kagen	Roybal-Allard
Clay	Kanjorski	Ruppersberger
Cleaver	Kaptur	Rush
Clyburn	Kennedy	Ryan (OH)
Cohen	Kildee	Salazar
Conyers	Kilpatrick	Sali
Cooper	Kind	Sánchez, Linda
Costa	Klein (FL)	T.
Costello	Kucinich	Sanchez, Loretta
Courtney	Langevin	Sarbanes
Cramer	Lantos	Schakowsky
Crowley	Larsen (WA)	Schiff
Cuellar	Larson (CT)	Schwartz
Cummings	Lee	Scott (GA)
Davis (AL)	Levin	Scott (VA)
Davis (CA)	Lewis (GA)	Serrano
Davis (IL)	Lipinski	Sestak
Davis, Lincoln	Loebsack	Shea-Porter
DeGette	Lofgren, Zoe	Sherman
Delahunt	Lowe	Sires
DeLauro	Lynch	Skelton
Dicks	Mahoney (FL)	Slaughter
Dingell	Maloney (NY)	Smith (WA)
Doggett	Markey	Snyder
Doyle	Matheson	Solis
Edwards	Matsui	Spratt
Ellison	McCarthy (NY)	Stark
Emanuel	McCollum (MN)	Stupak
Engel	McDermott	Sutton
Eshoo	McGovern	Tanner
Etheridge	McNulty	Tauscher
Farr	Meek (FL)	Taylor
Fattah	Meeks (NY)	Thompson (CA)
Frank	Melancon	Thompson (MS)
Gillibrand	Michael	Tierney
Gonzalez	Miller (NC)	Towns
Gordon	Miller, George	Udall (CO)
Green, Al	Mollohan	Udall (NM)
Green, Gene	Moore (KS)	Van Hollen
Grijalva	Moore (WI)	Velázquez
Gutierrez	Moran (VA)	Visclosky
Hall (NY)	Murphy (CT)	Walz (MN)
Hare	Murtha	Wasserman
Harman	Nadler	Sultz
Hastings (FL)	Napolitano	Waters
Herseth Sandlin	Neal (MA)	Watson
Higgins	Neal (AR)	Watt
Hill	Oberstar	Waxman
Hinchoy	Obey	Weiner
Hinojosa	Olver	Welch (VT)
Hirono	Ortiz	Wexler
Hodes	Pallone	Wilson (OH)
Holden	Pascrell	Woolsey
Holt	Pastor	Wu
Honda	Payne	Wynn
	Pelosi	Yarmuth
	Perlmutter	

NOT VOTING—8

Allen	Davis, Jo Ann	McNerney
Carney	Jindal	Tancredo
Cubin	Knollenberg	

□ 1514

Messrs. LINDER, RAMSTAD and DONNELLY changed their vote from “nay” to “yea.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. KIRK. 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 348, noes 72, not voting 12, as follows:

[Roll No. 876]

AYES—348

Abercrombie	Ellsworth	Loebsack
Ackerman	Emanuel	Lofgren, Zoe
Aderholt	Emerson	Lowey
Alexander	Engel	Lungren, Daniel
Altmire	English (PA)	E.
Arcuri	Eshoo	Lynch
Baca	Etheridge	Mahoney (FL)
Baird	Everett	Maloney (NY)
Baldwin	Fallin	Marchant
Barrow	Farr	Markey
Bartlett (MD)	Fattah	Marshall
Bean	Ferguson	Matheson
Becerra	Filner	Matsui
Berkley	Fortenberry	McCarthy (CA)
Berry	Fossella	McCarthy (NY)
Biggert	Frank (MA)	McCaul (TX)
Bilirakis	Frelinghuysen	McCollum (MN)
Bishop (GA)	Gallely	McCotter
Bishop (NY)	Gerlach	McDermott
Blumenauer	Giffords	McGovern
Blunt	Gilchrest	McHugh
Bonner	Gillibrand	McIntyre
Bono	Gohmert	Gohmert
Boozman	Gonzalez	McKeon
Boren	Goodlatte	McMorris
Boswell	Gordon	Rodgers
Boucher	Granger	McNerney
Boyd (FL)	Graves	McNulty
Boyda (KS)	Green, Gene	Meek (FL)
Brady (PA)	Grijalva	Meeks (NY)
Brady (TX)	Gutierrez	Melancon
Braley (IA)	Hall (NY)	Michaud
Brown (SC)	Hall (TX)	Miller (MI)
Brown-Waite,	Hare	Miller (NC)
Ginny	Harman	Miller, Gary
Buchanan	Hastings (FL)	Miller, George
Burton (IN)	Hayes	Mitchell
Butterfield	Heller	Mollohan
Calvert	Hersth Sandlin	Moore (KS)
Camp (MI)	Higgins	Moore (WI)
Campbell (CA)	Calvert	Moran (KS)
Cannon	Camp (MI)	Moran (VA)
Cantor	Capito	Murphy, Patrick
Capito	Capps	Murphy, Tim
Carter	Capuano	Murtha
Castle	Cardoza	Nadler
Chabot	Carnahan	Hodes
Coble	Carson	Holden
Cole (OK)	Carter	Holt
Conaway	Castle	Honda
Crenshaw	Castor	Hooley
Culberson	Chabot	Hoyer
Davis (KY)	Chandler	Hulshof
Davis, David	Clarke	Hunter
Davis, Tom	Clay	Inslee
Deal (GA)	Cleaver	Israel
DeFazio	Clyburn	Jackson (IL)
Dent	Coble	Jackson-Lee
Diaz-Balart, L.	Cohen	(TX)
Diaz-Balart, M.	Cole (OK)	Jefferson
Donnelly	Conyers	Johnson (GA)
Doolittle	Cooper	Johnson (IL)
Drake	Costa	Johnson, E. B.
Dreier	Costello	Jones (NC)
Duncan	Courtney	Jones (OH)
Ehlers	Cramer	Kagen
Ellsworth	Crenshaw	Kanjorski
Emerson	Crowley	Kaptur
English (PA)	Cuellar	Keller
Everett	Cummings	Kennedy
Fallin	Davis (AL)	Kildee
Feeney	Davis (CA)	Kilpatrick
Ferguson	Davis (IL)	Kind
Flake	Davis, David	King (NY)
Forbes	Davis, Lincoln	Kirk
Fortenberry	Davis, Tom	Klein (FL)
	DeFazio	Kucinich
	DeGette	Kuhl (NY)
	Delahunt	LaHood
	DeLauro	Lampson
	Dent	Langevin
	Diaz-Balart, L.	Lantos
	Diaz-Balart, M.	Larsen (WA)
	Dicks	Larson (CT)
	Dingell	Latham
	Doggett	LaTourette
	Donnelly	Lee
	Doolittle	Levin
	Doyle	Lewis (CA)
	Drake	Lewis (GA)
	Duncan	Lewis (KY)
	Edwards	T.
	Ellison	Lipinski
		LoBiondo
		Sanchez, Loretta
		Sarbanes

Saxton  
Schakowsky  
Schiff  
Schmidt  
Schwartz  
Scott (GA)  
Scott (VA)  
Serrano  
Sessions  
Sestak  
Shays  
Shea-Porter  
Sherman  
Shinkus  
Shuler  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis

NOES—72

Akin  
Bachmann  
Bachus  
Baker  
Barrett (SC)  
Barton (TX)  
Bilbray  
Bishop (UT)  
Blackburn  
Boehner  
Boustany  
Broun (GA)  
Burgess  
Buyer  
Campbell (CA)  
Cannon  
Cantor  
Conaway  
Culberson  
Davis (KY)  
Deal (GA)  
Dreier  
Ehlers  
Feeney

NOT VOTING—12

Allen  
Andrews  
Berman  
Carney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1521

Mr. POE changed his vote from “no” to “aye.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. NUNES. Mr. Speaker, on rollcall No. 876 I was inadvertently detained. Had I been present, I would have voted “aye.”

Mr. BERMAN. Mr. Speaker, I inadvertently missed the vote on rollcall 876. I had intended to vote “aye.”

VIETNAM HUMAN RIGHTS ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 3096, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from American Samoa (Mr. FALEOMAVAEGA) that the House suspend the rules and pass the bill, H.R. 3096, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 3, not voting 15 as follows:

[Roll No. 877]  
YEAS—414

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

Meeks (NY)  
Melancon  
Mica  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy (CT)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Oberstar  
Obey  
Olver  
Ortiz  
Pallone  
Pascrell  
Pastor  
Payne  
Pearce  
Pence  
Perlmutter  
Peterson (MN)  
Peterson (PA)  
Petri  
Pickering  
Pitts  
Platts  
Poe  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg

NAYS—3

Flake  
Paul  
Tancredo

NOT VOTING—15

Allen  
Buchanan  
Carney  
Cubin  
Cuellar  
Davis, Jo Ann  
Edwards  
Hulshof  
Jindal  
Kirk  
Knollenberg  
Kucinich  
Musgrave  
Pryce (OH)  
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1528

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1852, EXPANDING AMERICAN HOMEOWNERSHIP ACT OF 2007

Mr. FRANK of Massachusetts. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1852, to include corrections in spelling, punctuation, section numbering and cross-referencing, and the insertion of appropriate headings.

Culberson  
Cummings  
Davis (AL)  
Davis (CA)  
Davis (IL)  
Davis (KY)  
Davis, David  
Davis, Lincoln  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
DeLauro  
Dent  
Jefferson  
Johnson (GA)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Jordan  
Kagen  
Kanjorski  
Kaptur  
Keller  
Kennedy  
Kildee  
Kilpatrick  
Kind  
King (IA)  
King (NY)  
Kingston  
Klein (FL)  
Kline (MN)  
Kuhl (NY)  
LaHood  
Lamborn  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Loeb sack  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel  
E.  
Lynch  
Mack  
Mahoney (FL)  
Maloney (NY)  
Manzullo  
Marchant  
Markey  
Marshall  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul (TX)  
McCollum (MN)  
McCotter  
McCrery  
McCrery  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMorris  
Rodgers  
McNerney  
McNulty  
Meek (FL)

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Record votes on postponed questions will be taken tomorrow.

□ 1530

COMMEMORATING THE 25TH ANNIVERSARY OF THE VIETNAM VETERANS MEMORIAL

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 326) commemorating the 25th anniversary of the Vietnam Veterans Memorial, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 326

Whereas the Vietnam Veterans Memorial marks the 25th anniversary of its dedication in 2007;

Whereas the Memorial commemorates the sacrifice of more than 58,000 men and women who lost their lives during the Vietnam War;

Whereas the Memorial honors the sacrifice of the 153,303 men and women who were wounded during the conflict;

Whereas the Memorial honors the more than 3,000,000 men and women who served in the United States Armed Forces in Southeast Asia;

Whereas the Memorial has served as a powerful force for national healing;

Whereas over four million people visit the Memorial each year to pay tribute to lost loved ones and remember the sacrifice of those who served the United States during the Vietnam War; and

Whereas the Memorial is a testament to the dedication of the private individuals and corporations that raised \$8,400,000 to build the Memorial: Now, therefore, be it

Resolved, That the House of Representatives—

(1) honors the sacrifice of the men and women who lost their lives in service of the United States during the Vietnam War;

(2) recognizes the service of the men and women who were members of the United States Armed Forces during the Vietnam War; and

(3) commemorates the 25th anniversary of the dedication of the Vietnam Veterans Memorial.

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to the rule, the gentleman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentleman from New Hampshire.

Ms. SHEA-PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 326 commemorating the 25th anniversary of the Vietnam Veterans Memorial right here in America's capital city. I thank the gentlewoman from Oregon (Ms. HOOLEY) for bringing this measure before the House.

In capturing the tremendous sacrifice of our servicemembers, this memorial has helped our Nation heal from the losses our communities suffered throughout the Vietnam war. Maya Lin, the wall's designer, created the monument in such a way as to "convey the sense of overwhelming numbers while unifying those individuals into a whole." The Vietnam Memorial is a testament to the ultimate sacrifice those who serve in uniform have made in defense of our Nation.

Over 4 million people visit the memorial each year. No one leaves unaffected by the experience. House Resolution 326 is our way, as Members of the United States Congress and citizens of this great Nation, of taking an important moment to pause in reflection and in gratitude for the freedoms we share today because of the contributions of our brave men and women in uniform in Vietnam.

Let us also take this opportunity to recognize those who are serving us on the front lines of battle in Iraq and Afghanistan and other hotspots around the world. Their sacrifice and devotion to duty continue in today's warriors. Mr. Speaker, I urge my colleagues to support this resolution.

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

Mr. GINGREY. Mr. Speaker, I rise today in support of H. Res. 326 which commemorates the 25th anniversary of the dedication of the Vietnam Veterans Memorial.

The idea of the memorial began in 1977 as a way to make amends for the indifference that had met Vietnam veterans who returned home to this country. It was also conceived as a place of honor for the brave young men and women who served and died in the Vietnam war including, Mr. Speaker, my Pony League baseball teammate, Dick Ulmer, and to give the estimated 43 million Americans, parents, brothers, sisters, wives, husbands and children, and yes, including those of 1st Lieutenant Ulmer of North Augusta, South Carolina, so directly affected by the losses in Vietnam a place to remember, to mourn, to reflect, and hopefully to heal.

Five years later, in 1982, ground was broken for the memorial and the first panel of the Wall, as the memorial is called today, was unveiled. Since that time, the Wall has become not only the most visited memorial on the National Mall with more than 4 million visitors annually, but also a very powerful and a moving place for recollection, solace and comfort for Vietnam veterans and their families.

As a place to honor the more than 58,200 servicemembers who died during

the Vietnam war, and that number is just astounding as we think about the current situation in Iraq; and, of course, we mourn each and every one of those 3,600 lives that have been lost over a 4-year period of time. But Vietnam, 58,200 servicemembers died. The Wall has also become a national symbol of healing and coming together.

In short, the Wall has achieved a purpose and effect well beyond the original purpose, and no one who goes there can escape the emotional, deep impact that it conveys.

Mr. Speaker, it is entirely proper and fitting to commemorate the Wall's 25th anniversary. It honors the selfless sacrifice of not only those who died, but also the service of more than 3 million Americans who served in the Armed Forces in Southeast Asia. And beyond that, the Vietnam Veterans Memorial has helped this Nation reunite after one of the most divisive times in this Nation's history. For these reasons and many more, I urge all Members to support this resolution. I look for a unanimous vote.

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

Ms. SHEA-PORTER. Mr. Speaker, I yield 3 minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY. Mr. Speaker, I thank my colleague for yielding me this time.

I first want to thank Chairmen SKELTON, RAHALL and FILNER for their strong support of this resolution and their continued leadership on issues impacting our veterans.

I rise today to urge my colleagues to join me and the 108 cosponsors of House Resolution 326 in commemorating the 25th anniversary of the dedication of the Vietnam Memorial on the National Mall in Washington, DC.

This November marks the 25th year of the memorial's healing presence. As a Nation, we are eternally grateful to the 58,253 men and women who lost their lives because of their service to the United States during the Vietnam war. I particularly want to honor and remember the 709 Oregonians whose names are etched on the Wall for their service to our country. Every time I visit the Wall, I am profoundly moved by their sacrifice. I know my fellow Oregonians and I will never forget them.

As Americans, we must always remember those who have given the ultimate sacrifice in service to our country. At a time when we are asking so much of our men and women in uniform, I believe it is vital to show by example that the United States never forgets those who served. Providing a clear demonstration of that gratitude was at the core of constructing the memorial 25 years ago and is the purpose behind this resolution today.

The memorial not only remembers those who gave their lives during the conflict, but also honors the more than 3 million men and women who served in the Armed Forces in Southeast Asia and the 153,303 individuals wounded in action.

The power of the memorial is just as strong today as it was 25 years ago. The millions raised by private individuals and corporations to erect the Vietnam Memorial demonstrated the widespread respect and appreciation for our Vietnam veterans 25 years ago.

That powerful sense of gratitude has continued as an estimated 4.4 million people visit the memorial each year to pay their respects to those who served and those who died during the Vietnam War. A grateful public has left more than 100,000 items of remembrances at the memorial for lost family, friends and comrades in arms. Pilgrimages to the Vietnam Memorial by new generations will also ensure that those who have no recollection of the strife from the Vietnam war era will still remember the service of the millions who fought for our country with honor and distinction.

The elegant simplicity of the monument's black granite wall refuses to render judgment on a conflict that sharply divided our country.

The memorial has played an important role of national reconciliation by helping to heal old wounds through enabling people of any opinion to express their gratitude for the men and women who paid the ultimate sacrifice for their country.

I once again urge my colleagues to support this important remembrance of those who served, and especially those who gave their lives for our country during the Vietnam war.

Mr. GINGREY. Mr. Speaker, I yield at this time such time as he may consume to the gentleman from Minnesota, Colonel JOHN KLINE.

Mr. KLINE of Minnesota. I thank the gentleman for yielding me this time.

Mr. Speaker, I rise today to commemorate the 25th anniversary of the Vietnam Veterans Memorial, along with my colleagues. Though the memorial stands primarily as a tribute to the 58,000 who were killed in Vietnam, the Wall, as it is more commonly known, continues to surpass its original purpose by acting as a quiet reminder of the price of our freedom and honoring the more than 153,000 men and women wounded in action. Perhaps most importantly, it serves as a source of healing for the 3 million men and women who served in the United States military during this war.

The design was inspired by a need to bring reconciliation and healing to a country that was deeply divided. Its simplicity is transcended by a powerful message of remembrance. Each name is a person with a story. These soldiers served with honor and distinction, and the memorial helps us to remember them with the highest regard.

As a Vietnam veteran myself, the memorial carries particular significance. I am reminded of the friends and comrades who gave their lives and of a far different time and place in my life.

It is with these memories in mind that I express my sadness and disappointment at the reports of the re-

cent desecration of the Wall. The people who did this have violated a sacred trust, and I consider their actions deplorable. If there are those who applaud this behavior, I would only remind them of the hypocrisy of their beliefs. Our freedom was won by brave men and women such as those honored on this Wall, and we should hold them all reverently in our hearts, as I know that we do when we visit that very powerful memorial. Frankly, Mr. Speaker, I hope these reports are not true or are exaggerated. I was appalled to hear them.

I cannot help but draw parallels between the Vietnam war and the situation in Iraq. We have men and women today who are carrying the mantle for this generation. We must be mindful to accord them the respect that they deserve and honor their service.

After 25 years, the memorial is unparalleled in terms of the sheer power of its presence. And there is irony because it was built into the ground. I remember the great debate that was taking place in this city and around the country when that memorial was put into place. There were those who thought it was a dishonor, frankly, to the men and women who served, to have this memorial be in the ground. But I know that every Vietnam veteran and their family and friends and Americans who have taken that walk down and stood at that powerful wall has reevaluated that opinion. Everyone who has been there has been moved, and for that I am very thankful.

Ms. SHEA-PORTER. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in strong support of H. Res. 326, commemorating the 25th anniversary of the Vietnam Veterans Memorial.

It is important to recognize the contributions of our men and women in the armed services no matter when they served. In particular, we should pay tribute to those who made the ultimate sacrifice during their service.

Although the Vietnam Veterans Memorial was dedicated nearly 25 years ago, the families of the fallen and their fellow soldiers find the same peace and solace there today. The memorial is a somber reminder of the devastating human costs of the Vietnam war and the massive losses this country sustained.

Mothers and fathers lost their children, and families throughout the country lost their loved ones. The Vietnam Veterans Memorial is a serene place that helps the country deal with one of the most difficult periods of our history, and it is important that we recognize such a lasting tribute.

Today, when we remember the Vietnam war, we should not forget the soldiers who laid down their lives in defense of this great Nation. Nor should we forget those who returned home with posttraumatic stress disorder.

As we reflect upon the commitment of our veterans from past conflicts, it is important to remember the 168,000 American soldiers currently serving overseas. We must do more for our Nation's veterans, those of past wars, current conflicts, and those who will defend our flag for generations to come.

We should never forget the deep sacrifice of our men and women in uniform, and it is fitting that we pause today to commemorate one of the most important and emotional events in our history. I urge my colleagues to support the resolution.

□ 1545

Ms. SHEA-PORTER. Mr. Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Iowa (Mr. BOSWELL).

(Mr. BOSWELL asked and was given permission to revise and extend his remarks.)

Mr. BOSWELL. Mr. Speaker, I thank the gentlewoman for the opportunity to share this resolution that I am a cosponsor of, and I think it is the right thing to do, to honor those who made the sacrifice that they did in the Vietnam War.

Some of us in this body have served in that war. I would like to associate myself with those who have previously spoken. We are never wrong to take a moment and remind ourselves of those who gave the supreme sacrifice and laid their lives on the line, as so many did.

So it is a reminder to us that freedom is not free. I just had the opportunity a couple of days ago in a large group down in Iowa to ask all the veterans to make themselves known and to ask all those in the audience if you would you please turn and thank your veterans. Because of them, we can have that opportunity to gather together on that hillside and share the freedoms that we take for granted so often.

So today on this 25th anniversary we are reminded particularly of the Vietnam veterans. Some of us 2, 3, 4, 5, 6 years ago went down and had kind of a picture-taking opportunity with Members in the Congress with Vietnam veterans at the Wall. And for all of us, we had to stop and realize our names could have been there, too.

We recognized names of our colleagues and comrades that fell and paid the price because the country asked them to do that. That is happening this very day, of course, in other parts of the world.

So I thank you, gentlewoman, for the time. I appreciate you bringing this forward. I certainly urge its passage.

Mr. GINGREY. Mr. Speaker, in my concluding remarks I just want to say that as I listened to the gentleman from Minnesota (Mr. KLINE), my colleague on the House Armed Services Committee, talking about the Vietnam War Memorial, the Wall, as he pointed out, I reflected back maybe almost 25 years ago when I went to the Wall for the first time.

Mr. Speaker, I don't think I had ever been to any other war memorial. The World War II Memorial, as we know, was not there at the time. But I went to the Wall, the Vietnam War Memorial, to look for the name of a friend. It is kind of hard to find, as we all know, the small engraved names on the wall. Of course they direct you how to do that. I think a lot of us just go to the wall and start looking.

As I think back on those years ago when I looked up to see my friend Dick Ulmer's name, and think about that classmate, teammate, friend, weight-lifting buddy when we were in the sixth, seventh, eighth grade, and thinking about the fact, Mr. Speaker, that he had given his life. I thought about his parents, who are now deceased, and of course his wife and his sister.

This opportunity today to control the time on our side, and I thank Ms. SHEA-PORTER for that opportunity, to reflect back on a great hero. I think an important thing for us to remember today as we vote, and I think we will have a unanimous vote on this, is that no matter how popular a conflict, or maybe in the case of the Vietnam War, with many people unpopular, the men and women that paid the price, the ultimate sacrifice, and their families, it doesn't matter what the conflict, they do their duty.

God bless them and God bless America.

Mr. UDALL of New Mexico. Mr. Speaker, our nation prides itself on establishing monuments and memorials in remembrance of the past. We shape marble, bronze, granite and stone into physical commemorations, hoping that they will reflect particular ideals of justice, principles, and beliefs from our country's history and encourage those who visit to embody the same ideals. Twenty-five years ago, the Nation found itself dedicating a memorial to a war that was bitterly fought both at home and abroad and trying to find within that memorial the peace and solace that had been elusive for so long.

The memorial design created by 21-year-old Yale University undergraduate Maya Lin, and managed by the National Park Service, wrought emotional reactions from the crowd when it was dedicated in November 1982. Thousands of veterans, regardless of their personal feelings on what the war had meant to them, found themselves moved by the Wall. Their faces reflected against the names of the dead etched into the black granite, visitors found that this memorial was not simply a standing block of stone, but instead was a moving tribute that refused to separate the past from the present, merging the two and forcing them to coalesce into a semblance of calm.

Now 25 years later we continue to see the effect of the memorial. Families and friends leave at the base of the memorial personal belongings of those whose names lie above. Boisterous crowds traveling noisily from monument to monument fall silent when entering the cut of earth that starts the Wall, their eyes skipping from name to name, recognition on their face that each one represents an individual who gave their life for their country. And those who fought and returned home see the

names of fellow soldiers, an attempt not to justify or explain those losses, but simply to honor and remember them.

Early this month, the Wall was vandalized and the face of the granite desecrated. While long-term damage is not expected, this act of dishonor flies in the face of what the memorial represents. I hope that every single one of my colleagues will join me in denouncing those who committed this vandalism.

With each new year the wounds of the Vietnam War further heal, the passage of time helping to wear away the dissonance and divide. The Vietnam Veterans Memorial plays a large role in this process, bringing us together not only to remember what occurred and what was lost, but also to ensure that we do not forget. It is fitting that we commemorate the anniversary of this memorial and again offer the grateful thanks of our Nation to those who served.

Ms. BORDALLO. Mr. Speaker, I rise in strong support of House Resolution 326, commemorating the 25th anniversary of the Vietnam Veterans Memorial. Comprised of the Wall of names, the three Servicemen Statue and Flagpole, and the Vietnam Women's Memorial, the Vietnam Veterans Memorial honors the 58,000 members of the United States Armed Forces who lost their lives in service to the United States in the Vietnam War and recognizes all those individuals who served during that time.

The Memorial is a national treasure. When seen from a distance, the smooth angular blackness of the Wall of names cuts into a gently rising knoll of green grass on the National Mall, symbolizing the collective sacrifice made by the tens of thousands of American youth who, in the prime of their lives, fought and perished in distant fields of battle in Southeast Asia to defend democratic government under siege. Standing at arm's length the sacrifice honored by the Wall comes into clearer focus. The white letters etched in black stone reveal the names of soldiers lost forever to their country, to their military service and, tragically, to their families and loved ones. Closer still, the image of our reflection seen in the Wall's mirror-like stone reminds us each name recorded there represents a person—an individual no different than us. The act of reading their names keeps alive our cherished memories of them. The act of the reading their names also helps keep them alive and well in our hearts.

On the occasion of the anniversary of the opening of the Vietnam Veterans Memorial we recall all of those individuals involved in its authorization, design, construction, and dedication. Most especially, we acknowledge the work of Maya Ying Lin, and we recognize the vision, sentiment, and artistry she has shared with the world through this project. We also recognize the work that is being undertaken today pursuant to an Act of the 108th Congress to construct the visitor center at the site, which will contribute to visitors' understanding and appreciation for the Memorial and what it signifies.

Mr. Speaker, etched and engraved on that Memorial Wall are the names of 70 sons of Guam. Our community suffered the highest casualty rate per capita of any State or Territory in the Nation during the Vietnam Era. Today, we recall the members of our own community, in addition to their fellow soldiers, who were the uniform and served in the Vietnam era.

To visit the Wall of names, the three Servicemen Statue and Flagpole, and the Vietnam Women's Memorial is to pay respect to those Vietnam Veterans Memorial honors and to renew our commitment that their mission, their sacrifice, and their lives will never be forgotten. This resolution commemorating the Memorial on its 25th anniversary also helps accomplish those goals.

Mr. MATHESON. Mr. Speaker, I rise today to support the bipartisan Vietnam Memorial Resolution commemorating the 25th anniversary of the construction of the Vietnam Veterans Memorial, H. Res. 326. This memorial honors the more than 58,000 brave men and women who paid the ultimate sacrifice during the Vietnam war for our great Nation. We must never forget the brave service members who served in Vietnam.

Millions of people visit this breathtaking memorial to pay their respect to those people who lost their lives between 1956 and 1975 or are still missing in action. The memorial has been a source of comfort and healing for those families and friends who have lost loved ones in the Vietnam war.

I also wish to express my support and gratitude for all the men and women who served with valor in our armed services protecting our freedom and democracy. I believe that the Vietnam memorial encourages all people of the United States, and the world, to remember the sacrifices of American veterans of this war, especially those who served in Vietnam. This memorial is a beautiful work of art and this resolution has my full support.

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

Ms. SHEA-PORTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 326, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### RECOGNIZING THE SERVICE OF THE 65TH INFANTRY BORINQUENEERS

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 443) recognizing the service of the 65th Infantry Borinqueneers during the Korean War, honoring the people of Puerto Rico who continue to serve and volunteer for service in the Armed Forces and make sacrifices for the country, and commending all efforts to promote and preserve the history of the 65th Infantry Borinqueneers, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 443

Whereas the 65th Infantry Regiment, the only Hispanic-segregated unit in United States military history, was mandated by

Congress to be comprised primarily of Puerto Ricans;

Whereas the 65th Infantry Regiment became better known as the Borinqueneers from the word Borinquen, the name that the native Taino Indians called Puerto Rico;

Whereas the Borinqueneers, throughout their service in World War I, World War II, and, most notably, the Korean War, served with distinction;

Whereas the Borinqueneers demonstrated their military prowess in Korea and earned the respect and admiration of their fellow soldiers and military authorities, most notably General Douglas MacArthur;

Whereas the Borinqueneers were sent to battle on the front lines in Korea and participated in nine major campaigns during the Korean War;

Whereas the Borinqueneers made valuable contributions to the war effort, including by suffering a tremendous number of casualties that was disproportionate to the population of Puerto Rico;

Whereas the 65th Infantry Borinqueneers earned well-deserved praise, including two United States Presidential Unit Citations, a Meritorious Unit Commendation, and two Republic of Korea Unit Citations;

Whereas the 65th Infantry Regiment 1st Battalion continues its fine tradition as an active unit in the Puerto Rico Army National Guard; and

Whereas Puerto Ricans have continued to volunteer freely and serve in the Armed Forces and have served ably during wartime: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) recognizes the service of the 65th Infantry Borinqueneers during the Korean War;

(2) honors the people of Puerto Rico, who continue to serve and volunteer for service in the Armed Forces and make sacrifices for the country; and

(3) commends all efforts to promote and preserve the history of the 65th Infantry Borinqueneers.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Georgia (Mr. GINGREY) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Hampshire?

There was no objection.

Ms. SHEA-PORTER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 443, recognizing the service of the 65th Infantry Borinqueneers during the Korean War, honoring the people of Puerto Rico who continue to serve and volunteer for services in the Armed Forces and make sacrifices for this country, and commending all efforts to promote and preserve the history of the 65th Infantry Borinqueneers. I thank my colleague from Massachusetts (Mr. MCGOVERN) for bringing this measure before the House.

In 1908 the United States Congress directed that a unit be established and

comprised primarily of individuals from Puerto Rico, which was then renamed in 1920 as the 65th Infantry Regiment. Our brothers and sisters of the 65th Infantry Borinqueneers fought valiantly and gave their lives during the Korean War and the two World Wars.

Since 1917 the Commonwealth of Puerto Rico has been a part of the United States and home to almost 4 million U.S. citizens. During the Korean War, Puerto Rico lost a disproportionate number of servicemembers relative to the population of the island as a whole. Eight soldiers of the 65th Infantry Regiment received the Distinguished Service Cross, and 129 were awarded the Silver Star for their heroism during the Korean conflict.

House Resolution 443 highlights an important group of servicemembers who have helped forge the foundation of the freedoms that we enjoy today. The 65th Infantry Borinqueneers are to be recognized for their tremendous sacrifice. We should not forget those who are serving today in Operation Iraqi Freedom and Operation Enduring Freedom.

The people of Puerto Rico and all Americans can be proud of the tremendous contributions these men have made to the defense of our Nation.

Mr. Speaker, I urge my colleagues to support House Resolution 443.

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

Mr. GINGREY. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I do rise in support of House Resolution 443, which recognizes the service of the 65th Infantry Regiment, Puerto Rico National Guard.

Today, Mr. Speaker, the First Battalion, 65th Infantry Regiment, Puerto Rico National Guard, continues a tradition of outstanding service in the Army established by members of that regiment in World War I, World War II, and in Korea. Their motto, "Honor and Fidelity," summarizes that service.

Mr. Speaker, in Korea, as an active Army unit, the regiment fought with particular distinction, participating in nine major campaigns from 1950 until 1953. For its actions, the unit was awarded two Presidential Unit Citations, a Meritorious Unit Commendation, and two Republic of Korea Unit Citations.

Such outstanding service led General Douglas MacArthur to say: "The Puerto Ricans of the gallant 65th Infantry on the battlefields of Korea are writing a brilliant record of achievement in battle, and I am proud indeed to have them in this command. I wish that I had many more like them."

In achieving such recognition for their competence and valor, the men of the 65th Infantry suffered heavy casualties and numerous vicious battles against determined North Korean and Chinese units. Moreover, the men of the 65th not only had to overcome severe weather and terrain and shortages of clothing and equipment, but also the

elements of prejudice and unfavorable bias that they encountered.

Mr. Speaker, given the history of outstanding service by the 65th since its inception back in 1898, as well as the continuing commitment and dedication shown by the current members of this unit, it is fitting that we take the time today to recognize and to honor that service.

I strongly urge all Members to support this resolution.

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

Ms. SHEA-PORTER. Mr. Speaker, I yield 4 minutes to my friend and colleague, the gentleman from Massachusetts (Mr. MCGOVERN), the sponsor of this resolution.

Mr. MCGOVERN. Mr. Speaker, I want to thank my colleague from New Hampshire for her remarks and for yielding me the time and for her leadership on the Armed Services Committee. I also want to thank my good friend from Georgia for his words in support of this resolution, House Resolution 443, which pays tribute to the 65th Infantry Borinqueneers and to the men and women of Puerto Rico who continue to serve our country with honor and distinction.

Mr. Speaker, I will insert into the RECORD a letter from Anibal Acevedo Vila, the Governor of Puerto Rico, endorsing this legislation.

JULY 18, 2007.

Hon. JAMES MCGOVERN,  
*House of Representatives, Cannon House Office Building, Washington, DC.*

DEAR CONGRESSMAN MCGOVERN: Thank you for your efforts to recognize the service of Puerto Ricans in the armed forces of the United States, and in particular, the 65th Infantry Borinqueneers, by introducing H. Res. 443. Puerto Ricans have served with great distinction in the military, and I appreciate your efforts to highlight their service.

The 65th Infantry Borinqueneers were founded as an all-Puerto Rican regiment in 1899, and served in World War I, World War II, and in the Korean War. It was in this last campaign that the 65th Infantry earned their renown, leading General Douglas MacArthur to remark: "[t]he Puerto Ricans forming the ranks of the gallant 65th Infantry . . . are writing a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them." During the Korean War, members of the 65th Infantry were awarded 10 Distinguished Service Crosses, 256 Silver Stars, and 606 Bronze Stars.

As H. Res. 443 acknowledges, Puerto Ricans have a tradition of dedicated and honorable service in the armed forces of the United States. Military units from Puerto Rico were among the first to deploy following the attacks of September 11, 2001, and over 7,000 members of our National Guard have since been deployed in support of current operations. Over 55 soldiers, sailors and airmen of Puerto Rican descent have lost their lives in Iraq and Afghanistan. There are over 144,000 veterans living in Puerto Rico, and four sons of the Island have earned the Medal of Honor since Vietnam, the second highest per capita of any jurisdiction in the United States.

Puerto Rican soldiers in the armed forces today continue the tradition of the 65th Infantry by serving with honor and distinction and make all Puerto Ricans proud of their service. Once again, I appreciate your introduction of H. Res. 443 to recognize and commend those Puerto Ricans who have served

in the past and present in our nation's armed forces, and I look forward to the resolution's adoption.

Sincerely,

ANIBAL ACEVEDO VILÁ,  
Governor, Commonwealth of Puerto Rico.

Mr. Speaker, it has been a privilege to learn about the proud service of the 65th Infantry Borinqueneers, the only Hispanic-segregated unit in the United States Military history. The first native Puerto Rican troops were approved by Congress in 1899, designated as the Puerto Rican Regiment U.S. Volunteers.

The regiment was ordered to war strength in 1917 and served in defense of the Panama Canal during World War I. On June 4, 1920, the regiment was officially re-designated as the 65th Infantry, U.S. Army.

After serving ably in France and Germany during World War II, the 65th was ordered to Korea in 1950. It was during the Korean War where the 65th Infantry invoked the name Borinqueneers, and it is also where they demonstrated their military prowess.

The name Borinqueneers comes from the word Borinquen, which is the original native Taino Indians of the island we now call Puerto Rico. Many members were direct descendants of these native people.

The Borinqueneers fought on the front lines in Korea, participating in nine major campaigns throughout the war. They were the protection force for marines withdrawing from far inland positions. They were the leading unit in the United Nations offensive of April 1951. In every campaign they performed as one of the most effective infantry regiments in the Army.

Earning the respect and admiration of fellow soldiers and military leaders, General Douglas MacArthur himself remarked, "They showed magnificent ability and courage in field operations," and "they are a credit to Puerto Rico, and I am proud to have them in my command."

Mr. Speaker, it is of the utmost importance that we recognize the valiant service of the Borinqueneers and that we recognize the sacrifices made by the people of Puerto Rico during the Korean War: 61,000 Puerto Ricans served in the U.S. Army during the Korean War, the overwhelming majority in the 65th Infantry Regiment.

By the end of the war, 743 Puerto Ricans were killed, and over 2,300 wounded. One of every 42 casualties suffered by U.S. forces in Korea was Puerto Rican. Puerto Rico endured one casualty for every 660 of its inhabitants, a disproportionately heavy burden for the small island. This statistic highlights the enormous sacrifice by Puerto Rico, and it gives testament to the honor and distinction of their service.

Mr. Speaker, I would also like to note some current efforts to promote and preserve the history of the 65th Infantry Borinqueneers. In my district,

the Korean War Memorial of Central Massachusetts Committee, along with Colonel Gilbert Villahermosa, Inspector General of the Massachusetts Army National Guard, and the Puerto Rican community of central Massachusetts are working together to commemorate the 65th Infantry.

The efforts have included promotion of the documentary film "The Borinqueneers," construction of a memorial flagpole, and Colonel Villahermosa himself has released a book detailing the critical role which the 65th Infantry played in Korea.

Mr. Speaker, I am very proud to have introduced this bill with the Representative from Puerto Rico (Mr. FORTUÑO), and I would also like to thank Chairman SKELTON and all members of the Armed Services Committee who supported its consideration on the suspension calendar.

Again, I want to thank my two colleagues, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Georgia (Mr. GINGREY), for their words here today.

Mr. Speaker, I urge all of my colleagues to pass House Resolution 443.

Mr. GINGREY. Mr. Speaker, I have no further requests for time. Before yielding back, I would like to encourage all of our colleagues, both sides of the aisle, and I am sure we will have a unanimous vote on H.Res 443. I thank the gentlewoman from New Hampshire for allowing me to control the time on this side.

Mr. FORTUÑO. Mr. Speaker, during this month, our country proudly celebrates Hispanic Heritage Month. In the midst of this celebration, it is with great honor and pride that I stand in support of H. Res. 443 which seeks to recognize the service of the 65th infantry regiment during the Korean War known as the Borinqueneers Regiment. I also want to thank Congressman MCGOVERN for his leadership in honoring these brave soldiers. At a time when there is a national dialogue on the contributions of Hispanic Americans, there is no better way to recognize their achievements, than by voting for H. Res. 443.

We know that since the Civil War, where over 10,000 Hispanic Americans wore uniforms for both sides, the number of soldiers of Hispanic heritage that have served in each conflict has been significant. Their participation in every military conflict is a source of many heroic actions.

In World War I, 200,000 Hispanics were mobilized and to this day we hear stories of their valor, and devotion to spread democracy and freedom around the World.

Roughly half a million Hispanics served during World War II. They fought bravely in all of the major conflicts extending throughout Europe, the Pacific and Africa.

But it is during the Korean War that over 148,000 Hispanics served, of which 20,000 were from my district in Puerto Rico. 4,000 of them comprised the 65th Infantry Regiment, the largest U.S. infantry regiment for that war. This regiment fought in every major campaign of the Korean War and received numerous praises including a Presidential Unit Citation, Meritorious Unit Commendations and two Republic of Korea Unit Citations for their perform-

ance. I would like to quote General Douglas MacArthur, who said in Tokyo on February 12, 1951: "The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea . . . are writing a brilliant record of achievement in battle and I am proud indeed to have them in this command. I wish that we might have many more like them."

It is due to this ever-growing identity in the United States, that Hispanic Americans continue to wear, with honor, the uniforms of our Armed Forces. This legislation honors the 65th Infantry Borinqueneers and the legacy they left behind; a legacy of valor, courage and self-sacrifice in the face of adversity. I am proud to be an American of Hispanic descent and equally proud to represent the members of the 65th Infantry Regiment; it is for them that I stand here today in support of this legislation and urge all my colleagues to unanimously vote in favor of H. Res. 443.

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

Ms. SHEA-PORTER. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 443, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

□ 1600

EXPRESSING APPRECIATION AND THANKS FOR THE SERVICE OF MEMBERS OF THE 303RD BOMBARDMENT GROUP (HEAVY) UPON THE OCCASION OF THE FINAL REUNION OF THE 303RD BOMB GROUP (H) ASSOCIATION

Ms. SHEA-PORTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 604) expressing the Nation's sincerest appreciation and thanks for the service of the members of the 303rd Bombardment Group (Heavy) upon the occasion of the final reunion of the 303rd Bomb Group (H) Association, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 604

Whereas the 303rd Bombardment Group (Heavy) was activated on February 3, 1942, at Pendleton Field, Oregon, and trained at Gowen Field, Idaho, from February 11, 1942, until June 17, 1942;

Whereas the 303rd Bombardment Group (H) was stationed in Molesworth, England, and comprised of the 358th Bombardment Squadron, the 359th Bombardment Squadron, the 360th Bombardment Squadron, and the 427th Bombardment Squadron;

Whereas the 303rd Bombardment Group (H), also known as "Hell's Angels", arrived at Molesworth, England on September 12, 1942, and bravely fought in World War II;

Whereas the 303rd Bombardment Group (H) support personnel sailed on the Queen Mary

on September 5, 1942, and arrived at Greenock, Scotland, on September 11, 1942, the flight crews flew to Kellogg Field, Michigan, then to Dow Field, Maine, to start their flights to England across the Atlantic Ocean;

Whereas the 303rd Bombardment Group (H) flew its first combat mission on November 17, 1942, and its last mission on April 25, 1945;

Whereas the 303rd Bombardment Group's B-17 "Hell's Angels" was the first to successfully complete 25 combat missions on May 13, 1943;

Whereas the 303rd Bombardment Group (H) flew 364 combat missions against enemy targets, the most of any B-17 Bomb Group in the 8th Air Force during World War II;

Whereas two 303rd Bombardment Group (H) airmen were awarded the Congressional Medal of Honor, four were awarded the Distinguished Service Cross, 33 were awarded the Silver Star, and approximately 1,200 Purple Hearts were awarded for those killed or wounded in action;

Whereas the 303rd Bombardment Group (H) adopted the motto "Might in Flight" in October 1942 and lived up to it on each of their 364 combat missions;

Whereas 165 aircraft in the 303rd Bombardment Group (H) were listed as missing in action (MIA);

Whereas the original 303rd Bombardment Group (H) was inactivated on July 25, 1945, at Casablanca;

Whereas the veterans of the 303rd Bombardment Group (H) formed the 303rd Bomb Group (H) Association in 1975 to provide opportunities for 303rd veterans, families, and friends to meet;

Whereas the veterans of the 303rd Bomb Group (H) Association memorialize and perpetuate the memory of 303rd Bombardment Group (H) comrades lost during World War II, and who have since passed away;

Whereas due to age and the declining health of the 303rd Bombardment Group (H) veterans, the 303rd Bomb Group (H) Association Board of Directors has made the difficult decision to dissolve the Association at the end of 2007; and

Whereas the 303rd Bomb Group (H) Association's final reunion will be held in Washington, D.C., on September 19, 2007 through September 23, 2007; Now, therefore, be it

*Resolved, That—*

(1) The dedicated men and women who served in the 8th Air Force, 303rd Bombardment Group (H), "Hell's Angels", including the nearly 5,000 listed as missing in action, during World War II are heroes and champions of American freedom; and

(2) The House of Representatives, on behalf of a grateful nation, recognizes the final reunion of the 303rd Bomb Group (H) Association and commends the honorable members of the Association, who never once turned away from their assigned target, for their selfless service to our country.

The SPEAKER pro tempore (Mr. HOLDEN). Pursuant to the rule, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of House Resolution 604, expressing the Nation's sincerest appreciation and thanks for the service of the members of the 303rd Bombardment Group (Heavy) upon the occasion of their final reunion. I thank my colleague from

Michigan (Mr. McCOTTER) for bringing this measure before the House.

Our history is rich with heroes who have risen above and beyond the call of duty in service to our great Nation. The American flag billows proudly above this Capitol building, and even more boldly behind your seat, Mr. Speaker, due to the extraordinary heroism of our servicemen in times of war.

The 303rd Bombardment Group is certainly part of this legacy. Two 303rd Bombardment Group airmen, Technical Sergeant Forrest Vosler and First Lieutenant Jack Mathis, were awarded the Congressional Medal of Honor, four were awarded the Distinguished Service Cross, 33 were awarded the Silver Star, approximately 1,200 Purple Hearts were awarded for those killed or wounded in action, and over 5,000 were listed as missing in action during World War II. While these numbers make me proud to be an American, statistics alone cannot begin to comprehend the tremendous service they have done for all of us.

The members of the 303rd Bomb Group Association have provided opportunities for 303rd veterans, families and friends to meet, and have perpetuated the memory of the 303rd Bombardment Group comrades lost during World War II, since the organization was founded in 1975.

And while the 303rd Bomb Group Association is meeting this week for the final time, the United States House of Representatives and our great Nation can express its sincerest thanks for their service by carrying forth the mission statement of the 303rd Bomb Group Association and making timeless the memory of their successes and sacrifices by memorializing their history in law.

Mr. Speaker, I urge my colleagues to support House Resolution 604.

I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, today I speak in support of House Resolution 604, which expresses the Nation's appreciation and thanks for the servicemembers of the 303rd Bombardment Group (Heavy) upon the occasion of the final reunion of the 303rd Bomb Group Association.

Mr. Speaker, it is unfortunate to learn that the 303rd Bomb Group Association will dissolve following their final reunion this week in Arlington, Virginia. The declining number of these courageous veterans makes it difficult for the association to continue their annual reunions.

With that being said, Mr. Speaker, it is an honor for me to pay tribute to the valiant men of the 303rd Bombardment Group known as "Hell's Angels."

Activated in February 1942 at Pendleton, Oregon, the 303rd was an Eighth Air Force Bomber Group that flew the mighty B-17 Flying Fortress out of Molesworth, England. Living up to their adopted motto, "Might in Flight," the air crews flew a record 364 combat missions against enemy tar-

gets, the most of any B-17 Bomb Group in the Eighth Air Force during World War II.

For its actions in the skies over Europe, the group was awarded a Distinguished Unit Citation in January 1944, two of the heroic crew men of the 303rd were awarded with Congressional Medal of Honor, and four earned the Distinguished Service Cross.

For all of their accomplishments, the members of the Bomb Group paid a heavy price in casualties, aircraft losses, and capture by the enemy. Their determination to complete the mission regardless of the opposition or the odds carried them through their losses and on to victory in the air.

Mr. Speaker, given the history of outstanding service by the 303rd Bombardment Group during World War II, as well as the last reunion of the veterans of the 303rd taking place this week, it is fitting that we take the time today to recognize and honor their service. I therefore strongly urge all my colleagues to support this resolution.

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

Ms. SHEA-PORTER. Mr. Speaker, I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I recognize Mr. McCOTTER of Michigan for such time as he might consume.

Mr. McCOTTER. Mr. Speaker, I would like to thank the sponsor of the resolution and the chairman of the committee, the ranking member, and all of my colleagues who are joining me in support of honoring the heroic members of the 303rd Bombardment Group.

It has rightly been said that they were the greatest generation; and yet, it is important, through the adoption of resolutions and other instances, where we, as a people, recognize their sacrifice for the very liberty upon which our free Republic is founded, always remember that their service to our Nation did not end with World War II, for they continued in their transition to civilian life where they also helped form the foundation of our Nation. But it is also critical that, too, at this juncture, where again another generation of Americans finds themselves tasked with defending freedom in its maximum hour of danger, that we never forget the example that these citizens, soldiers and airmen set for the rest of us, not just as a matter of history, but as a matter for our progeny that they may ever breathe free.

Ms. SHEA-PORTER. Mr. Speaker, I reserve the balance of my time.

Mr. TURNER. Mr. Speaker, I want to congratulate Mr. McCOTTER for bringing forth this resolution so that this body might honor the 303rd.

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

Ms. SHEA-PORTER. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Hampshire

(Ms. SHEA-PORTER) that the House suspend the rules and agree to the resolution, H. Res. 604, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Ms. SHEA-PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 326 and H. Res. 604.

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

There was no objection.

#### RECOGNIZING THE 60TH ANNIVERSARY OF THE UNITED STATES AIR FORCE AS AN INDEPENDENT MILITARY SERVICE

Mr. SPRATT. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 207) recognizing the 60th anniversary of the United States Air Force as an independent military service.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

#### H. CON. RES. 207

Whereas President Harry S. Truman signed the National Security Act of 1947 on July 26, 1947, to realign and reorganize the Armed Forces and to create a separate Department of the Air Force from the existing military services;

Whereas the National Security Act of 1947 was enacted on September 18, 1947;

Whereas the Aeronautical Division of the United States Army Signal Corps, consisting of one officer and two enlisted men, began operation under the command of Captain Charles DeForest Chandler on August 1, 1907, with the responsibility for "all matters pertaining to military ballooning, air machines, and all kindred subjects";

Whereas in 1908, the Department of War contracted with the Wright brothers to build one heavier-than-air flying machine for the United States Army, and accepted the Wright Military Flyer, the world's first military airplane, in 1909;

Whereas United States pilots, flying with both allied air forces and with the Army Air Service, performed admirably in the course of World War I, participating in pursuit, observation, and day and night bombing missions;

Whereas pioneering aviators of the United States, including Mason M. Patrick, William "Billy" Mitchell, Benjamin D. Foulois, Frank M. Andrews, Henry "Hap" Arnold, James "Jimmy" H. Doolittle, and Edward "Eddie" Rickenbacker, were among the first to recognize the military potential of air power and courageously forged the foundations for the creation of an independent arm for air forces in the United States in the decades following World War I;

Whereas on June 20, 1941, the Department of War created the Army Air Forces (AAF) as its aviation element and shortly thereafter the Department of War made the AAF co-equal to the Army Ground Forces;

Whereas General Henry H. "Hap" Arnold drew upon the industrial prowess and human resources of the United States to transform the Army Air Corps from a force of 22,400 men and 2,402 aircraft in 1939 to a peak wartime strength of 2.4 million personnel and 79,908 aircraft;

Whereas the standard for courage, flexibility, and intrepidity in combat was established for all Airmen during the first aerial raid in the Pacific Theater on April 18, 1942, when Lieutenant Colonel James "Jimmy" H. Doolittle led 16 North American B-25 Mitchell bombers in a joint operation from the deck of the naval carrier USS Hornet to strike the Japanese mainland in response to the Japanese attack on Pearl Harbor;

Whereas President Harry S. Truman supported organizing air power as an equal arm of the military forces of the United States, writing on December 19, 1945, that air power had developed so that the responsibilities and contributions to military strategic planning of air power equaled those of land and sea power;

Whereas on September 18, 1947, W. Stuart Symington became the first Secretary of the newly formed and independent United States Air Force (USAF), and on September 26, 1947, General Carl A. Spaatz became the first Chief of Staff of the USAF;

Whereas the Air National Guard was also created by the National Security Act of 1947 and has played a vital role in guarding the United States and defending freedom in nearly every major conflict and contingency since its inception;

Whereas on October 14, 1947, the USAF demonstrated its historic and ongoing commitment to technological innovation when Captain Charles "Chuck" Yeager piloted the X-1 developmental rocket plane to a speed of Mach 1.07, becoming the first flyer to break the sound barrier in a powered aircraft in level flight;

Whereas the USAF Reserve, created April 14, 1948, is comprised of Citizen Airmen who steadfastly sacrifice personal fortune and family comfort in order to serve as unrivaled wingmen of the active duty USAF in every deployment, mission, and battlefield around the globe;

Whereas the USAF operated the Berlin Airlift in 1948 and 1949 to provide humanitarian relief to post-war Germany and has established a tradition of humanitarian assistance in responding to natural disasters and needs across the world;

Whereas the USAF announced a policy of racial integration in the ranks of the USAF on April 26, 1948, 3 months prior to a Presidential mandate to integrate all military services;

Whereas in the early years of the Cold War, the USAF's arsenal of bombers, such as the long-range Convair B-58 Hustler and B-36 Peacemaker, and the Boeing B-47 Stratojet and B-52 Stratofortress, under the command of General Curtis LeMay served as the United States' preeminent deterrent against Soviet Union forces and were later augmented by the development and deployment of medium range and intercontinental ballistic missiles, such as the Titan and Minuteman developed by General Bernard A. Schriever;

Whereas the USAF, employing the first large-scale combat use of jet aircraft, helped to establish air superiority over the Korean peninsula, protected ground forces of the United Nations with close air support, and interdicted enemy reinforcements and supplies during the conflict in Korea;

Whereas after the development of launch vehicles and orbital satellites, the mission of the USAF expanded into space and today provides exceptional real-time global communications, environmental monitoring,

navigation, precision timing, missile warning, nuclear deterrence, and space surveillance;

Whereas USAF Airmen have contributed to the manned space program of the United States since the program's inception and throughout the program's development at the National Aeronautics and Space Administration by dedicating themselves wholly to space exploration despite the risks of exploration;

Whereas the USAF engaged in a limited campaign of air power to assist the South Vietnamese government in countering the communist Viet Cong guerillas during the Vietnam War and fought to disrupt supply lines, halt enemy ground offensives, and protect United States and Allied forces;

Whereas Airmen were imprisoned and tortured during the Vietnam War and, in the valiant tradition of Airmen held captive in previous conflicts, continued serving the United States with honor and dignity under the most inhumane circumstances;

Whereas, in recent decades, the USAF and coalition partners of the United States have supported successful actions in Panama, Bosnia-Herzegovina, Kosovo, Iraq, Afghanistan, and many other locations around the globe;

Whereas Pacific Air Forces, along with Asia-Pacific partners of the United States, ensure peace and advance freedom from the west coast of the United States to the east coast of Africa and from the Arctic to the Antarctic, covering more than 100 million square miles and the homes of 2 billion people in 44 countries;

Whereas the United States Air Forces in Europe, along with European partners of the United States, have shaped the history of Europe from World War II, the Cold War, Operation Deliberate Force, and Operation Allied Force to today's operations, and secured stability and ensured freedom's future in Europe, Africa, and Southwest Asia;

Whereas, for 17 consecutive years beginning with 1990, Airmen have been engaged in full-time combat operations ranging from Desert Shield to Iraqi Freedom, and have shown themselves to be an expeditionary air and space force of outstanding capability ready to fight and win wars of the United States when and where Airmen are called upon to do so;

Whereas the USAF is steadfast in its commitment to field a world-class, expeditionary air force by recruiting, training, and educating its Total Force of active duty, Air National Guard, Air Force Reserve, and civilian personnel;

Whereas the USAF is a trustworthy steward of resources, developing and applying technology, managing professional acquisition programs, and maintaining exacting test, evaluation, and sustainment criteria for all USAF weapon systems throughout such weapon systems' life cycles;

Whereas, when terrorists attacked the United States on September 11, 2001, USAF fighter and air refueling aircraft took to the skies to fly combat air patrols over major United States cities and protect families, friends, and neighbors of people of the United States from further attack;

Whereas, on December 7, 2005, the USAF modified its mission statement to include flying and fighting in cyberspace and prioritized the development, maintenance, and sustainment of war fighting capabilities to deliver unrestricted access to cyberspace and defend the United States and its global interests;

Whereas Airmen around the world are committed to fighting and winning the Global War on Terror and have flown more than 430,000 sorties to precisely target and engage insurgents who attempt to violently disrupt rebuilding in Iraq and Afghanistan;

Whereas talented and dedicated Airmen will meet the future challenges of an ever-changing world with strength and resolve;

Whereas the USAF, together with its joint partners, will continue to be the United States' leading edge in the ongoing fight to ensure the safety and security of the United States; and

Whereas during the past 60 years, the USAF has repeatedly proved its value to the Nation, fulfilling its critical role in national defense, and protecting peace, liberty, and freedom throughout the world: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring),* That Congress remembers, honors, and commends the achievements of the United States Air Force in serving and defending the United States on the 60th anniversary of the creation of the United States Air Force as an independent military service.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. SPRATT) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. SPRATT. Mr. Speaker, I rise today in support of House Resolution 207, recognizing the 60th anniversary of the United States Air Force as an independent military service. I thank my colleague from New Mexico, HEATHER WILSON, in particular, for her partnership and collaboration in helping to bring this bipartisan measure before the House. I want also to recognize the outstanding leadership of the cochairs of the Air Force Caucus, CLIFF STEARNS of Florida, SAM JOHNSON of Texas, and JIM MARSHALL of Georgia for their participation.

Sixty years ago in July, President Truman and Congress distilled the lessons learned in World War II into landmark legislation known as the National Security Act of 1947. On September 18, the Armed Forces were reorganized under a Department of Defense, and the Air Force was established as a military department coequal to the Departments of the Army and the Navy.

The question of whether air forces should be a service on their own separate from the ground forces arose long before it was resolved in the National Security Act of 1947. Over a period of 40 years, airmen earned that recognition, beginning with the Aeronautical Division's earliest exploits in 1907, followed by the derring-do of the Army Air Service in World War I, and then by the superior performance of the Army Air Corps, later the Army Air Forces, in World War II. America's airmen performed well; so well, in fact, that when battles were fought in the air, they were won decisively, making air superiority a standing assumption.

This tradition started during World War II, with aviators like General Doolittle. During the war in North Africa and Europe, General Eisenhower and General Spaatz, as commander of the Army Air Forces, worked well together. General Eisenhower came to appreciate the capabilities of air power

and the role of the Air Force in achieving victory. He called General Spaatz, "the best operational airman in the world," and became persuaded that the Air Force should exist alongside and equal to the Army and the Navy. Ike compared this arrangement to a three-legged stool, where each leg is essential to the whole. It's a principle alive, well, and working today.

Since its origin, the Air Force has stayed abreast of our national security requirements, adding missiles to aircraft, and through a long cold war, deterring any attack upon our country. The Air Force is typically called when we need to gain air superiority with troops and materiel, when and wherever the need arises. Its airlift and tanker capabilities give us the advantage of remote presence. Its satellites supply us with surveillance and communication capabilities that are the gold standard, surpassing anything that any other country in the world possesses. Not only has the Air Force achieved a technical overmatch against our adversaries in the air, but in space and cyberspace as well.

In today's Air Force, over 700,000 "Total Force Airmen" are at work as we speak, exercising vigilance, reach, and power around the world. They are operating intelligence and reconnaissance aircraft and spacecraft, supplying early warning, real-time intelligence, and situational awareness to the war fighters on the ground. They are a critical presence in the battle space of Afghanistan and Iraq. They are lifting cargo and passengers, and using refueling assets to build air bridges, projecting power, and sustaining the fight.

Although the hardware tends to get the headlines, it is the people who make it work and who make the Air Force what it is. When General Horner came home from the Persian Gulf in 1991, I asked him who were the unsung heroes, and he answered without hesitation, "Well, for one, it is our NCOs; their quality has literally gone out of sight." I was reminded of what General Horner said when I was at Shaw Air Force Base not long ago and met with the Fighting 20th and its wing commander, Colonel Post, along with airmen and women, many of them about to deploy. They will be part of some 35,000 other airmen deployed around the globe. Because of them and others like them, we have the best Air Force in the world, bar none.

This concurrent resolution is our way, as Members of Congress and citizens of this Nation, of expressing our appreciation, of recognizing the United States Air Force, its leaders and airmen, for consistently proving their worth to our Nation and helping make this the land of the free and the home of the brave.

Let me conclude with the resolving clause: That Congress remembers, honors, and commends the achievements of the United States Air Force in serving and defending our country on the 60th

anniversary of the creation of the United States Air Force as an independent military service.

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

Mr. TURNER. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I represent the Third District of Ohio, which includes both the historic birthplace of aviation, home of the Wright brothers, as well as the home of Wright-Patterson Air Force Base, and I am honored to speak today in favor of H. Con. Res. 207.

The bill remembers, honors, and commends the achievements of the United States Air Force in serving and defending the United States on this 60th anniversary of the creation of the United States Air Force as an independent military service.

I would like to also recognize and thank my colleagues Mr. SPRATT from South Carolina and Mrs. WILSON from New Mexico for their efforts in writing this bill and ushering it to the floor.

The United States Air Force is the largest modern Air Force in the world, with over 7,000 aircraft in service and about 358,600 men and women on active duty. The numerous airmen, technicians, and support staff through the years have served in the Air Force with honor, courage, and dignity.

Throughout history, the Air Force has adapted and designed new aircraft to meet the threats faced by the military, such as designing long-range bombers, more advanced tactical fighters, and eventually stealth aircraft. The humanitarian operations in Berlin after World War II, the Berlin Airlift, would not have happened was it not for the accuracy and dedication of the pilots of the Air Force. Today, the United States Air Force continues to be on the cutting edge of technology, pushing the envelope of aircraft and pilot to new bounds.

□ 1615

The F-22A and F-35 are the world's only fifth-generation fighters.

Mr. Speaker, I would also like to recognize the 60th anniversary of the Air Force for its impact that it has had on my community of Dayton, Ohio. Wright Patterson Air Force Base in my district is the largest stand-alone base in the world, as well as being the home to the National Museum of the United States Air Force. Wright Pat has a strong tradition as a research and development hub, which started with Wright Pat when it was known as Huffman Prairie. Huffman Prairie is the location where the Wright brothers developed the first practical airplane that was able to sustain flight. During the early years of flight, the Wright brothers used Huffman Prairie as a research and development facility. The tradition continues, as the research conducted at Wright Pat today will provide U.S. troops with advantages on the battlefields of tomorrow. For example, the F-22A fighter, considered the most advanced fighting plane ever

built, was significantly developed, in part, at Wright Patterson Air Force Base.

Again, I am honored to recognize the 60th anniversary of the United States Air Force and all of those who have served, and I urge my colleagues to support this bill.

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

Mr. SPRATT. Mr. Speaker, we have a long list of cosponsors on this side of the aisle for this resolution, and I had a long list of potential speakers; but due to the rearrangement of resolutions, none is here now; and I would simply yield to the gentleman from Ohio so that he can further yield his time. And if you need further time on our side, we will be glad to grant it as well.

I reserve the balance of my time, of course.

Mr. TURNER. Mr. Speaker, I yield 3 minutes to Dr. GINGREY of Georgia.

Mr. GINGREY. Mr. Speaker, I rise today in support of H. Con. Res. 207, recognizing the 60th anniversary of the United States Air Force as an independent military service, joining my colleague, the mayor of Dayton, and my colleague on the House Armed Services Committee.

Many Americans may not realize that for the first 40 years of its existence, the United States Air Force was actually a department of the Army. It was not until President Harry Truman signed the National Security Act of 1947 that the Air Force became an independent military service and W. Stuart Symington became the first Secretary of the Air Force, later a United States Senator.

Since 1947, the Air Force has been an integral part of the United States military. Over the last 15 years the United States Air Force has been in continuous combat. Operation Desert Shield and Desert Storm featured a full spectrum of Air Force capabilities. During the so-called "peacekeeping missions" in Somalia, Haiti and Kosovo, the Air Force contributed logistical and operational support and demonstrated its ability to achieve mission objectives without the use of ground forces.

In Georgia's 11th Congressional District, Mr. Speaker, Dobbins Air Reserve Base has contributed to the success of the Air Force by providing key training of pilots and support personnel on both the C-130 and the C-5 platforms. In addition to Dobbins' training capabilities, FEMA's Federal Incident Response Team Atlanta is staged at Dobbins, and it mobilizes throughout the Southeast to disasters, both natural and manmade.

Dobbins also plays a role in the continued air dominance of the United States as the initial testing grounds for the F-22 Raptor stealth fighter.

Never before has the United States' ability to project military power depended so heavily on air and space capabilities. Whether in a leading role or a support role, the United States Air

Force has proved its unsurpassed air-space and cyberspace capabilities.

Mr. Speaker, I urge all my colleagues to remember the importance of a strong national defense and certainly vote in favor of H. Con. Res. 207.

Mr. SPRATT. Mr. Speaker, I will continue to reserve my time.

Mr. TURNER. Mr. Speaker, I yield 3 minutes to Mrs. WILSON of New Mexico.

Mrs. WILSON of New Mexico. Mr. Speaker, the important thing about this resolution, to me, is that the Air Force and celebrating its anniversary is about the people who have served, those who've worn the uniform.

In 1916, at the age of 17, my grandfather lied about his age and joined the Royal Flying Corps. He flew DH-7s and DH-9s and did sub search in the Irish Sea during World War I.

And after the First World War, there weren't many jobs to be had, so he came to America in 1922 and became a barnstormer in the early days of civil aviation, really the heyday of civil aviation, as new airplanes, new records, new payloads for speed and distance were being set across America.

In World War II, he towed targets and ferried parts and developed a system to Medivac soldiers out of the China, Burma, India theater of operations. Then it was B-72s and B-25s, P-38s and Corsairs.

In 1943, as a boy of 13, my father started taking flying lessons, traded them for time as a line boy down at the airport. And after World War II, and before Korea, my dad joined the Army Air Corps, which while he was in service became the United States Air Force. He was a crew chief at Walker Field in Roswell, New Mexico, taking care of, I think, F-86s at that time, although the hot plane was the F-100.

He left the Air Force and came home to be a commercial pilot. He taught my mom to fly. And in our 2-bedroom house we had three kids, two dogs, a den that was full of airplane.

In 1976, when I was a junior in high school, I was in my mother's bedroom when there was a television story on her little black and white portable TV that said that the Air Force Academy was opening its doors to women.

Well, my grandfather had had two sons, five grandsons and me. I went to see him and told him I was thinking about maybe going to the Air Force Academy, and he said, well, I flew with some women in World War II and they were pretty good sticks, so I guess that'd be okay.

My grandfather started to fly shortly after the Wright brothers first took to the air, and he lived to see a man walk on the Moon. It has been a remarkable century of aviation, and the Air Force has been part of it.

Next year, after 33 years of service, active, Guard and Reserve, my husband will retire from the United States Air Force.

Generations have been inspired and protected by air warriors who broke

the sound barrier, who tested rocket sleds, who trained as astronauts, who became aces and supported those who were, names we know like Billie Mitchell and Jimmy Doolittle, Lance Sijan, Hap Arnold, Bud Day, Clarence Kelly Johnson, and names we don't know of airmen and women called to serve and inspired by the thrill of flight.

Mr. SPRATT. Mr. Speaker, in the interest of jointness, I have now the pleasure of recognizing and yielding 4 minutes to the gentleman from Pennsylvania (Mr. SESTAK), who is a retired naval admiral.

Mr. SESTAK. Mr. Speaker, I rise in support of this resolution. This past weekend I had the opportunity with an 82-year-old airman to sit down with him and awarded him, after some work had been done, with the Distinguished Flying Cross. And he so proudly opened up his charts and the maps that he had flown over Europe back in World War II.

And as a Navy officer, I came to realize the quite close bond we had as he proudly then pointed to his log book and said, this was the ship, as they called their aircraft, that we were on during those missions.

But what I want to speak about is that wonderful passage in the book by Tom Wolf, "The Right Stuff." In it, as he talks about aviators, he spoke about how they take off and they fly, and often, particularly as the 50s, 60s and 70s occurred, they would often find themselves, all of a sudden, at some critical moment, where through their skill, their determination they managed to pull themselves out of a dangerous situation at the last yawing moment.

But then Tom Wolf went on and he said that's not really the key to these men and women. He said, then they took off again the next day and did the same thing, and the next day and the next day, and every day after that, just like clawing up a pyramid, never knowing each time whether they would or would not be able to pull it out at the last crying moment. That, Tom Wolf said, is the right stuff.

So I rise in commemoration of the Air Force and in a very joint way who has done so much for the security of our Nation. Without a question, they have the right stuff.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to Mr. LAMBORN from Colorado.

Mr. LAMBORN. Mr. Speaker, I rise today in support of the resolution and to honor the men and women of the United States Air Force who, today, celebrate 60 years of dedicated service. On a cold December day in 1903 in Kitty Hawk, North Carolina, the Wright brothers achieved the world's first powered flight which lasted merely 59 seconds. Today our Air Force possesses an extraordinary global reach and even beyond into space thanks to the men and women who have served or are serving in the Air Force.

Mr. Speaker, the United States Air Force has had a long and proud tradition of defending our Nation, as well as being a worldwide leader in aeronautical innovation. Since its early days, the Air Force has been in every military operation, from World War I to our present struggle in the global war on terror.

My father, who now is 88 years old, fought in World War II as part of what was then the Army Air Corps.

I am proud to have the Air Force Academy, Schriever Air Force Base and Peterson Air Force Base all located in the 5th District of Colorado. Schriever Air Force Base is home to the 50th Space Wing, which is one of the world's best space command and control teams, delivering combat power from space for America and its allies. At Peterson Air Force Base, we have the 21st Space Wing, the Air Force's only organization providing missile warning and space control to commanders and combat forces worldwide.

Finally, Colorado Springs has the highly regarded United States Air Force Academy, whose mission is to educate, train and inspire men and women to become officers of character motivated to lead the United States Air Force in service to our Nation.

For the past 60 years, Mr. Speaker, the strength, preparedness, and innovative superior air power of the United States Air Force has helped ensure peace in the United States and throughout the world.

Mr. Speaker, I thank the United States Air Force today and its airmen and -women for 60 years of service to our great Nation.

Mr. SPRATT. Mr. Speaker, I have no requests at this time on this side. I therefore yield to the gentleman. If you need some of my time, I will gladly yield it.

Mr. TURNER. Mr. Speaker, I yield 2½ minutes to Mr. STEARNS of Florida.

(Mr. STEARNS asked and was given permission to revise and extend his remarks.)

Mr. STEARNS. Mr. Speaker, I rise in support of this resolution. And as a former Air Force officer and veteran and one of the co-founders of the House of Representatives Air Force Caucus, I know firsthand how the Air Force provides our Nation a unique military advantage, obviously, indispensable in war and peace, to know what is happening around the globe, to lend a hand with humanitarian assistance, to deter nations that would use aggression to bully their neighbors, and to defend our Nation when we are attacked and dealt a decisive blow to our foes.

But I bring to your attention, my colleagues, something that perhaps would not be talked about, that this supremacy could be threatened. And so I wish to, in this short amount of time talk about, although the Air Force has an overwhelming advantage right now, we are now at a point where a lot of the equipment is growing old.

Our Air Force flies the oldest aircraft that we have ever had to support, and they will be getting older and more costly to maintain if nothing is done to reverse this trend.

Both our B-52s, our KC-135s average 46 years old today. In 2030 they'll be 68 years old. Our A-10s average 26 years old today. In 2030 they'll be almost 50 years old. Though the Air Force is the youngest service, it has the most to lose in the fight against complacency.

Our Air Force is constantly in demand by combat commanders around the globe, but the size of our Air Force is the smallest it's ever been in decades. The Air Force had approximately 4,400 fighters in 1985. Today we have 2,500.

□ 1630

In 2030 it will have fewer than 1,400. Despite technological improvements, the Air Force cannot fulfill its global missions without sufficient force structure. Aircraft simply cannot be in two places at once, whether in Korea or Afghanistan or above New York City.

So for all of its immense accomplishments, the Air Force still faces formidable challenges as it enters the seventh year of the global war on terrorism. Losing our airpower edge is not a responsible option. We must ensure this does not happen.

In closing, let me leave you with the words of one of the Air Force founders, Five-Star General Hap Arnold. His words still ring true today and are especially poignant as we celebrate the 60th anniversary of the United States Air Force:

"Our Air Force belongs to those who come from ranks of labor, management, the farms, the stores, the professions, and colleges and legislative halls . . . Air power will always be the business of every American citizen."

I rise today to honor and celebrate the 60th anniversary of the United States Air Force. The Air Force is the world's dominant source of air and space power. America can rightly claim to be the greatest military power—a power that affords us prosperity and security. This status is due in no small part to our overwhelming supremacy in air and space. However, what is most impressive is the integrity and dedication of the men and women of the Air Force who work hard everyday to ensure air supremacy.

The Air Force is the youngest of our Nation's military branches. It is able to adapt in time and space by changing position. The effects the Air Force can achieve through perspective, range and endurance are those no other military instrument can execute. Our Nation's ability to gain an advantage over our enemies by exploiting air and space is unsurpassed.

The overwhelming advantages afforded to our Nation by the Air Force can be lost through inattention to modernization or by under-funding force structure. We are now at a point, after 17 years of continuous combat—from Desert Storm, Bosnia and Kosovo to Iraq and Afghanistan today—where our Nation's continued superiority in air and space is at risk.

Our Air Force flies the oldest aircraft that we have ever had to support—and they will be getting older and more costly to maintain if nothing is done to reverse the trend. Both our B-52s and KC-135s average 46 years old today; in 2030, they will average 68 years old. Our A-10s average 26 years old today; in 2030, they will average 49 years old. Though the Air Force is the youngest service, it has the most to lose in the fight against complacency.

Our Air Force is constantly in demand by combatant commanders around the globe but the size of our Air Force is the smallest it has been in decades. The Air Force had approximately 4,400 fighters in 1985, today we have around 2,500, and in 2030 it will have fewer than 1,400. Despite technological improvements, the Air Force cannot fulfill its global missions without sufficient force structure—aircraft simply cannot be in two places at once, whether in Korea and Afghanistan or above New York City.

Never before has the Nation's ability to project military power depended so heavily on air and space capabilities. Whether it is the principal actor or a supporting force, the Air Force brings to the fight unsurpassed air, space, and cyberspace capabilities—adding strength, flexibility, and resilience to the joint force. In many cases, other U.S. military branches would not be able to carry out their missions without the Air Force.

Much has changed over the years. The Air Force is flying unmanned aircraft over Iraq and Afghanistan controlled by airmen from bases in the United States and other remote locations around the world. Moreover, investments in air and space technologies have produced precision that would have been unimaginable even 15 years ago. Accuracy of weapons is now measured in mere feet from the target.

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

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. Mr. Speaker, I thank my colleagues from Ohio and South Carolina.

I rise today to recognize the 60th anniversary of the United States Air Force as an independent military service and to support House Concurrent Resolution 207, a bill which acknowledges and commemorates this significant milestone in our country's history.

From the days the sky was ruled by such pioneers of aviation as Eddie Rickenbacker and Hap Arnold, the United States Air Force has continued its commitment to fielding a world-class Air Force by recruiting, training, and educating its active duty, Air National Guard, Air Force Reserve, and civilian personnel.

Over the past 60 years, the United States Air Force has repeatedly proved its value to the Nation by fulfilling its critical role in national defense and protecting liberty and humanity throughout the world.

On September 11, 2001, the United States Air Force fighters took to the skies to fly combat patrols over major U.S. cities to protect our loved ones

from further attack. Today, United States airmen continue their great service around the world to defend our liberties and freedoms in the global war on terror.

Mr. Speaker, I am proud to represent Goodfellow Air Force Base in San Angelo, Texas, a facility that's dedicated to training of intelligence specialists and firefighters. I'm proud to represent the folks who used to serve there, who serve there today, and who will serve this great Nation tomorrow.

Mr. Speaker, I encourage my colleagues to join with me and others in celebrating this anniversary by supporting this resolution.

Mr. TURNER. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. NEUGEBAUER).

Mr. SPRATT. Mr. Speaker, I yield 1 minute to the gentleman from Texas.

(Mr. NEUGEBAUER asked and was given permission to revise and extend his remarks.)

Mr. NEUGEBAUER. Mr. Speaker, I rise today to offer my sincerest birthday wishes to an American institution that has helped provide freedom and liberty for all of us that we enjoy today, and that is the Department of Air Force.

It was 60 years ago, following the passage of the National Security Act of 1947, that W. Stuart Symington was sworn in as the Nation's first Secretary of the Air Force, chosen to lead an organization finally given its rightful place in the brand new Department of Defense. The Air Force has gone on to become one of the steadfast defenders on high, enabling us to live in relative peace and tranquility knowing that they are always there literally keeping a watchful eye on our Nation.

Since its inception, the Department of the Air Force has been a global leader in perfecting and applying cutting-edge research and development. Whether it was the transition from the propeller to jet engines to the use of computer-aided weaponry incorporating satellite technology to today's use of unmanned aerial vehicles taking soldiers, marines, sailors, and airmen off the battlefield, the Air Force has always been the leader in the "Revolution in Military Affairs."

Whether it's patrolling the desert skies during Operation Northern Watch or deterring looming Iraqi aggression during Operation Vigilant Warrior, both in the 1990s, the men and women of the Air Force are constantly reminded that peace is not always peaceful.

Providing a multitude of services to their fellow warriors on the ground, along with dominating the skies against our enemies, they have played a critical role in not only defending America's interests abroad but being ambassadors of goodwill.

Just ask the airmen who sit on constant alert in the Central Command ready to deliver relief aid, as they did last summer during the conflict between Lebanon and Israel, delivering

more than 10 tons of food and supplies to the region. Foreign citizens and Americans alike were once again blessed by the humanitarian spirit of the Air Force.

Today I rise not just as a proud American but as a Member of Congress who is blessed with the good fortune of representing the brave men and women of the 7th Bomb Wing and the mighty C-130 Hercules of the 317th Airlift Group at Dyess Air Force Base. Just last week I met with several of them before they deployed overseas, and I was swept away by their overwhelming courage and resounding spirit. Americans know that when airmen put on their flight suits, they are not just putting it on for themselves but for all Americans. They do it for others and they continue to do it so we can all live freely.

In the relatively short time the Air Force has been in existence, its contributions to America's security have been historic. America owes the United States Air Force a debt of gratitude for all that they have given us and will continue to give us, without fear or hesitation. They are always the backbone of our projected forces.

I wish them a very happy 60th birthday and best wishes for another successful 60 years.

Mr. SPRATT. Mr. Speaker, I continue to reserve the balance of my time.

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

Mr. Speaker, when the Wright brothers first accomplished flight, when they stretched out the wings of their airplane and began to fly and then returned to continue their work at Huffman Prairie in Dayton, Ohio, which later became Wright-Patterson Air Force Base, they could not have known the importance of their invention to preserving our freedoms and to preserving liberty. But they could imagine the bravery of the pilots that were to follow.

With this resolution, we honor the men and women who have served in the United States Air Force.

Mr. MCCARTHY of California. Mr. Speaker, I rise today in strong support of H. Con. Res. 207, a resolution recognizing the 60th anniversary of the United States Air Force as an independent military service.

I am honored that Edwards Air Force Base, home of the Air Force Flight Test Center, is located in my district, the 22nd District of California. I rise today to honor the men and women of the United States Air Force, especially those who have spent part or all of their careers in the pursuit of cutting edge flight technology at Edwards.

The USAF was "born" in 1947, but as we all know, our military's efforts to explore air power began in the early part of the 20th century with the Wright Military Flyer. The area now known as Edwards joined the effort in 1933, when LTC Henry H. "Hap" Arnold of the Army Air Corps selected a site on the edge of Rogers Dry Lake for a bombing and gunnery range at a place called Muroc, a reversal of the last name of the Corum family, which had settled in the area in 1910.

After World War II, Muroc Army Air Field was alive with activity on the X-plane programs, resulting in great successes such as the Bell X-1, which broke the sound barrier on October 14, 1947, with Chuck Yeager at the controls. The base was renamed in 1949 after CPT Glen Edwards, who died in a crash of the YB-49, and the Air Force Flight Test Center was activated in 1951, the same year that the Air Force moved its test pilot school to Edwards. In the 1960s, the X-15 broke record after record for speed and altitude. Over the years, the Flight Test Center has tested and supported the development of virtually every aircraft system that has entered the Air Force inventory and has been involved in more major milestones in flight than any other comparable organization in the world. It has been on the cutting edge of every major development that has transformed the field of flight, from the first American jet plane to the current system-of-systems revolution.

It is a pleasure to recognize and honor the hard work of the men and women of our United States Air Force on their 60th anniversary, although each day we should remember those who sacrifice in defense of our country. As the Air Force moves forward from its 60th year, we can look to the motto of the Air Force Flight Test Center—"Ad Inexplorat . . . Toward the Unexplored."

Mr. TERRY. Mr. Speaker, I want to express my support for this resolution recognizing the 60th Anniversary of the U.S. Air Force as an independent military service.

Offutt Air Force Base is home to the 55th Wing, the Fightin' Fifty-Fifth. Offutt's diverse missions and global responsibilities put it on the cutting edge of the new U.S. Air Force. There are approximately 12,000 military and Federal employees representing all branches of the military that serve on or near Offutt AFB, which is located near the Missouri River just south of Omaha and is a major presence in my congressional district.

Offut is also the home of STRATCOM, the global integrated force that is charged with the missions of space operations; information operations; integrated missile defense; global command and control; intelligence, surveillance and reconnaissance; global strike; and strategic deterrence.

Mr. Speaker, the Fifty-Fifth Wing operates a variety of aircraft to conduct operations from Offutt AFB, Nebraska; Kadena AB, Japan; RAF Mildenhall, United Kingdom; Souda Bay Naval Support Activity, Crete; and other locations around the world. It is the largest wing in Air Combat Command and the second largest in the Air Force.

Air Combat Command is the principal provider of combat airpower that supports America's global national security strategy. It operates fighter, bomber, reconnaissance, battle-management and electronic-combat aircraft. It also provides command, control, communications, intelligence systems, and information operations in support of the war on terror in Iraq and Afghanistan.

Mr. Speaker, as the U.S. Air Force celebrates its 60th Anniversary, I want to join my colleagues in recognizing the many contributions it has made to the defense of our Nation.

Mrs. TAUSCHER. Mr. Speaker, I am proud to be a cosponsor of H. Con. Res. 207—Recognizing the 60th Anniversary of the U.S. Air Force.

I am honored to represent the men, women, and families that make up Travis Air Force

Base in Fairfield, California. They are the service men and women who represent “The Gateway to the West,” and oversee more cargo and passenger traffic on its runways than any other military air terminal in the United States.

To me, they represent what is best about our Air Force and its proud history. Travis airmen are constantly being called upon to provide critical service to our Nation. Along with their Air Force colleagues across the globe they continue to play a vital role in the global war on terror as well as Operations Iraqi Freedom and Enduring Freedom.

Not only do they put their lives on the line in military missions whenever called upon, but the men and women of Travis have provided humanitarian relief across the globe as recently as the Indonesian tsunami and right here at home in response to the hurricane Katrina disaster.

The service members of Travis carry out their missions and protect the homeland because they have the right airlift platforms—the C-5s and the C-17s—to do their job.

This year, I was able to secure \$10.8 million for the Global Support Squadron Facility at Travis Air Force Base in the fiscal year 2008 Military Construction Appropriations bill.

This project would provide a cutting edge operations facility to house approximately 130 personnel necessary for the first Global Support Squadron Facility on the West Coast.

It would enhance readiness through specialized design features for command and control, training and deployment preparation, not available in current facilities. GSS is critical to the Air Force’s ability to rapidly deploy U.S. military forces and initiate operations in minimal time at any base or location around the globe.

The 60th Air Mobility Wing at Travis is the largest air mobility organization in the Air Force with a versatile all-jet fleet of C-5 Galaxy, C-17 Globemaster III cargo aircraft, and KC-10 Extender refueling aircraft. It handles more cargo and passengers than any other military air terminal in the United States.

Travis is the West Coast terminal for aeromedical evacuation aircraft returning sick or injured patients from the Pacific area. The 60th Air Mobility Wing crews can fly support missions anywhere in the world to fulfill its motto of being “America’s First Choice” for providing true global reach.

I am proud to join my colleagues in commending the Air Force and its achievements.

Mr. SMITH of Washington. Mr. Speaker, since the United States Air Force was established as an independent branch of the U.S. Armed Forces in 1947, it has played a major role in our national defense. Throughout its 60 years of valiant service, from Operation Rolling Thunder over the skies of Southeast Asia, to Operations Northern and Southern Watch in Iraq, the men and women of the United States Air Force and Air National Guard have defended the United States and our allies around the world.

Since 1947, the men and women stationed at McChord Air Force Base in Washington state have played a key role in supporting the mission of the Air Force, and I want to acknowledge their outstanding service.

“Team McChord,” which includes the 62nd Airlift Wing, and its Air Force Reserve components in the 446th Airlift Wing, has flown continuous combat airlift operations every day since October 2001. These operations provide

vital airlift and medical evacuation support to our forces as they fight to stop the spread of terrorism and as they respond to other contingencies. In addition to being the home of combat airlift, “Team McChord” includes the Western Air Defense Sector, the 22nd Special Tactics Squadron, and the 262nd Information Warfare Aggressor Squadron. Together, day in and day out, these brave men and women actively support vital military operations around the world.

Today, we recognize the continued dedication of the United States Air Force. I congratulate them on 60 years of invaluable service to our country.

Mr. LINDER. Mr. Speaker, today, I want to pay tribute to the United States Air Force, on the occasion of its sixtieth anniversary. This special day provides us with an important opportunity to recognize and honor the men and women who have made our Nation’s Air Force the greatest air power in the world. As a former Captain in the U.S. Air Force myself, I shared a willingness to protect and defend the United States of America with all my fellow airmen and airwomen.

On September 18, 1947, the National Security Act of 1947 was enacted, and the U.S. Air Force was officially formed. Although it is the newest unit of the four military branches, the U.S. Air Force has rapidly evolved into a segment of our armed services that embodies the fundamental core values and aptitude of our Nation’s military foundation.

In the fifth century B.C., Chinese military theorist Sun Tzu said that the “The art of employing troops is that when the enemy occupies high ground, do not confront him.” Drawing on the teachings of Sun Tzu and nineteenth century military historian and theorist Carl von Clausewitz, military leaders over the past 200 years have sought to perfect their craft in warfare. Until the 20th century, however, the might of a country’s military forces was still incomplete. While nation-states throughout the world had successfully developed their ground and sea forces, it was not until the advent of aircraft that the nature of warfare would be altered dramatically and permanently, thus finally permitting our armed services to confront the enemy on high ground.

Still, it took time to develop the technology and practice of air power so that it matched its theoretical potential. Even though the technology for capable air power existed for the U.S. Air Force during the Vietnam and Korean wars, the United States had not developed the capability of air power thoroughly enough to derive full benefit from its use until the Gulf War.

Retired U.S. Air Force Colonel John Warden, the initial architect of the gulf war’s air campaign, “Instant Thunder,” once theorized that the most important effect that air power would have in war would be its ability to destabilize the will and morale of the enemy’s military leadership. The use of American air power in the gulf war and Operation Iraqi Freedom successfully proved Colonel Warden’s theory true.

The U.S. Air Force is unmatched in its technological prowess, providing air and space superiority on demand, and playing an important role in America’s nuclear deterrence. The U.S. Air Force is revolutionary in that it is an expeditionary air force: It gets our ground forces to the fight, and gets our air power in the fight.

Our Nation’s Air Force has essentially provided our ground and naval forces with the tools necessary to successfully fight asymmetrical warfare by turning the landscape into a symmetrical one.

The Great Narrative of the next 25 years will be the contest between globalization and parochialism. As communications and technology continue to flatten the world, the connected first-world nations will benefit and their vested interest in the global order’s continued smooth functioning will encourage political stability and economic development. Those nations left behind will see globalization as a hostile force and may fight against it. It is those same countries that also tend to serve as fertile breeding grounds for radical ideologies. The challenge ahead lies in folding these countries into the new global order.

The battle we face today in the global war on terror is the same battle we will face tomorrow, and it is a war we will continue to fight throughout our lifetime. In some ways, this war is not unlike the cold war between the U.S. and the Soviet Union; a monumental surgical strike will not immediately and forever decimate the enemy. This war will take time, and will require the prolonged use of a clear, inclusive, and engaging national military strategy.

Currently, our armed services continue to focus on “muddy boots” requirements in Iraq and Afghanistan. We must remember that this would not be possible without the work of our Nation’s Air force. In the initial stages of Operation Iraqi Freedom, the U.S. Air Force paved the way for our men and women on the ground so that they could conduct military to-military training, counter-drug, counter-terrorist, and homeland defense missions in Operation Enduring Freedom.

It is my hope that as we celebrate the sixtieth birthday of the United States Air Force, we will be reminded of the tremendous sacrifices that our Air Force personnel and their families have made throughout the history of air power so that we may all continue to enjoy and pursue the opportunities afforded us by their significant role in protecting our democratic values. We must encourage innovation in the field, and I will do my part to ensure that our Air Force will be ready to meet the future with the tools they need to capitalize on new technologies, to maximize transport of equipment and military personnel, and to provide our boots on the ground with the landscape necessary to continue to deter, prevent, and punish acts of terrorism and piracy in the U.S. and around the world.

Mr. EVERETT. Mr. Speaker, I rise today in support of House Concurrent Resolution 207 recognizing the 60th anniversary of the United States Air Force. Sixty years ago today, the National Security Act of 1947 established what we know as the premiere Air Force in the world. Since that time, thousands of airmen have served our Nation with pride and honor, and I am proud to recognize their service today.

The mission of the U.S. Air Force is to deliver sovereign options for the defense of the United States of America and its global interests—to fly and fight in air, space, and cyberspace. Air Force aircraft, tankers, and cargo planes play key roles in nearly every combat operation our Nation undertakes. Additionally, their capabilities in space have become critical to air, land, and sea combat operations and are a benefit to our entire Nation.

For the past 60 years, Air Force aircraft, missiles, and satellites have kept our Nation safe. While the many technologies and advancements have certainly contributed to our national defense, it is the most prized resource of the Air Force—its airmen—that truly make a difference for our Nation and the world. As a member of the Air Force Caucus, I am pleased to recognize the service of both current and former Air Force personnel on this 60th anniversary.

As we consider this resolution, our Nation's airmen are serving in every corner of the world, including many in Alabama's Second Congressional District. I am proud to represent Maxwell-Gunter Air Force Base, home of Air University, along with the 42nd Air Base Wing, the Operations and Sustainment Support Group, the 908th Airlift Wing, the 754th Electronic Systems Group, the Air Force Logistics Management Agency, and the newest squadron in the Air Force, the 100th Fighter Squadron. The 100th Fighter Squadron is special because it was the squadron of the famed Tuskegee Airmen during World War II, and I am pleased that this squadron will call Montgomery home.

Air University is a major component of Air Education and Training Command and is the Air Force's center for professional military education. Air University provides the full spectrum of Air Force education, from pre-commissioning to the highest levels of professional military education, including degree granting and professional continuing education for officers, enlisted and civilian personnel throughout their careers.

Air University's Professional Military Education programs educate airmen on the capabilities of air and space power and its role in national security. These programs focus on the knowledge and abilities needed to develop, employ, command, and support air and space power at the highest levels. Additionally, Air University conducts research in air and space power, education, leadership, and management and contributes to the development and testing of Air Force doctrine, concepts and strategy.

This year the Air Force also celebrates the 25th birthday of Air Force Space Command. As Ranking Member of the House Armed Services Strategic Forces Subcommittee, I am privileged to work with some of the finest in the Air Force on a set of programs that I believe will only become more important to our future security. Our world is becoming increasingly dependent on assets and platforms in space, and America's Air Force is meeting the challenges of the 21st Century security environment.

During the cold war, Air Force U-2 reconnaissance aircraft kept us safe by keeping watch on the Soviets. I am proud to note that I served as an Intelligence Analyst supporting this platform from 1955-1959 in West Germany. These aircraft performed a number of critically important missions and made a vital contribution to our National defense.

Air and missile crews manning nuclear bombers and ICBMs provided our Nation with a powerful strategic deterrent. These capabilities were a major component of our "Peace Through Strength" policy that enabled the United States to win the cold war, and I think it is appropriate for Congress to recognize the dedicated service of countless numbers of airmen who protected our Nation during this time.

As the Air Force ushers in its next 60 years, we can be assured it will be postured to meet new challenges in air, space, and cyberspace. As a member of the Air Force Caucus, I am proud to provide for the needs of current and future force. Although the service is the youngest of the branches of our Armed Forces, there is no question that the Air Force has made, is making, and will continue to make an extraordinary contribution to our nation's defense.

As a nation, we are indebted to the Air Force for its commitment and sacrifice. I congratulate Secretary Wynne, General Moseley, and the entire Air Force team for 60 years of dedicated service and defense of our freedom.

Mr. KINGSTON. Mr. Speaker, 60 years ago President Harry Truman, through the National Security Act of 1947, created the United States Air Force and ended a 40-year association with the U.S. Army. This move signaled the dawning of a new age and placed airpower in its proper place as a vital element of our Nation's defense.

Airpower had proven its worth to President Truman and many others over those 40 years. From Military Air Balloon success in World War I, to Billy Mitchell's airpower demonstration off Virginia's coast, to the Doolittle Raids and the devastating bombing raids in World War II, airpower allowed our military commanders to fight for and defend our Nation as never before.

Creating a separate Air Force allowed our brave service men and women to fully concentrate on honing the skills and pushing the ever-expanding envelope of airpower.

In Georgia today, we have Air National Guard and/or Air Force Reserve units at Dobbins Air Reserve Base, Robins Air Force Base, Savannah, Macon and Brunswick as well as active-duty units at Moody Air Force Base.

And whether it is C-130s from the 165th Airlift Wing or men and women from the 117th Air Control Squadron which just won the 2007 Outstanding Air Control Squadron award from the National Guard Association of the United States, each of Georgia's units and the outstanding men and women who serve in them contribute around the world fighting the Global War on Terrorism. They also provide a formidable force in the face of disaster here at home, as was seen in the aftermath of Hurricane Katrina when rescue helicopters from Moody teamed up with other Air Force rescue units to save more than 4,300 people from the disastrous and deadly storm.

Dobbins, Robins and Moody can all trace their beginnings to the Army and the 1940-1941 timeframe when the War Department was making preparations in case the United States went to war—which came to fruition on December 7, 1941 when the Japanese declared War on the United States and attacked Pearl Harbor.

Dobbins began as Rickenbacker Field, but was re-named in 1950 in honor of Captain Charles M. Dobbins of Marietta, whose airplane was shot down during the war near Sicily.

Robins is named after Brigadier General Augustine Warner Robins, one of the Army Air Corps' first General Staff Officers. The Warner Robins Air Logistic Center which preceded the base is also named after the General.

Moody is named after MAJ George Putnam Moody, an early Air Force pioneer killed in

May 1941 while serving with the Beech Aircraft Company in Wichita, Kan. At the time of his death, the major was working on the inspection board for AT-10 transitional trainers which were later sent to Moody.

While each base has a rich history, Moody began a new chapter in its history just recently when the 23rd Fighter Group relocated to Moody and began flying A-10 missions in the skies over Valdosta.

The 23rd Fighter Group also known as the "Flying Tigers" was formed under the command of General Claire Chennault and was part of his China Air Task Force, taking over the mission of the disbanded American volunteer group "Flying Tigers." Several of the original Flying Tigers flew with the 23rd Fighter Group in the China-Burma-India Theater, passing on their knowledge and experience.

Like Mitchell before him, Chennault was another early pioneer and controversial figure who made today's Air Force possible. He argued vehemently for the fighter plane in the 1930s—a time when the rise of the bomber aircraft had consumed the Air Corps experts and were the focus for their tactics.

In fact, it was his continued belief and passionate advocacy for the fighter that led to his isolation at the famed Air Tactical School and eventually drove him to become an advisor in China and the rest as we say is history.

Today we mark the Air Force's 60th birthday in order to reflect on its heroes of the past, and more importantly, to recognize the courage and sacrifice our airmen and their families make each and every day for our freedom. Quite simply, I salute you.

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

Mr. SPRATT. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. SARBANES). The question is on the motion offered by the gentleman from South Carolina (Mr. SPRATT) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 207.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

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#### GENERAL LEAVE

Mr. SPRATT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the legislation, H. Con. Res. 207.

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

There was no objection.

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#### SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

## DREAM ACT—BAD DREAM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, there are some in Congress who have gone to sleep and blissfully are dreaming of ways to get more illegals benefits that American taxpayers are going to have to pay for.

It's called the DREAM Act, or specifically the Development, Relief, and Education for Alien Minors Act. You notice that word "alien." It only applies to aliens illegally in the United States, not to American citizens and not to foreign nationals who are here legally. It's a bill to give preference to illegals in our public universities.

Here's how it works under normal circumstances: Most States require that if you are not a resident of their State, you pay out-of-State tuition to go to their public universities. For example, if you are from New Jersey or from India and you go to school at Texas University, you pay out-of-State tuition because you are not from Texas. Most public universities have this rule.

The DREAM Act, however, will do something differently. It applies only to folks who are illegally in the country and who can attest that they came before they were the age of 16. If so, this person will be able to get a green card, later to get a permanent residence card, and then after that get a green card for the parents of this illegal who brought this child into the United States illegally in the first place.

It gives priorities to illegals over American citizens and foreign nationals who are legally in the country. It discriminates against Americans. It discriminates against foreign students because it only applies to illegals who are here so that they can go to our public universities and pay in-State tuition because if you are from some other State or some foreign nation and legally in the country, you pay out-of-State tuition, which, of course, is more.

It seems to me this violates the equal protection clause of the 14th amendment. It treats illegals who are violating the law by being here in the United States already better than Americans.

Mr. Speaker, as college costs continue to soar, most Americans who have kids that go to college have to foot that bill. I just had my four children finish college not too long ago and just paid off the last college loan. I have one daughter who is still paying on her college loan after she received her doctorate degree.

There are many Americans who will not be able to go to college because it now costs too much for them to go. But the dreamers want it to cost even more because they want us to subsidize illegals so they can go to school with in-State tuition.

This silly law goes further. It repeals a law that this body signed into law in 1996. In 1996, the legislation was enacted by Congress, started in this House, stating that States cannot give preference to illegals and let them pay in-State tuition unless those same States treat foreign nationals who are legally in the country and out-of-State students, students from other States, the same way. The law applied saying you have to treat everybody equally and you have to treat Americans the same as illegals if you let them go to your university with in-State tuition.

In spite of this 1996 law, there are 10 States who defy this law and have ignored the law and have allowed in-State tuition for illegals. Those 10 States: California; unfortunately, my home State of Texas; Illinois; Oklahoma; Utah; Washington; New Mexico; Kansas; Nebraska; and New York. You see, these 10 States violate Federal law because they already allow in-State tuition for illegals that are in their State.

This is called "nullification." That's a legal term, Mr. Speaker, which means that a State ignores or passes legislation contrary to Federal law. Nullification is not a new concept. It started over 150 years ago when several southern States decided they could nullify Federal laws that they didn't like.

□ 1645

And so one reason for the Great War between the States was because of the nullification concept where States voted laws that were contrary to Federal law.

So this DREAM Act will legalize the conduct of these 10 States. It will then give amnesty and in-state tuition to illegals in this country at the detriment of American students and legal foreign students. Mr. Speaker, this ought not to be. Americans should not have to pay the cost for the education of illegals in this country. And illegals that come to this country and get in our universities should not get to pay less than Americans who live in other States.

And that's just the way it is.

## "GREENSPAN"

The SPEAKER pro tempore (Mr. SARBANES). Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

Mr. EMANUEL. Mr. Speaker, the former Fed Chairman, Alan Greenspan, has recently released his memoir for the years of his time in public service. And it comes as a surprise to many that President Bush and the Republicans in Congress do not fair particularly well.

Reuters said the Fed chairman, Mr. Greenspan, in his book, "sharply criticizes the President, President Bush's administration and Republican congressional leaders for putting political

imperatives ahead of sound economic policies." The New York Times said of Mr. Greenspan's book: "The Bush administration was so captive to its own political operation that it paid little attention to fiscal discipline."

And the irony here is that when President Bush took office and the Republicans had control of the House and the Senate, they were left with \$5 trillion in surplus. And in a short period of time, they've added \$3 trillion to the Nation's debt; \$3 trillion, the fastest accumulation of debt and greatest amount of debt in the shortest period of time in American history.

Now, this is what he goes on to say about this administration, which I find almost intriguing, and also about the Republicans. He looked forward, he says, to working with this administration because at least he worked, as he said, with some of the best and brightest of this administration. And he shared memorable experiences with DICK CHENEY, Don Rumsfeld, among others. And on a personal basis, that is how it worked. But on policy matters, I was soon to see my old friends veer off in unexpected directions.

He was disappointed, he says, from the start. Mr. Greenspan notes that "little value was placed on rigorous economic policy debate or weighing the long-term consequences." He says that in George W. Bush's White House, the political operation was far more dominant.

Now, I will mention, since it's only fair, that he is quite complimentary of what President Clinton and the Democrats did in the 1990s of basically a pay-as-you-go process, weighing long-term economic consequences to their decisions, and always putting America's long-term economic consequences before political considerations. And he praises what was then the fiscal discipline that was adopted in the 1990s that led to unprecedented economic growth.

Now, Mr. Greenspan does not put all the burden of the \$3 trillion of debt on President Bush. He puts that burden also on the Republicans in Congress for what they did in conjunction with this President. And, again, let me read from his book. Greenspan says that "for many of the Republican Party leaders, altering the electoral process to create permanent Republican-led government became a major goal. House Speaker HASTERT and House Majority Leader Tom Delay seemed readily inclined to loosen the Federal purse strings any time it might help add a few more seats to the Republican majority."

Alan Greenspan notes that the Republicans led an earmark explosion and says Congress was too busy feeding at the trough. In the end, Mr. Greenspan says again, "The Republican Congress lost their way. They swapped principle for power. They ended up with neither." Mr. Greenspan praises the pay-as-you-go spending rules and the fiscal disciplines of the 1990s that resulted in the surplus I just mentioned.

That is exactly what this new Congress has done is adopt the pay-as-you-go rules, the fiscal discipline that put us on a path to again putting our fiscal house in order and in balance with our priorities as we go.

But Mr. Greenspan's book, I don't think any time soon will be on the best seller list or talked about in Republican clubs or Republican book circles, lays bare what a number of us have been saying about this administration and the Republican Congress, that they, or as JOHN McCAIN quotes, "spend like a bunch of drunken sailors." And they have now left America stranded with mountains of debt.

The one thing that we can say about President Bush and the Republican Congress when it comes to the economy and the fiscal mess that they've left is that we will forever be in their debt. That is one thing that you can always say. But I find it most intriguing that Greenspan, who is a life-long Republican and served and worked with President Reagan, President Bush, President Clinton, President Bush, and President Ford, saw that this administration and this Republican Congress and cohorts, when they worked together for 6 years, left this country in a worse fiscal shape than the one they inherited. And all of us will be judged in our public life for the country we inherited and the country we left behind. And what we got left behind is nothing but a fiscal mess that those of us who have taken the tough votes and the tough decisions put America's long-term economic interests at the center of our economic policy.

#### IN SUPPORT OF ONSLOW VIETNAM VETERANS MEMORIAL FOUNDATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. JONES) is recognized for 5 minutes.

Mr. JONES of North Carolina. Mr. Speaker, I rise today in support of an important effort to honor our Nation's Vietnam veterans.

The Onslow County Vietnam Veterans Memorial Foundation in Jacksonville, North Carolina, is a nonprofit organization that was established by veterans and supporters in 1998. It was created to raise funds for the construction of a memorial to honor the brave men and women from all branches of the Armed Forces who served their country in Vietnam.

More than 9 million veterans of the Armed Forces served on active duty from August 5, 1964 to May 7, 1975. Of the 3 million men and women who served in the Vietnam theater, 300,000 were wounded and more than 58,000 were killed. The Veterans Administration estimates that nearly 200 of the surviving Vietnam veterans die each and every day.

Today, nearly 10 years after its formation, the goal of the Onslow Vietnam Veterans Memorial Foundation is

on the verge of becoming a reality. On the grounds of Marine Corps base Camp Lejeune, land has been acquired adjacent to the Beirut memorial, and the first phase of construction is expected to begin later this year.

The design of the memorial consists of a gazebo over a reflecting pool and fountain encircled by a glass wall inscribed with the names of all those who made the ultimate sacrifice for our Nation. Hidden within a dark gray granite base, lights will gently illuminate the engraved names on the curved glass memorial.

Once completed, the memorial will enhance the Beirut memorial and any further memorials built within the Lejeune Memorial Garden. By creating an environment where relatives and the general public can come to remember and reflect on the men and women who gave their lives in Vietnam, this memorial will attract thousands of visitors to Onslow County each year.

The Onslow Vietnam Veterans Memorial Foundation has raised and collected about \$1.2 million toward the \$5 million estimated cost of the memorial. In support of this worthy project, Mr. Kenji Horn and others who believe in this memorial have organized a fund-raising motorcycle run in Jacksonville, North Carolina, on Saturday, September 22 of this year. It is open to everyone, and all types of motorcycles are welcome. Registrations have come in from Florida, Pennsylvania, South Carolina, Kentucky, and other States around the country; and more than 1,500 motorcycles are expected to participate.

Mr. Speaker, in today's world, we all are aware of the debt of this Nation, and we understand the reality that most worthwhile projects must be funded by the private sector. So it is my hope, Mr. Speaker, that people from around this Nation will be interested in learning more about the Onslow Vietnam Veterans Memorial Foundation. Our Vietnam veterans have earned this honor.

And I close, Mr. Speaker, by saying, please God, continue to bless our men and women in uniform, and please, God, continue to bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

#### A BIPARTISAN WAY AHEAD

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

Mr. SESTAK. Mr. Speaker, there is a bipartisan "way ahead" in Iraq if viewed in terms of progress for America's security and not solely Iraq's, with a strategy that focuses on our

natural interests in this conflict, not just the interests of Iraqis.

Our troops have served our country courageously and brilliantly, but our engagement in Iraq has degraded our security, pushing our Army to the breaking point so that it cannot confront other pressing security concerns at home and abroad. My military service as a 3-star admiral, having led an aircraft carrier battle group in combat operations in Afghanistan and Iraq and served as Director of the Navy's anti-terrorism unit, convinces me that an inconclusive, open-ended involvement in Iraq is not in our security interests.

Ending this war is necessary, but how we end it is of even greater importance both for our security and our troops' safety. These two considerations, our security and our troops' safety, are the dual catalysts for a bipartisan discussion to end this war.

First, America's security. Our Army will rapidly unravel if redeployment from Iraq does not begin before spring, 2008. Today, 40 percent of all U.S. Army equipment is in Iraq. There is no Army unit now at home in a state of readiness able to deploy anywhere another contingency might occur in the world.

Second, the safety of our troops. Redeployment from Iraq will be lengthy. Moving 160,000 troops and 50,000 civilians and closing bases are logistically challenging, especially in conflict. To ensure our troops' safety, it will take at least a year, probably 15 to 24 months. The "long pole in the tent" is the closure or turnover of 65 forward operating bases. Conservatively, it takes 100 days to close one forward operating base. It will be important to balance how many to close at one time, with calculations about surrounding strife, and the fact that Kuwait's receiving facilities to clean and package vehicles for customs and shipment back to the United States can handle only two to 2½ brigade combat teams at a time, with the fact that there are currently 40 brigade combat team equivalents in Iraq today.

Redeployment is the most vulnerable of all military operations, particularly because this one will be down a single road leading from Iraq to Kuwait, "Road Tampa." Such vulnerability is why, in 1993, after "Black Hawk Down" in Somalia, it took 6 months to extract our 6,300 troops safely and only then after inserting an additional 19,000 troops to protect their redeployment.

And what of Iraqi stability in the aftermath of our redeployment, which affects the region and, thus, our security? Because the redeployment of troops will take a long time, we can have a bipartisan approach to Iraq's security. To do this, we Democrats must turn from pure opposition to this war and an immediate withdrawal and begin to help author a comprehensive regional security plan that accepts the necessity for a deliberate redeployment.

In turn, the Republican leadership must accept that the U.S. Government

must also work diplomatically with Iran and Syria during this deliberate redeployment. While these two countries are currently involved destructively in this war, according to our intelligence community, these nations want stability in Iraq after our departure and, therefore, can play a constructive role.

I have consistently argued that a planned end to our military engagement is necessary and that such a date certain deadline would force Iraqi leaders to assume responsibility, providing Iran and Syria the incentive to prevent violence otherwise caused by our departure.

Our troops could either return home or deploy to regions such as Afghanistan, where terrorists pose a threat to our security, while others remain at our existing bases in Kuwait, Bahrain, the United Arab Emirates, Qatar, and on aircraft carrier and amphibious groups to ensure our interests in the region as we did prior to invading Iraq.

Because our Army must either start a lengthy redeployment or risk unraveling, we have the catalyst for a bipartisan agreement to end this war with a stable Iraq if we also work with Iran and Syria to meet this goal. However, this opportunity for a bipartisan congressional approach to convince the President to use diplomacy to bring about a stable accommodation in Iraq once our troops redeploy will undoubtedly require an initial redeployment deadline that is a "goal" instead of a "date certain." Therefore, despite my continuing belief that a date certain is the best leverage we have to change Iraqis' and regional nations' behavior, when faced with the otherwise assured consequences of a bipartisan stalemate on resolving the tragic misadventure in Iraq, this compromise is needed for America's security.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1700

WE MOURN THE PASSING OF  
SHEIK SATTAR BUZAIGH AL  
RISHAWI

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. PENCE) is recognized for 5 minutes.

Mr. PENCE. Mr. Speaker, scripture tells us to mourn with those who mourn and to grieve with those who grieve. I rise today to join our allies and his family and neighbors and friends to grieve the passing by assassination last week of a courageous Iraqi in Anbar province, Sheik Abdul Sattar Buzaigh al Rishawi, a man 37 years of age that I had the privilege of

meeting this last April when I visited Falluja in Ramadi.

It was there that I learned from General Odierno, as well, in our nearly 1-hour meeting with Sheik Sattar about how what has come to be known, Mr. Speaker, globally as the Anbar Awakening was born. You see, it was this Iraqi sheik, whose father had been killed by al Qaeda in Iraq, his three brothers had been murdered by al Qaeda, who said sometime in late 2006, "I have had enough." What the general told me, and the Sheik affirmed, as he came across the river in Ramadi, sat down with the Marines perhaps in the same room where we are pictured here, and said, "How can we, as Sunni sheik leaders, work with you, American forces, and the Maliki government to rid Ramadi, to rid al Anbar of al Qaeda?"

It was the end of a bloody year in 2006, just a few months earlier that Ramadi was at the very center of what was called the Triangle of Death. According to National Intelligence Estimates, Ramadi was so far gone that it could not be reclaimed militarily. But Sheik Sattar stepped forward. He had a vision for driving terrorists from his community. As General Petraeus and Ambassador Crocker reported to Congress last week and independent organizations, like the Brookings Institution, a left-leaning think tank, have confirmed, because of the leadership of Sheik Sattar and over 42 other Iraqi sheiks that he recruited, Anbar province is transformed. The city of Ramadi is transformed. It has truly been a miraculous turnaround with the virtual elimination of al Qaeda in western Iraq being the result.

Iraqi military leaders say to the world media, "We considered the sheik our first line of defense." President Bush just 10 days ago met with Sheik Sattar in Ramadi to celebrate the first anniversary of the Anbar Awakening. Of his passing, the interior ministry named a national police brigade after him. The leader of that ministry said, "We will be building a great statue for Sheik Sattar Buzaigh al Rishawi at the entrance of Anbar province so it will be a witness to his great accomplishments and those of the people of Iraq."

Amidst the thousands who gathered for his funeral on Friday in Ramadi, his brother would say, "All of Anbar is Abu Risha, so Abu Risha has not been killed." He went on to say, "I pledge to you, my father, my brother, my cousins, we will follow the road taken by Sheik Abdul Risha. We will follow it until we kill the last terrorist in Iraq." I was pleased to see that even this Sunday U.S. military forces took into custody a man believed to have been involved in his assassination.

We mourn with those who mourn. In my meeting with Sheik Sattar, he said a few things to me I will never forget. He said, "Congressman PENCE, when you go home, tell your people that we in Anbar believe that an attack on an American is an attack on an Iraqi." He

said, "Anyone who points a weapon at an American is pointing a weapon at an Iraqi." He also looked at me, at age 37, wearing those flowing robes with a pinstripe suit underneath them, he looked at me, and he said through those warm brown eyes, he said, "Anyone who tells you that Iraqis don't like Americans is lying to you." He said, "Iraqis love Americans." And then he asked me, sitting at Camp Falluja and Ramadi, why we would even discuss permanently leaving Iraq.

He was a man of hope, a man of courage, a man of conviction. I mourn his loss as should every American and every freedom-loving citizen of the world mourn the passing of Sheik Sattar.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

JENA SIX

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WATERS) is recognized for 5 minutes.

Ms. WATERS. Mr. Speaker, I am very pleased to see that the Third Circuit Court of Appeals has tossed out the conviction of aggravated battery for 17-year-old Mychal Bell. I can no longer be silent about the ongoing struggle for justice for the six high school students in Jena, Louisiana, known as the Jena Six. These young boys, who were arrested after a racially charged school fight and charged with attempted murder following a noose hanging incident now face the prospect of losing much of their young lives to a tainted criminal justice system.

I have carefully reviewed all of the news accounts of the events surrounding this most troubling case. I have talked with the parents, and I have talked with the attorneys. I remain convinced that this case is a result of long-standing, deep-seated racial divisions in Jena, Louisiana.

It seems unreasonable that on a school campus the administration was unaware of the fact that white students had claimed the space under a tree and declared it off limits to black students. Even so, once the black students asked permission of the administration to sit under the tree and were granted permission to sit under the tree, the school should have recognized that a problem was brewing. The school should have initiated discussions surrounding the residual racial issues that existed in order to avoid a confrontation.

After the black students sat under the tree, it is reported that the white students responded by hanging three hangman's nooses in a tree. Given this country's history of racially motivated

violence, specifically lynchings, the black students were offended and threatened by the physical and emotional message sent by the nooses hanging in the tree. It seems unconscionable that this kind of Jim Crow era segregation, exclusion and emotional terrorism could be tolerated today.

There was tension on the campus and several fights took place. In one fight, a black student was beaten and the white student responsible was suspended. In another fight, a white student was beaten and the black students allegedly responsible were arrested and charged first with attempted murder and later charged with aggravated battery. These are serious criminal charges.

Let me be clear. I do not condone physical violence. I believe all of the students involved in the alleged fighting incidents should be held accountable by school officials. But school-age children all over this country get in fights every day and are appropriately disciplined by school administrators, whether it is a suspension or some other administrative punishment. Appropriate action is taken, and rarely do these incidents rise to the level of a criminal act. However, regardless of the charges and the unusually harsh approach that was taken by the district attorney, one young man, Mychal Bell, who is now still in jail, should never have been tried as an adult for this incident. That is why the Third Circuit Court of Appeals just ruled that that conviction must be tossed out and the other students should never have been incarcerated for the better part of a year awaiting their fate. This injustice cannot be swept under the rug and pacified simply by moving the case from the adult court.

The work here is not done. Along with Mychal Bell, there are five other students, Robert Bailey, Carwin Jones, Theodore Shaw, Jesse Beard and Bryant Ray Purvis, whose lives have been placed on hold awaiting their day in court.

I call on the district attorney to drop all charges against the Jena Six. The City of Jena must begin a reconciliation process which begins with the apology by and investigation of District Attorney Reed Walters for breach of ethics, false imprisonment and civil rights violations. His comments and actions have been both rogue and irresponsible and clearly demonstrate an agenda that is not in line with peace, justice or fairness.

Young people are traveling to Jena on Thursday led by Howard University students. They are coming from all over America to go to Jena, Louisiana to show support. These cases stand as the greatest civil rights challenges this Nation has faced in the 21st century. I will be traveling with them. I will be in Jena with the students. This is a new chapter in the civil rights movement led by young people to get America to do the right thing and to bring justice to Jena.

#### A TRIBUTE TO VICKI ANN SUMMERS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from North Carolina (Mr. HAYES) is recognized for 5 minutes.

Mr. HAYES. Mr. Speaker, I want to pay tribute to Vicki Ann Summers, 59, of Pinehurst, North Carolina, who died on Monday, July 23, 2007, at her home. She was born February 19, 1948, in Stanly County to the late Rudy Lamar Summers and Margaret Ewing Lisk Summers. Vicki was a talented newspaper reporter with a long history in journalism who was most recently employed by The News-Journal in Hoke County. Throughout her career, she spent most of her time covering local government, but she also wrote human interest stories, covered the crime beat and was a photographer. She was recognized for her writings by the North Carolina Press Association.

Vicki grew up in Fayetteville and attended Pine Forest High School before graduating from the North Carolina School of the Arts, which she attended on a full scholarship. She later attended Miami-Dade Junior College in Florida and East Carolina University.

In early 1970, she was a director of public relations for Sheraton Hotels Corporation and the Fountain Bleu Resort in Miami Beach. Around the same time, she worked as a celebrity correspondent for the National Enquirer, as a lifestyle writer for the Miami News, and as a trends writer and garden editor for the Sun Sentinel in Fort Lauderdale. Before coming to the News-Journal, she worked for the Harnett County News in Lillington and the Erwin Times in Erwin, North Carolina.

Vicki was very diligent and really cared about her local community. She took great pride in reporting about the economic development of the county and downtown Raeford streets' redevelopment.

A memorial service was held on Monday, July 30, at 7 p.m. at Northwood Temple in Fayetteville. She is survived by her mother, Margaret Ewing Pope, of Fayetteville, three sisters, Carla S. Merritt and Jan Hernandez, both of Fayetteville, and Lydia Aldridge of Raleigh, and one brother, Eric Summers of Linden.

□ 1715

#### BLACKWATER'S OPERATING LICENSE IS REVOKED

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, the Government of Iraq today took the extraordinary step of revoking the operating license of Blackwater U.S.A. in light of accusations that Blackwater employees killed eight Iraqi civilians. Blackwater is a North Carolina-based firm providing private security forces inside Iraq.

This incident has caused another international uproar about the role of the United States in Iraq. Here at home, it is bringing long overdue attention to the role of the so-called contractors. Some call them mercenaries, as many of them are paid more than five times what our regular forces are paid.

The role of private contractors is an issue about which I have been ringing the alarm bell in this House and in the House Appropriations Defense Subcommittee for a long time.

Now the Government of Iraq has been compelled to pull the plug on Blackwater U.S.A. The company claims its employees were acting in self-defense. Many people in Iraq claim the company committed atrocities. Who knows the truth? Who has the authority to investigate? Where is the accountability when it comes to private contractors? How many such hired guns are operating in Iraq? Some say 25,000. Some say more. How many contractors totally are operating in Iraq? Some have estimated the number at 180,000, which is more than the U.S. military we have based in Iraq.

Here in Washington, Congress and the President are debating the proper troop levels for U.S. forces. But, meanwhile, there seem to be more and more contractors operating in Iraq. Due to the unpopularity of this war, I have little doubt that the Bush-Cheney plan is to replace our military forces with paid mercenaries. This would be the first time in U.S. history that our Nation will act as an occupying force by contracted mercenaries.

Indeed, the contracting out process of the U.S. military started in a small way back in the 1980s when Vice President CHENEY was Secretary of Defense. It expanded greatly under the first President Bush, and now it has exploded in this administration.

America, pay attention. Make no mistake: private contractors are also very much the face of the West in the Middle East. They might be accountable only to their bosses and shareholders, but they are Americans in the eyes of Iraqis. Blackwater's eviction from Iraq comes as no surprise to those of us who have followed the now well-established, usually irresponsible use of defense contractors as mercenary forces. In fact, I believe that you cannot win in an engagement through the use of mercenary forces.

Blackwater is not the only defense contracting firm operating irresponsibly in lieu of our well-trained and well-respected military. Unlike our government, the Iraqi Government seems to recognize this.

Today, The New York Times reported that the Iraqi Government said it would review the status of all foreign and local security companies working in Iraq. According to the Private Security Company Association of Iraq, the Iraqi Government has suspended the licenses of two other security companies, but they were reinstated after a review.

Problems with private contractors are not a new phenomenon. In December, a Blackwater employee killed one of the Iraqi Vice President's guards but was never charged under Iraqi or American law because private contractors enjoy immunity, thanks to a law imposed by the United States.

On July 12, 2005, I delivered a floor statement after Iraqis cheered the brutal death of four Blackwater contractors in Fallujah. I pointed out that those soldiers of fortune are not bound by the same values of duty and honor like those brave young men and women serving in our regular forces, and those contracted forces are paid astronomically more than our regular forces.

There aren't just problems in theater. There are problems right here in Washington, like the opaque and often unfair process of awarding no-bid contracts. In fact, Blackwater has won over \$505 million in publicly identifiable contracts since 2000 and in 2003 was awarded a \$21 million no-bid contract to guard the Director of the Office for Reconstruction and Humanitarian Assistance, Mr. Bremer. Why aren't our regular forces doing that?

I have raised questions before about these contractors and their behavior in Iraq and Afghanistan, but to no avail, in a Congress still not focused on upholding the great traditions of the U.S. military, and that means regular force, not mercenary force, not contracted force.

Mr. Speaker, the private contractors in Iraq all too often are rogue elephants, operating beyond the command and control system of our U.S. military. It is time to restore the time-heralded tradition of regular forces of this U.S. military, committed to duty, honor and country, not bounty.

COMMUNICATION FROM STAFF MEMBER OF THE HONORABLE JOHN R. "RANDY" KUHL, JR., MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Colleen Banik, District Office Coordinator, Office of the Honorable John R. "Randy" Kuhl, Jr., Member of Congress:

HOUSE OF REPRESENTATIVES,  
Washington, DC, September 7, 2007.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you pursuant to Rule VIII of the Rules of the House that I have been served with a trial subpoena for testimony in a criminal case issued by the Bath Village Court of Steuben County in the State of New York.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the privileges and rights of the House.

Sincerely,

COLLEEN BANIK,  
District Office Coordinator

OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of Jan-

uary 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of Georgia. Mr. Speaker, what a great opportunity it is to come back to the floor of the House as the designee of the minority leader, the Republican leader, and bring some issues hopefully into a little greater perspective.

We come here often and try to shed a little light as a group that we call the Official Truth Squad. The Official Truth Squad is a group that got started a little over 2 years ago, because, Mr. Speaker, as you well know, when folks tend to speak on the floor of the House, sometimes they exaggerate a little bit. I know that is hard to believe, but in fact that is the case. In fact, what we just heard, I would suggest, Mr. Speaker, is a bit of an exaggeration, and maybe a distortion of the facts.

What we would like to do tonight is to talk about a number of issues, primarily monetary issues, taxing and spending and those kinds of things. But before we get started, we want to bring a couple of issues together that have as their common core and their common theme truth.

Our desire is to try to bring into perspective some of those areas that oftentimes don't have the light of day given to them, if you will, Mr. Speaker. We have a favorite phrase or quote that we use in the Official Truth Squad, and it comes from a gentleman who was revered in this Capitol, and truly across this Nation, a former Senator from New York, Daniel Patrick Moynihan. He is quoted, and a number of folks have said something like this, but he has my favorite quote that crystallizes this issue, and that is that everyone is entitled to their opinion, but they are not entitled to their own facts. Everyone is entitled to their own opinion, but they are not entitled to their own facts.

Before I begin and talk about some of the fiscal matters, the monetary matters, that we have confronting us in this Nation and that this Congress has already dealt with in ways that I think would benefit from a little light, and certainly issues that we will be dealing with further as we go on into this fall and winter, I want to talk about two very specific issues that have come to this Congress within the last week.

The first is something that the American people are well aware of, and that is that General Petraeus, who was the commanding officer of the coalition forces in Iraq, came last week after much fanfare in the media to present to Congress his perspective on what was going on in Iraq, and only in Iraq. Leading up to that, we had a remarkable display by Members of the other side of the aisle, the majority party, that did their best, their dead level best, to discredit this incredible hero and this incredible patriot and this incredible man of service to this Nation.

All the while you hear them say over and over and over, "we support the troops." "We don't like the war, but we support the troops." Well, nobody likes the war. But some people back up their statement that they indeed support the troops with action, and the action that occurred leading up to last week's presentation before a joint committee in the House and a committee in the Senate by General Petraeus, a true hero and a true patriot, the action that led up to that by Members of the majority party, the Democrat majority party, I found to be disconcerting. When I was home last week for our extended recess, folks at home found it to be disconcerting.

But then what we heard after a remarkable ad was taken out by a left-wing advocacy group that questioned the patriotism and that questioned the honor and that questioned the veracity of what General Petraeus was going to present to the committee, what we heard from the other side after that was remarkable silence, a remarkable silence.

So when you hear Members on the other side of the aisle, as we just did within the last 15 minutes, say, Mr. Speaker, I support the troops, but I don't support the mission, well, it is clear, Mr. Speaker, that you can't do that and be true to our men and women on the ground. You can't do that. Because what we heard after the ad that was put in The New York Times, at a discount rate, I might add, the ad that was put in The New York Times, when it questioned the honesty of one of our bravest heroes, military heroes, what we heard from the other side was virtually nothing, which put it all into perspective.

That is the truth that Senator Moynihan was talking about. You can have your opinion, but you can't have your own facts. And the fact of the matter is in that instance, when there was an attack on one of our leaders in the military, one of our heroes, when there was an attack, where were the Americans in the majority party, who represent the majority party? Where were they?

I know where their constituents were, because I represent many of them, and they were as disgusted as I with the actions of MoveOn.org. They were as disgusted as I with the remarkable, remarkable betrayal of the public trust that anybody in the public arena has. And it was distressing. I found it distressing and saddening that in fact we heard virtually nothing from folks on the other side of the aisle.

So that is a bit of truth that the American people are paying attention to. When I go home, that is what I hear. I hear folks ask me all the time, why is it that our Congress, the majority party now in our Congress, cannot stand up proudly and say that they match their words with action when it comes to our brave men and women in the military? So that is a bit of truth that I wanted to highlight, to bring a little light to in this House of Representatives.

The other is an issue that again doesn't have anything to do with that, except we are trying to shed some light of truth on it. It happened just a couple of hours ago, Mr. Speaker, on the floor of this House.

The majority party has bent over backwards in their efforts to try to make certain that individuals who are in this Nation illegally are able to access certain benefit that are paid for with hard-earned taxpayer money. Now, I don't know why that is. I can't answer the question I get at home, why on Earth would they do those sorts of things? I can't answer that. But they bend over backwards to make certain that individuals who have come into this Nation illegally are able to get access to housing, get access to all sorts of things that in fact my constituents, your constituents, I suspect, Mr. Speaker, don't believe is appropriate.

They believe that we ought to make certain that our borders are secure and that individuals come into this Nation correctly, legally. I don't know of anybody that opposes legal immigration. What many of us, especially on the minority side, the Republican side, oppose is illegal immigration and the consequences of attempting to take care of or provide services for those folks that are here illegally. The problem is, those services, all of the services that we address here, are paid for by hard-earned American taxpayer money.

So what we had on the floor of the House here today was a bill that should have gotten broad support, the reauthorization of the Federal Housing Act. It is a bill that in its original intent was supposed to try to provide assistance for people who were kind of at the margins. They weren't able to make certain that they were able to afford some kind of housing, and this bill was an attempt to try to provide in a very generous and positive way some assistance to those that needed it.

Over time, that mission has become a bit distorted. In this instance today, it has not only become distorted; it has become abused, abused in a way that, again, my constituents at home, they just shake their head when they hear these kinds of stories.

What happened is what the bill included, at the direction of the chairman of the committee and of the Democrat majority. What it included was up to a \$5 billion slush fund.

Mr. Speaker, remember, that is \$5 billion of hard-earned American taxpayer money, \$5 billion to go into what is euphemistically called an Affordable Housing Fund. But in fact what that money can be used for is virtually anything that the majority party believes is appropriate in terms of giving money to organizations that have something to do with housing.

Now, how is that something defined? Well, it isn't, which means that that money can be used for an organization that simply advertises that if you are having difficulty with housing, then we would like to assist you and move you

and get you to talk to the people who truly have the answers.

□ 1730

That may be 1 percent of their mission, and the other 99 percent of their mission is advocacy for left-leaning organizations all across this Nation. And advocacy for individuals on the other side of the aisle to get elected, and advocacy in ways that the vast majority of the American people would say we ought not be doing that. We ought not be spending hard-earned American taxpayer money that way. Yet this is a \$5 billion slush fund for individuals to be able to use it kind of as their own little pet project.

If that weren't bad enough, on our side of the aisle we get one opportunity to truly affect and change the course or the description, the content of a bill. It is called a motion to recommit, as you know, Mr. Speaker. In that motion to recommit that we offered today, it was very simple. It said, if you are going to allow individuals to have access to that \$5 billion of hard-earned taxpayer money, you ought to make certain that the people receiving that money are either U.S. citizens or here legally. Kind of a simple, commonsense amendment.

What we heard from the other side was oh, no, you can't do that. That would limit the ability of us to do, to accomplish our mission. That would make it so we are not able to do the kinds of things that we want to do.

Remember, the kinds of things that they want to do is to support organizations that are not consistent with mainstream America. So we offered that amendment that would have provided that you had to be legal in this Nation, that you had appropriate documentation of your legality. You had to be a U.S. citizen or here legally. The other side strenuously objected and defeated it. So 216 or 217 Members of the Democrat Party said no, we don't believe that you ought to be here legally and get those kinds of moneys. We believe those moneys ought to be able to go to those folks here illegally.

Mr. Speaker, when I go home and try to explain that to my constituents, there is no way I can do that. They stand in front of me just dumbfounded that the majority party that we have right now is intent on providing taxpayer benefits, taxpayer-funded benefits, to individuals here illegally. That is a bit of a truth that I am trying to weave through and make certain that Members of this body, Mr. Speaker, understand and appreciate that some of these votes actually do matter. Some of these votes matter. That vote today mattered.

I am attempting to shed some light on issues that in fact matter, and the issue of the ad that denigrated and criticized and brought into question the honesty and truthfulness of one of our military heroes about which we heard nothing, virtually nothing from the other side, that is truth. That's

truth. And the American people are watching. The American people are watching.

I mentioned, Mr. Speaker, when I go home I often get some questions from folks who are concerned about what is going on here in Washington. I was reminded by a friend here on the floor of the House today that it is striking that so often what seems to matter at home doesn't matter here, and what matters here doesn't matter at home. So we get the kind of remarkable back-and-forth that goes on here on the floor of the House that oftentimes is not full of the kind of substance that the American people are concerned about, and the issues about which they are concerned we often get very little attention paid to those things here in Washington.

We are going to talk about one of those that I hear about all the time from my constituents back home. We are going to talk about the issue of taxes and the issue of spending and the issue of entitlements. "Entitlements" is a word I am not very fond of because it is not an appropriate description. Entitlements have come to en capture the Social Security program, Medicare program and Medicaid program. They are called entitlements, because in order to receive the benefits from those three programs, and other entitlements, there are other entitlements, all you have to do is meet certain parameters. So if you are a certain age, for example, you are eligible for Medicare, regardless of anything else. If you are below a certain income and you have a certain family situation, then you are eligible for Medicaid. Once you reach a certain age, you are eligible for Social Security. The proceeds or the benefits that are in those programs are automatic. So I prefer to call them automatic spending as opposed to entitlements. And instead of mandatory spending, I like to call them automatic spending because the spending is on autopilot. It just goes and goes.

Regardless of what happens in this Chamber and in the Senate, the spending continues and continues and continues. The inertia here in Washington about these programs is to do nothing. It is to do absolutely nothing because they are automatic. They are entitlements. Why would we want to do anything. We would want to do something because of the changing demographics of our society. We are on a collision course with a fiscal disaster. A collision course with a fiscal disaster. That is not my opinion, that is a fact, to quote Senator Moynihan.

If you go to other folks who are much more knowledgeable about this situation, they will tell you the same thing. The chairman of the Federal Reserve, Chairman Bernanke said in February 2007, "Without early and meaningful action to address the rapid growth of entitlement, the U.S. economy could be seriously weakened with future generations bearing much of the cost." That is the Federal Reserve chairman saying if something isn't done, the economy

could be seriously weakened. What that means is fewer jobs, decreasing income, higher taxes, decreasing opportunity, a shadow coming across the dreams of the American people. That's what that means.

The comptroller general, David Walker, who has been working as hard as he can for literally years to get the American people and this Congress to wake up to this impending crisis, David Walker said in March of this year, "The rising cost of government entitlements are 'a fiscal cancer' that threatens catastrophic consequences for our country and could 'bankrupt America.'"

Mr. Speaker, that's not Representative PRICE talking. That's not somebody who is talking willy-nilly about the sky falling for no reason at all. That is the comptroller general of the United States of America who looks at the numbers and looks into the projections of spending in these entitlement programs and says that there are catastrophic consequences for our country if nothing is done.

I am fond of saying that a picture is worth a thousand words, and graphs are oftentimes worth more than that. This graph demonstrates clearly the course we are on. These are pie charts that identify the amount of the portion, the percentage of the Federal budget, that goes to mandatory or automatic spending, the entitlement programs, Medicare, Medicaid, and Social Security.

In 1995, these programs, the entitlement programs, automatic spending programs, comprised about 48.7 percent of the Federal budget. And the prediction then in 2005 was that they would comprise about 54 percent of the Federal budget. That was the prediction back in 1995. And what happened? Well, it was right on track. Right on track. 53.4 percent of the Federal budget went to automatic spending in the area of entitlements.

Now what's the prediction for 2017? It is 62.2 percent. This yellow portion of the pie continues to get larger and larger and larger. That's the spending in the automatic spending area, the entitlement area: Medicare, Medicaid and Social Security. That is a course, Mr. Speaker, that we as a Nation are not able to sustain. It is crying out for reform. It is crying out for improvement and programs that will be more responsive to the individuals receiving it. It is crying out to make certain that as the baby boomers of our Nation retire, as they age, and as we have individuals who are at the lower end of the economic spectrum, it is crying out for programs that are more responsive to them, that answer their concerns, that listen to them. These programs will not be able to do that because they will not be able to be funded. And to sit here in 2007 and act as a Congress and not address these issues is irresponsible. It is irresponsible.

This chart, Mr. Speaker, talks about this looming entitlement or automatic

spending crisis. In 2007, Federal spending as a percentage of GDP, that's the gross domestic product, is about 20 percent. That means about 20 percent, about two dimes out of every dollar that every American earns, goes towards taxes in order to cover the programs that the Federal Government provides. And the bulk of this, remember, the bulk of this yellow bar here is entitlement spending: Medicare, Medicaid, Social Security.

If we remain on our current course, if we do nothing at all, and remember, we have done nothing. If we continue to do nothing, what happens is that in relatively short order, 2020, we go to 23, 24 percent. In 2030 we go over 30 percent. In 2040, we go to 40 percent. In 2050, we exceed 50 percent of the gross domestic product.

It's important to remember that, and I have another chart which I don't have with me, but it is important to remember that the average level of Federal budget, taxation to the American people is 18 to 20 percent and has been for decades. It is also important to note that amount of spending, that amount of taxation, that amount of Federal spending, a Nation spending at about 20 percent, is about the maximum that any Nation can sustain for any period of time and remain financially viable. Once you get up into these areas here, Mr. Speaker, you can't sustain that. The economy won't sustain it. People won't have jobs. You begin to lose companies and jobs. You begin to lose the infrastructure that makes it so that individuals can go to work and send their money to Uncle Sam.

There is a balance, and that's what Federal Reserve Chairman Ben Bernanke knows. That is what Comptroller General David Walker knows, and that is why they are sounding these alarms.

So you would think that this Congress that is charged with making certain that our financial stake, that our financial future, is positive and optimistic and that my son, our son and children all across this Nation can grow up and be able to have the wonderful opportunities that so many of us have had. You would think that this majority would want to continue or want to make reforms so that those kinds of dreams and visions and entrepreneurship and excitement about America's future would continue. You would think that the current leadership would listen to what they hear if they take that shell and they put it up to their ear or they read the tea leaves or they listen to the people that truly know like David Bernanke and like David Walker. You would think that they would reform these programs or put a proposal on the table to reform these programs.

□ 1745

You would think, Mr. Speaker, that there would be no expansion of entitlements, there would be no more additions to the automatic spending that is

going on here in Washington. Well, Mr. Speaker, as you know, that is not the case.

We have had a number of bills that have come through the floor of this House that have in fact expanded entitlements. The most recent one was terribly discomfiting to me. It was the State Children's Health Insurance Program.

Before I came to Congress, Mr. Speaker, I was a physician. I spent over 20 years, 25 years taking care of people, trying to get them well, trying to heal them, trying to make certain that in spite of all the remarkable rules and regulations that are put on the backs of every single physician across this here Nation, that we could actually take care of patients.

One of the things that became much more onerous than it ought to be is the State Children's Health Insurance Program, which actually provided greater rules to how to care for individuals than otherwise. It also ultimately didn't fit the original definition.

The State Children's Health Insurance Program began in 1997. Its mission was to make certain that those individuals, those children in families where their family made too much money to qualify for Medicaid but they didn't make enough money to be able to readily afford health insurance were given some help; that those families were able to provide some type of health insurance that was truly quality for their children.

It is a good mission. It is a bipartisan program, a program that passed through this House in Congress in 1997 in a bipartisan manner because it had an appropriate ideal; it was an appropriate compromise between some Federal program, a State program, and a lot of private input. That program was to run for 10 years. So it is about to expire.

So what has happened in this House is that the Democrat majority decided that they weren't interested in working in a bipartisan way, contrary to so much of what they talk about. They weren't interested in working in a bipartisan way. It was their way or the highway.

Their way was a remarkable expansion of an entitlement. Remember, the State Children's Health Insurance Program was a discretionary program, which means that the Federal Government determines what resources it has available to provide that kind of care, and it works with the States to make certain that the amount of money is there but that it is not on one of those automatic trajectories to the sky in terms of spending. It is not one of those programs that will assist in bankrupting the Nation, as David Walker talks about.

But what does this majority do, this new majority, this Democrat majority that talks all the time about being fiscally responsible? It takes that program and instead of keeping it in the discretionary side, that side where

folks at home can be able to appreciate that it is that side of the budget where if they are able to afford it, they utilize the money in that area, and it puts it in the entitlement side.

Instead of these bar graphs and those pie charts being accurate in their prediction, that will be significantly off. In fact, they will be off so much that we will reach this position of not being able to sustain those programs and of decreasing economic activity in this Nation and of lowering wages and of losing jobs in this Nation sooner because of the recent actions of this Democrat majority.

They made it an entitlement. They did all sorts of other things which I thought were egregious, as well as they pitted seniors against children in their effort to try to pay for it. You don't see the kind of reform that is so necessary.

So, again, Mr. Speaker, you would think that this new majority would say, well, it looks like when we look into the future that we have got a problem on our hands. We have got a problem, financial problem. It is our responsibility as elected representatives of the people of the United States that we need to be responsible, that we need to be responsive to the concerns of our constituents, that we need to make certain that the programs that we put in place will allow Americans to continue to dream and continue to have that great opportunity for success.

We need to make certain that we don't allow the entitlement programs to consume an ever greater portion of the Federal budget so that that discretionary side, which, Mr. Speaker, as you know, is not just the military, it is roads, it is highways, it is all transportation, it is all funding for the aviation, it is all of the other kinds of programs. It is jobs, housing. It is the wonderful housing bill that we worked on today.

It is all those kinds of things. It is everything that you think of when you think of the Federal Government having activity, everything is all of the discretionary side, and it will be consumed by the entitlements, which means all of the things that folks think about other than those three programs will not be able to take place.

So you would think that this new majority would say, well, we better get our act in order, get our House in order, better work together in a collegial and a positive and a bipartisan way to be able to solve this problem. It is what we have been trying to do, what we have been talking about, what we have proposed.

In fact, we did so in the Balanced Budget Act of 1997. That act reformed entitlements, about \$130 billion of reform. That is one of the big things that resulted in the ability to balance the budget, to have a surplus. That was done with a Republican Congress and a Democrat President. In fact, in 2005, in spite of all the kicking and screaming

from the other side, another \$40 billion in appropriate entitlement reform.

What has happened with the budget for this year among this majority, who clearly can read the same charts, who get the same information from the Federal Reserve Chairman, Ben Bernanke, and Comptroller David Walker, who can look at the same projections? What have they done in terms of entitlement reform? Nothing. Nothing, Mr. Speaker.

That is an abrogation of duty; that is irresponsible out of this majority. The American people are paying attention because, again, when I go home, they want these problems solved. They want them solved. They ask why can't you work together and get these problems solved. Mr. Speaker, we stand ready, willing and able to work together to get these problems solved.

We are going to talk a little more about entitlements, but we want to talk a fair amount about the taxing that has been hoisted upon the American public by this current majority. We will talk about spending. There are a number of ways you can increase revenue to the Federal Government and cover the programs that are so vital and necessary to the American people.

I would suggest, Mr. Speaker, that increasing taxes and increasing spending together are not two of them. I believe that we ought to be decreasing taxes and decreasing spending and being fiscally responsible as a Congress.

I am pleased to be joined by my good friend, the gentleman from New Jersey (Mr. GARRETT), who is a fiscal hawk, an individual who recognizes and appreciates the importance of balancing budgets and making certain that we don't spend beyond our means at the Federal level. I look forward to your comments. I am happy to yield to you.

Mr. GARRETT of New Jersey. Mr. Speaker, I appreciate the good work of the gentleman from Georgia on so many areas that I work with you on, Financial Services and otherwise; but here tonight most specifically what is important to the American public and American taxpayer, and that is just how much money is coming out of their wallet, out of their pocket here and being sent down to Washington, where those dollars are going and whether are being held responsibly.

I am not sure whether you were on the floor at the moment, but prior to your speaking we had a Member from the other side of the aisle on the floor giving their comments, and the gentleman from the other side of the aisle, the Democratic Caucus Chair, who was speaking for a little bit about the new book that is out there on Federal responsibility and issues of such. Alan Greenspan just did the book.

If you listen to his comments, it almost harkens back to prior to the elections and the exact same rhetoric we heard at that time as we did just 35 minutes ago from the other side of the aisle. He was lambasting and had been

lambasting this administration and the past Congresses, saying that they have spent too much money, that the past leadership in this House was being fiscally irresponsible, that they were passing bill after bill, spending increase after spending increase.

On and on the rhetoric went, just 35 minutes ago, the same rhetoric that we heard during the last election about looking towards the past and all the mistakes that were made in the past.

Now if you listen to that, you would always assume that the next words out of their mouth were going to be: but this is what we are going to do when we get into the majority. We are going to reverse those trends. If spending was too high, we are going to go in the other direction.

That is what you think would be the next words out of their mouth, but of course they can't be. Here we are in September, 9 months into this new 110th Congress, under the leadership now of the Democrat majority, both in this House and the Senate, and we have their track record to look at to see what course do they take. They lambasted, attacked the path of too much spending.

Did they reduce spending? They did not. Instead, they have piled onto that spending. Increased spending in the past was bad. Well, they exacerbated that problem by spending even more.

There was a study recently that goes to this point, taking a look now at this new 110th Congress. The National Taxpayers Union, basically a nonpartisan organization, looking at both sides of the aisle fairly recently did a study that shows that the 110th Congress, both Senate and House, have introduced far more bills for budget savings than they have in previous administrations, previous Congresses.

On first blush, that would be a positive thing until, again, you think of what the record has been over the last 9 months. Has anyone seen any of those savings bills passed through this House and passed through the Senate and get signed into law? I can't think of any.

It's one thing to talk the rhetoric, which they have been doing. It is another thing to drop in the savings bills, which some of them may have been doing. But when we see the leadership will not post any of those savings bills, that is the problem. For each bill introduced in this House that would reduce Federal spending, and this makes the point, there have been over 20 bills, a 20 to 1 ratio increasing the size and amount of spending in Congress.

If you additionally listened to the other side, they will talk about and applaud themselves and pat themselves on the back about PAYGO, which you have already discussed, which is a good term described in a very elementary way to say pay-as-you-go, something that all families have to do in this country, and we wish Congress could live by that as well.

Well, there are two aspects to PAYGO. One is the spending side of the

equation. Let's talk about that for a minute. I don't know whether you have this chart up there. I know you have a number of charts. One of the charts is headed "New Majority's Fiscal Irresponsibility." I don't want to make you go through all your charts.

One of the ways you can deal with PAYGO is this, and this is exactly what every family does as well. When the family sits down and looks at their budget for that week or that month as far as paying their bills, they have to prioritize and say we may have a new expense here that we would like or need to pay, but we don't have enough money in the checkbook. So what are we going to do, we are going to reduce spending elsewhere.

Good idea. American families should do it; Congress should do it. This side tried to reduce spending by 2 percent. That didn't get anywhere. How about 1 percent? Can we agree there is 1 percent of waste, fraud, and abuse in Congress? You would think we could agree to that.

But if we could look to the chart right next to you right now, what that chart says is as follows: when that 1 percent reduction legislation was proposed to this House, who voted for it and who was against it.

Mr. PRICE of Georgia. I appreciate you pointing that out. What this chart demonstrates is that the rhetoric that we hear from the other side doesn't match the action. It happens in so many different areas; it is hard to keep up with. I call it Orwellian democracy, which is that the words don't match the actions.

This chart demonstrates the seven appropriations bills. A number of us, and you were so very, very supportive of these efforts, attempted to say the Federal Government is spending too much, we ought to decrease that. If you don't want to decrease it in certain specific programs, then let's just decrease it by a certain percent.

In this instance, I promoted amendments that would decrease it by 1 percent. Decrease these seven appropriations bills by 1 percent. That is one penny out of every dollar. That reduction would have saved \$3.9 billion. Yet the individuals who so often say over and over and over that they are champions of fiscal responsibility, that they certainly don't want to see us overspend, and you see on the far right there the number of times that they voted for and then against this type of amendment, overwhelmingly voted against it, 95 percent almost all the time.

I am happy to yield to my friend.

Mr. GARRETT of New Jersey. I will leave you to make that point in greater detail because I think it is a significant point.

I will leave you on this note as well, that the other side of the ledger sheet, if you are not going to cut spending, the other side is increased revenue. I believe you will probably show a chart that you will have later on with regard

to how they have been doing it. But the American public must know this in a larger sense, that since the Democrats have been in power, they have given us the largest tax increase in America's history. The last time we had such a large tax increase was back when the Democrats were in charge 12 years ago.

It was just a week ago, a couple of weeks ago when they wanted to raise taxes by \$53 billion with regard to a piece of legislation that they had no offsets for. Additionally, just yesterday, or the day before, they wanted to raise taxes again by another billion dollars on redundant programs.

So as you pointed out, there are two ways to do this, either cut spending, which they are not agreeable to do, or raise taxes; and of course we have seen the history over the last month: every time they get a chance, they do that.

□ 1800

Mr. PRICE of Georgia. I thank my good friend for coming and helping out and participating and trying to shed light, trying to put a little fact on the table when we talk about the issue of taxing and spending.

I do, Mr. Speaker, want to talk fairly specifically about taxes because, as you know, Mr. Speaker, the general consensus out in America is that the majority party, the Democrats, are the party of tax and spend. I grew up believing that, I grew up thinking that, and that is one of the reasons that I was so staunchly a Republican as I entered my political career, because I thought it was most appropriate to decrease taxes and to decrease spending at the State and the Federal level, because I believe firmly, as I believe most Americans believe, that the American people are better able to decide how to spend their hard-earned money, not the Federal Government, not the State government.

Our friends on the other side of the aisle tend to believe by and large that the Federal Government knows best; that the choices that the Federal Government makes with how to spend individuals' money, those are better choices than that person could make for themselves. I simply don't believe it and I don't think the American people believe that.

But what has happened in a relatively short period of time, Mr. Speaker, we have been in this 110th Congress now a little over 9 months, right about 9 months, in a relatively short period of time the bills that have been passed would increase taxes on the American people, and truly across the board, not just a small focal area. They will talk about increasing taxes on the rich, and we will talk about that a little bit, but in fact what they have passed through this House are bills repeatedly that increase taxes on virtually every single American. And why do I say that? Well, they passed a budget that includes this portion, these parameters laid out in terms of increasing taxes.

When you talk about ordinary income, the highest rate would go from 35 percent to 39.6 percent. When you talk about capital gains, it would go from 15 percent to 20 percent. Dividends, 15 percent to 39.6 percent. Those are all increases, Mr. Speaker. They are also facts, not opinions. They are facts.

The estate tax in 2010 will be zero. That is the death tax. That means that if you are unfortunate enough to have somebody in your family that dies, that their estate on that day that they die, you don't have to write a check to the Federal Government. But on January 1, 2011, with the budget that the new majority passed, that amount, that death tax goes right back up to 55 percent, which is where it was when we have been trying to get it down, 55 percent. That is an increase, Mr. Speaker.

The child tax credit, the amount of money that you are given from the Federal Government as a credit to assist in raising your child, \$1,000, in 2010, 2011 down to \$500, cut in half, slashed in half.

The lowest tax bracket, curiously enough, those at the lowest end of the economic spectrum in 2010 would have a taxable income tax at 10 percent, and then in 2011 at 15 percent.

What does that mean, Mr. Speaker? What does that mean to people? The other side is fond of saying that all they are going to do is tax the rich. They demonize the rich, because there is a tried-and-true method in politics which is to divide people. We believe, I believe that it is important to bring people together to work together in a positive way to solve problems, to solve the challenges that we have as the American people. And so they say, well, all we are going to do is increase taxes on the rich.

In fact, with these tax rates here, one in five people who benefit from the lower rate on capital gains that was passed earlier in this decade have incomes below \$50,000. That is 20 percent have incomes below \$50,000. So I guess that all we can conclude from that is that our friends on the other side, the majority party, believe that anybody who makes less than \$50,000 is rich, the only conclusion that we could reach given their rhetoric, given what they say. One in four people who benefit from the lowered rate on dividends, one in four, 25 percent have an income less than \$50,000. Again, are those people rich, Mr. Speaker? Are those people rich? When you pit people against each other, it doesn't do well or a service to our Nation in terms of the discussion as we move forward.

How many folks is that? 2.4 million people earning less than \$50,000 benefit from the capital gains tax relief, 2.4 million Americans; 5.4 million Americans who earn less than \$50,000 benefit from the dividend tax relief, 5.4 million. In fact, 58 percent of the people who have benefited, Americans who have benefited from the capital gains tax cuts earn less than \$100,000 a year.

Over half of the individuals earn less than \$100,000 a year. So I guess all those people, Mr. Speaker, by the definition of our friends on the other side, are rich.

Mr. Speaker, we are talking a bit about taxes and about the Orwellian nature of the rhetoric that we hear from folks on the other side of the aisle as they continually say, well, we will only tax the rich and we will only tax corporations, as if corporations are this inanimate object that don't relate at all to the American people, that there is no nexus between the American people's jobs and businesses. In fact, when they tax at the rate that they do or that they propose, it affects virtually every single individual in this Nation who has a job. And, Mr. Speaker, that is personal. That is personal to those folks.

So we have talked about the \$392.5 billion tax increase that was incorporated in the budget that our friends adopted on the other side. We have talked about that, and we outlined where that came from with all of the increases in income taxes, capital gains taxes, the death tax coming back. But what else have they done? Virtually a new tax at every single turn. A new bill comes through here, and it is a new tax or it is a new fee. \$15 billion in the energy bill that was passed, \$15 billion in new taxes on American corporations, American oil corporations. And I know it is popular to beat up on the oil companies. But, Mr. Speaker, if you tax them more, who is going to pay those taxes? The American people are going to pay those taxes. Corporations don't make any money, they don't mint any money. What they do is American people purchase their products. And if they are taxed more, the American people will pay more for those taxes.

In addition to what that means is that we are penalizing American corporations. And they didn't tax foreign oil companies. That is not what they did. They taxed American oil companies \$15 billion; \$5.8 billion in new tobacco taxes. That might be appropriate. In fact, as a physician I strongly believe that individuals ought not smoke. Ought not smoke. But what they have done is incorporate new tobacco taxes in a children's health insurance bill, so that as you decrease the number of folks that are smoking, you will have to find that money elsewhere. And then where does that come from? Yes, Mr. Speaker, you guessed it, new taxes.

\$7.5 billion in new taxes in the farm bill. Remember, Mr. Speaker, at every single turn, virtually every single turn, every new bill, this new majority has seen to find an opportunity to raise taxes on the American people.

Five-cent-per-gallon gasoline tax increase for infrastructure. That infrastructure is an appropriate thing to pay for. But, Mr. Speaker, as you know, when you set a budget, you ought to set priorities. And one of the

priorities of this Nation ought to be infrastructure improvement, but we have got enough money to be able to do that if we would set those priorities. We ought not be increasing the taxes on the American people.

A 50-cent-per-gallon, 50-cents-per-gallon tax increase to study global warming. Now, Mr. Speaker, I believe that it is fairly well documented that the temperature on the Earth has increased some over the past couple of years. I don't know that that is due to human activity, but I do believe that we ought to be studying it and looking at it. I also believe that it ought to be a priority of our Nation and it ought to be a priority of our budget, but I don't believe that we need to increase taxes in order to perform that study. I believe that those resources are certainly already there.

New taxes on homeowners by ending the mortgage deductions. That is what has been proposed by the other side.

And in the SCHIP bill again, in the State Children's Health Insurance Program, there was a small little portion of it that many people didn't even know they were voting on when they voted on it that will provide, if it becomes law, for a tax on every single personal private health insurance policy in this Nation. Every single one. Mr. Speaker, it is not the way that we ought to be proceeding to increase economic development to solve the challenges that we have by taxing Americans over and over and over.

I want to spend a few brief moments talking about taxes on corporations, because our friends on the other side, it is one of their favorite pinatas. They beat up on the corporations left, right, and center, and they do so as if the corporations in America aren't paying any tax at all, they aren't paying their fair share. You will hear them say that, Mr. Speaker. If you look at the facts, if you look at the facts, then we could see where the American corporations stand as it relates to the rest of the industrialized world.

Now, one would think, given the Orwellian rhetoric that we have heard from the other side, that American corporations are clearly not paying their fair share. Right? They are not paying as much as they might be in, say, oh, pick a nation. Canada? Canadian corporations pay about 22 percent. American corporations, oh, by the way, they are down there on the far right on this chart, Mr. Speaker. They are down there on the far right paying the greatest percentage of taxes of their income of any other nation, tied with Spain. Granted, we are tied with Spain, 35 percent. Switzerland down here, 8 or 9 percent. Ireland is about 12 percent.

In fact, Ireland is a great case study, because Ireland used to be way down at this end of the chart, way down at that end. In fact, what they did was decrease their corporate taxes, decrease their taxes on corporations and businesses. And what happened, Mr. Speaker? An incredible economic boom, an

incredible economic development occurred, because when you allow corporations to create more jobs, more people get jobs, more money is created in terms of revenue for the Federal Government. And it seems counterintuitive, but when you decrease taxes on both people and on corporations, there is more money that comes into the Federal Government.

So, Mr. Speaker, when you look at the facts, when you look at the facts you appreciate that the United States corporations, again, a wonderful whipping boy and it is easy to criticize them because it is tough for them to defend themselves, especially with the rhetoric that we so often hear on this floor of the House. And I find that troubling and I think that is distressing, and it ought to be to the American people, Mr. Speaker. Because when you look at the facts, what you see is that United States corporations are taxed more than any other industrialized nation except for Spain, and we are tied with Spain, 35 percent. So those are the facts, Mr. Speaker.

Now, what is the solution? Well, the solution is to respect the hard-earned money of the American taxpayer. That is the solution. We have proposed a taxpayer bill of rights. I encourage my colleagues on the other side to look at the bill, to cosponsor the bill. I would love to have it passed. I would love to bring it to the floor and passed.

What does it include? It says that the Federal Government ought not grow beyond their ability to pay for it. That is the balanced budget portion of the bill. You ought not spend more than you take in. You ought to make certain that you end deficit spending. We believe taxpayers have a right to that. We believe that taxpayers have a right to receive back each dollar that they entrust to the Federal Government for their retirement. That is the Social Security portion. As you well know, Mr. Speaker, we talked about entitlements earlier, entitlement reform is imperative. If young people across this Nation are going to be able to receive back with some benefit the resources that they have sent to the Federal Government for their retirement, if that is going to be able to occur, then what needs to happen is that that money needs to be put into a fund that is not used for anything else. Social Security trust fund money ought to be used for Social Security alone. That is what the taxpayer bill of rights says. That is what we say in our bill. That is what many individuals across this Chamber on both sides of the aisle have said that they support.

□ 1815

Well, Mr. Speaker, let's vote on that. That's a positive move to make. In fact, that would be a bipartisan positive move to make. We encourage that to happen. We believe that taxpayers have a right to a balanced budget amendment without raising taxes.

As we've demonstrated already, the current majority believes that if you

just tax more, you'll be able to increase the money coming to the Federal Government to pay for all these programs, these new programs that they want to enact.

In fact, what happens if you tax more, you decrease money coming to the Federal Government. And every single President that has decreased taxes recognized that. John Kennedy did when he decreased taxes, saw a significant increase to the Federal Government in terms of revenue. Ronald Reagan did when he decreased taxes, saw an increasing amount of money to the Federal Government. And certainly in this administration we've seen significant increased revenues to the Federal Government. When you decrease taxes, money to the Federal Government increases. Again, it sounds counterintuitive; but it's not, because what happens is that American people get to keep more of their hard-earned money.

And you remember, Mr. Speaker, we talked about choices, who ought to be able to choose. One of the most fundamental principles that we believe, I believe, is that the American individual, the American citizen ought to be the one that has the right to choose when they save or they spend or they invest, not the Federal Government, with their money. So many of our good friends on the other side believe that they can make better decisions than the American people with that hard-earned taxpayer money.

We believe that you ought to be able to get to a balanced budget without raising taxes. We have a bill that will allow that to happen. We strongly encourage our friends on the other side to support it.

We believe that taxpayers have a right to fundamental and fair tax reform. Some of my friends are supporters of a flat tax, a flat income tax. Some are supporters of a fair tax, the national retail sales tax, which I believe to be the most appropriate way to align our form of taxation in our Nation with our form of commerce. We would then incentivize all the things that we say that we want, like hard work and vision and entrepreneurship and success. Right now we punish all those things. Our current tax system punishes people when they do more, when they succeed, when they die. Those aren't things we ought to be taxing. My goodness.

And we believe also that the taxpayers have a right to a supermajority required for any tax increase. In fact, as you know, Mr. Speaker, that was the rule of the House until this new majority took over. When they changed the rules on the very first day that we met in January of this year, they changed the rule to make it so that it only took a majority to raise taxes on any bill that comes through this House, not a supermajority, which meant 60 percent before.

So, Mr. Speaker, it's very clear. We believe, I believe, that working to-

gether positively, productively we can solve the challenges that we have before us.

It's an incredible honor to represent the Sixth District of Georgia in this United States House of Representatives. It's an incredible honor for each and every one of us to be a Member here.

But what our constituents demand of us, I believe, is responsibility to act together and to work together in a positive way, in an uplifting way, in a way that will make certain that we preserve the American Dream and a system in place, an economic system in place that will allow the majority of Americans, the vast majority of Americans, if not every single American, the opportunity to succeed in his or her own life.

I challenge my colleagues across the aisle to work together positively in that direction. I know that you've got partners who will assist you on this side.

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#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. HASTINGS of Florida (during the Special Order of Mr. PRICE of Georgia), from the Committee on Rules, submitted a privileged report (Rept. No. 110-332) on the resolution (H. Res. 659) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

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#### REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2761, TERRORISM RISK INSURANCE REVISION AND EXTENSION ACT OF 2007

Mr. HASTINGS of Florida (during the Special Order of Mr. PRICE of Georgia), from the Committee on Rules, submitted a privileged report (Rept. No. 110-333) on the resolution (H. Res. 660) providing for consideration of the bill (H.R. 2761) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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#### LIVING VICTIMS OF 9/11

The SPEAKER pro tempore (Mr. KLEIN of Florida). Under the Speaker's announced policy of January 18, 2007, the gentleman from New York (Mr. NADLER) is recognized for 60 minutes as the designee of the majority leader.

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

Mr. Speaker, 1 week ago today, we marked the sixth anniversary of the tragic events of September 11, 2001. I appreciate the opportunity to speak

today about an issue that faces not just my district, where the attack on the United States occurred, where the World Trade Center once stood, but our entire Nation.

I am honored to be here today to support legislation sponsored by CAROLYN MALONEY and myself and others. CAROLYN has been such a strong advocate for the living victims of 9/11.

I also want to thank Chairmen GEORGE MILLER and FRANK PALLONE for the recent hearings they have held on this issue, one last week and one earlier today.

I am pleased to announce that yesterday, along with Congresswoman MALONEY and others, I introduced essential new legislation that would ensure that everyone exposed to World Trade Center toxins, no matter where they live now or in the future, would have a right to high-quality medical monitoring and treatment and access to a reopened victim compensation fund for their losses.

Whether you are a first responder who toiled without proper protection, who came to help in the rescue and recovery from New York, from elsewhere in New York or from elsewhere in the country, or whether you're an area resident worker or student who was caught in the plume, or subject to ongoing indoor contamination, if you were harmed by the environmental effects of 9/11, you would be eligible.

This bill builds on the best ideas brought to Congress thus far, and on the infrastructure already in place providing critical treatment and monitoring.

Mr. Speaker, when the World Trade Center collapsed on September 11, 2001, the towers sent up a plume of poisonous dust that blanketed Lower Manhattan and parts of Brooklyn, Queens, and New Jersey. A toxic cloud of lead, dioxin, asbestos, mercury, Benzene, PCBs, PAHs and other hazardous contaminants swirled around the site and around Lower Manhattan and Brooklyn and Jersey City as rescue workers labored furiously in the wreckage, many without adequate protective gear. Thousands of first responders inhaled this poisonous dust before it settled onto and into countless homes, shops and office buildings where it remains to this day.

Mr. Speaker, I've always said that there were two coverups conducted here, two coverups conducted by the administration. The first coverup was that the air was okay, that no one would get sick from the exposure to World Trade Center dust at or near Ground Zero. The administration denied the air was toxic and insisted that no one would get sick. They lied. They lied deliberately to the American people, to the people of New York, to the first responders. They said the air was safe, when they had test results saying it was toxic. As a result, tests at Mt. Sinai Hospital published in a peer reviewed medical study just about a year ago revealed that of the 10,000 first responders tested, over 70 percent suffer

from lung disease at this point, or at least as of last year. We have seen this in test after test and study after study. All the literature goes in the same direction. Thousands of people are sick who need not have been sick. Thousands of people are sick because the administration lied, and because OSHA failed to do its job.

Mr. Speaker, there was air pollution at the site of the Pentagon attack on this country also. But OSHA, the Occupational Safety and Health Administration, enforced the law. Nobody was permitted to work on the site without wearing proper respiratory protective gear, as the law demands.

Mr. Speaker, nobody is suffering lung damage or respiratory disease today as a result of participating in the rescue and recovery efforts at the Pentagon. But in Lower Manhattan, somebody made a deliberate decision not to enforce the occupational safety and health laws. OSHA did not enforce the laws. People were permitted on the site without respirators. Indeed, public officials went to the site and wore only masks, paper masks, which were worse than useless, we are told by the scientists. Many workers worked without respirators. Many workers had no access to respirators. Police officers have testified they had no access to respirators.

Many workers who did have access to respirators believed the assurances they got that the air was safe and didn't use the respirators because they got in the way of the work. The result is, thousands of people are sick and some are dead, unnecessarily, as a result of the malfeasance, the deliberate malfeasance of the Federal Government.

Mr. Speaker, two things establish a moral obligation on the Federal Government. One, the people who were hurt, the people who are sick as a result of participating in the clean up, the people who are sick as a result of living in Lower Manhattan or working in Lower Manhattan, the government workers who returned to government offices in the Securities and Exchange Commission or other government agencies and worked there before the buildings had been cleaned and are now sick as a result, are sick for two reasons. They are sick because of the terrorist attack on this country, and they are sick because their government lied to them and urged people to go back into unsafe environments and told people things were safe when they weren't.

We owe, the Federal Government owes a moral debt to all these victims. Because they are victims of a terrorist attack on this country, the words of Abraham Lincoln apply. Abraham Lincoln said that it is the duty of all of us to care for him who shall have borne the battle. The people who are sick today with deadly illnesses, with long-term illnesses, are just as much victims of the terrorists as those 3,000 people who were killed on 9/11, and the United States Government owes them

long-term health care, monitoring and treatment because they are victims of the attack on the United States. Al Qaeda didn't attack them individually. They attacked United States. They happen to be the individual victims.

Secondly, they are victimized because, many of them, perhaps most of them would not have gotten sick if the Federal Government had not lied to them and if the Federal Government had not decided not to enforce the occupational safety and health laws. That too establishes a moral obligation to care for the victims of the Federal malfeasance.

Now, that is all the first coverup. But as a result of the Mt. Sinai study, as a result of other studies that have come out all within the last year as a result of some newspaper reports, that cover-up has unraveled. Almost nobody today still maintains that these people aren't sick as a result of 9/11. The only question is how best to deal with that sickness.

And the answer, we believe, is that the Federal Government should adopt the bill, Congress should adopt the bill that Congresswoman MALONEY and I and others introduced that provides two things: one, reopen the victims compensation fund for people whose health was damaged, who weren't immediately killed, but whose lives were perhaps shortened, whose health was damaged as a result of 9/11 of the attack on our country.

And, secondly, provide for long-term medical monitoring and treatment through the centers of excellence, through the institutions that have treated people and through a network of institutions that would be, not formed, but would be brought into a network around the country that would be fed the latest data on diagnosis and treatment. So this legislation ought to be adopted.

Secondly, Senator CLINTON and I have introduced legislation of a more immediate nature to appropriate \$1.9 billion for the next 5 years to provide for this medical monitoring and treatment in case we cannot immediately adopt the long-term legislation that Congresswoman MALONEY and I have introduced. The mayor of New York estimates that the annual cost of treatment for the first responders is now about \$198 million and will increase to \$413 million in the next few years as more and more people need more and more treatment.

But I said there were two coverups. The second coverup is the failure of EPA to clean up indoor contamination. When the World Trade Center collapsed, it released, as I said, thousands of tons of toxic dust and debris. Much of it settled on the ground and in the air outdoors; much of it blew in through windows and into heating vents and air conditioning vents, into buildings, all throughout Manhattan and Queens and Brooklyn and perhaps New Jersey.

Now, nature cleans up the outdoor air. The rain washes the toxins away. The wind blows them away.

□ 1830

Nature does not clean up the indoor air. Only people can clean up the indoor air. Only people can clean up the residue of those toxins that are still there. And if they are not properly cleaned up, they will stay there, and they will stay there forever, poisoning people on a daily basis. And that is exactly what we have reason to believe is going on.

Now, the EPA said people should clean up on their own. Under the Giuliani administration, the City of New York said landlords should clean up the exterior surfaces of buildings and the public spaces in the buildings but let the tenants, individual tenants, individual residents, individual small business owners and large business owners, to clean up their space, without providing any help or expertise to do so. And, of course, most of these spaces were not properly cleaned.

The EPA and New York City Department of Health put on its Web site very early on that if you came home and you saw World Trade Center dust in your apartment, clean it up with a wet mop and a wet rag. And if there is a lot of dust, if it's really thick, consider using a HEPA filter.

Now, this advice is illegal because the law says you may not remove or move asbestos-containing material unless you are trained and certified and licensed to do so and unless you are wearing a moon suit, proper protective equipment. OSHA, the Occupational Safety and Health Administration, ruled that all World Trade Center dust had to be presumed to be asbestos-containing material because there were thousands of tons of asbestos in the World Trade Center. We know that. So this advice said illegally move this material.

Now, when we had a hearing in our subcommittee, the Subcommittee on the Constitution, Civil Rights, and Civil Liberties, back in June, I inquired of Christie Todd Whitman, the former head of EPA at the time, I said, Governor Whitman, when you were administrator of EPA, if you were told that some company or some individuals who were not trained to do so were removing asbestos-containing material, what would you do?

She said, We would certainly have arrested them.

I said, If you were told they were disposing of that material in the garage, in the regular garage, what would you have done?

We would certainly have arrested them, she said.

But EPA and the City Department of Health put on their Web site the advice to do exactly that to every individual who saw the World Trade Center dust in their own apartment.

So this was illegal advice, but it was also unsafe advice. It was also unsafe

advice because if you remove asbestos-containing material without wearing proper respiratory protection, you are guaranteed to inhale some of that, and that's poison. That's toxic. Not to mention all the other toxins that we know were in that dust. And, also, if you are not trained properly how to do this, you are not going to do a thorough job. You may think you have cleaned your apartment or your office, but the material is still going to be in the drapes. It's still going to be in the carpets. It's still going to be in the porous wood surfaces. It's still going to be in the HVAC system. It's still going to be behind the refrigerator or the stove. And every time the baby crawls on that carpet for the next however many years, the baby is going to release some into the atmosphere and is going to inhale it. So these indoor spaces are unsafe to work or live in. And we are daily poisoning people.

How many such spaces? Tens of apartments, hundreds of apartments, thousands of apartments, tens of thousands of apartments? We don't know. Over what geographic area does this spread? We don't know because EPA, the Federal Government, never did any proper testing.

Now, they say they did testing, but the EPA's own Inspector General says it was nonsense. The EPA says it did a cleanup in 2002, an indoor cleanup, on a voluntary basis of several thousand apartments. But the EPA's own Inspector General said it was a phony cleanup for any number of reasons I won't go into now. And every time that anyone qualified has looked at this, they have labeled what has been done hazardous and phony.

At my request, back in February and March of 2002, the EPA's ombudsman held public hearings in lower Manhattan to talk about the indoor contamination to examine this. What did the EPA do? They dismantled the ombudsman's office after telling people not to attend the hearing. The EPA Inspector General released a report in August of 2003 labeling the EPA's actions atrocious and its cleanup phony. What did the EPA do? It ignored the recommendations.

Under pressure from Senator CLINTON and myself and others, the EPA in 2004 formed a scientific advisory panel to look into this and to advise us what ought to be done. But when the scientific advisory panel of people hand picked by the EPA started coming to the conclusions similar to what I have been stating here, what did the EPA do? Did they listen? No. They dismantled the panel and they didn't permit them to issue a report. The administration has promised us reports; we haven't seen them.

What has to be done? What has to be done is what the Inspector General recommended 4 years ago. What the Inspector General said was that there has to be active testing of indoor spaces, several hundred indoor spaces, in concentric circles from the World Trade

Center. Why concentric circles? To see how far the contamination expanded and still exists.

Now, the EPA, when they talked about their cleanup, they established an arbitrary line. They said, We consider that the problem is limited to lower Manhattan below Canal Street, as if there were a 30,000-foot-high wall at Canal Street blocking the plume from going north of Canal Street, as if there were a 30,000-foot wall across the East River and the Hudson River protecting New Jersey and Queens and Brooklyn. Well, I've never seen any evidence of that 30,000-foot wall. We have to assume that the toxins went in these places too. We have to find out where they went. That's why the Inspector General instructed us that we should properly inspect several hundred indoor spaces, randomly selected indoor spaces, in concentric circles from the World Trade Center to see where the contamination extended to. And it may be that in one direction it extends three blocks and in another direction three miles. It may be, as I said, that we are talking about a few hundred apartments or tens of thousands. We don't know. But wherever that extended, wherever the tests in the concentric circles show that those toxins are present indoors, we must draw lines on the map, and then we must go into every single building in those geographic areas, however small or large the areas may be, and professionally clean them up. This may take several hundred million dollars; it may take several billion dollars. We won't know the extent of it until we do the testing. But as long as we don't do that testing, we have to assume, from everything we know, that hundreds, maybe thousands, maybe tens of thousands of people are being poisoned daily and will come down 10 years from now with mesothelioma, with lung cancer, asbestosis, and other dreaded diseases because they are living or working in contaminated environments.

And we know something else about these kinds of contaminated environments. We know the effects of the toxins are cumulative. That is to say, if you waved a magic wand tomorrow and cleaned up all the contaminated indoor spaces, a certain number of people, we don't know how many, we don't know whom, but a certain number of people, because of the failure over the last 6 years to clean up these indoor spaces, because they worked there for 6 years, are unavoidably destined to come down with these dreaded diseases because we didn't clean it up 6 years ago. But if we don't wave that magic wand, if we don't conduct a proper cleanup, then a much larger number of people will come down with lung cancer, mesothelioma, asbestosis, and so forth 10 and 15 years from now. And the liability, the tort liability, of billions, tens of billions, maybe hundreds of billions of dollars, will mount up and mount up.

Now, this second coverup is still covered up in the sense that the govern-

ment doesn't admit the problem. On the first coverup that thousands of people are sick, almost nobody denies it anymore. We know that. The only question is what we do about it, and I spoke about that a few minutes ago. We should make sure that people are plugged into centers of excellence and networks and we should pass legislation affording them long-term health care, monitoring and services. But this problem that we still have, people who will come down with these dread diseases unnecessarily because they are being exposed on a daily basis to World Trade Center toxins that were never cleaned up, this is still unadmitted by the EPA or by the Federal Government.

Mr. Speaker, if we are going to be true to what we have said about the heroes of 9/11, if we are going to be true to what Abraham Lincoln said when he said that it is our duty to care for him who shall have borne the battle, we must do two things: We must provide for the long-term monitoring and health care by passing the bill that CAROLYN and others and I introduced yesterday. We must also demand that EPA implement a proper indoor testing and cleaning program. Not a cleanup that the EPA's own scientific advisory panel says is a joke and a fraud, not a cleanup that the EPA's Inspector General says is woefully inadequate, but a proper cleanup to test buildings thoroughly, to test for all pollutants, not just for one or two, and that is not limited by arbitrary geographic boundaries in a way that allows the EPA to minimize its responsibility.

Mr. Speaker, for the past 6 years, we have demanded that the EPA, that this administration, fulfill its legal mandate to protect the public health by telling the truth about post-9/11 air quality and by implementing a scientifically sound testing and cleanup program to address indoor contamination. They have absolutely failed on both fronts. The Federal Government has incurred a heavy moral liability because the blood of many of the people who will die early because of these diseases lies on the hands not only of the terrorists but of the administration officials who lied to the people about the conditions and therefore caused people to work in unsafe environments and who are continuing to allow people to work today in unsafe environments. If we are to be true to the survivors and the heroes of 9/11, we must learn something of this nightmare so that, God forbid, if there is a disaster, natural or manmade, we will protect the innocent rather than allowing our malfeasance and carelessness to shorten the lives of thousands of people.

Now, when we have talked about this in the past, some people have said, and Christie Todd Whitman, the former administrator of EPA has said, the fault for all the people who are suffering and dying is the fault of the terrorists. Of course that is partially true. If the terrorists hadn't attacked us, none of these people would be sick.

But it is the job of government and of government officials to minimize damages, to mitigate damages, to make sure that the number of people who get sick and die because of a terrorist attack is the fewest possible. Not to act in such a way that thousands of people who would have been fine had it not been for the malfeasance of government are not going to be fine. So for that it is the terrorists' fault but it is also the fault of these government officials. And that is another reason why the government has a heavy moral responsibility to clean up the indoor environment so that people stop being further exposed to the toxins so that we put a halt to further numbers of people getting sick from this. And, secondly, the government has a heavy moral responsibility to help those who have lost their jobs because they can no longer breathe, who are getting sick, who are sick, to minimize their damages by making sure that their health care is not a problem, by enacting legislation to provide for long-term health care and monitoring.

So I thank you for yielding to me. I hope that these rather harsh words but realistic words and absolutely truthful words will get some response from an administration that has been completely callous toward the survivors and has paid only lip service toward the survivors, and I hope that we can redeem the moral values that we all share on behalf of the Federal Government by doing the right thing in the future on this if we have not done so in the past, which we have not.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KNOLLENBERG (at the request of Mr. BOEHNER) for today on account of personal reasons.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. SESTAK) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.  
 Mr. CUMMINGS, for 5 minutes, today.  
 Ms. WOOLSEY, for 5 minutes, today.  
 Mr. DEFAZIO, for 5 minutes, today.  
 Mr. SESTAK, for 5 minutes, today.  
 Ms. KAPTUR, for 5 minutes, today.  
 Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, September 25.  
 Mr. JONES of North Carolina, for 5 minutes, September 25.  
 Mr. PENCE, for 5 minutes, today.  
 Ms. GINNY BROWN-WAITE of Florida, for 5 minutes, September 20.  
 Mr. HULSHOF, for 5 minutes, September 19.

Mr. HAYES, for 5 minutes, today.

#### ENROLLED BILLS SIGNED

Ms. Lorraine C. Miller, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 954. An act to designate the facility of the United States Postal Service located at 365 West 125th Street in New York, New York, as the "Percy Sutton Post Office Building".

H.R. 2669. An act to provide for reconciliation pursuant to section 601 of the concurrent resolution on the budget for fiscal year 2008.

H.R. 3218. An act to designate a portion of Interstate Route 395 located in Baltimore, Maryland, as "Cal Ripken Way".

□ 1845

#### ADJOURNMENT

Mr. NADLER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 45 minutes p.m.), the House adjourned until tomorrow, Wednesday, September 19, 2007, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3304. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting the Department's report detailing purchases from foreign entities in FY 2006, pursuant to Public Law 109-359, section 8030(b); to the Committee on Armed Services.

3305. A letter from the Office of the District of Columbia Auditor, transmitting a copy of a report entitled, "Letter Report: Audit of Advisory Neighborhood Commission 6B for Fiscal Years 2005 Through 2007, as of March 31, 2007," pursuant to D.C. Code section 47-117(d); to the Committee on Oversight and Government Reform.

3306. A letter from the Chairman, Broadcasting Board of Governors, transmitting the Broadcasting Board of Governors' 2006 Annual Report, pursuant to Section 305(a)(9) of the U.S. International Broadcasting Act of 1994, Pub. L. 103-236, pursuant to 22 U.S.C. 6204; to the Committee on Oversight and Government Reform.

3307. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's fiscal year 2007 FAIR Act inventory, pursuant to 31 U.S.C. 501; to the Committee on Oversight and Government Reform.

3308. A letter from the Secretary, Department of Education, transmitting the Department's annual report for FY 2006 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

3309. A letter from the Assistant Secretary for Administration and Management, Competitive Sourcing Official, Department of Labor, transmitting pursuant to the provisions of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270), the

Department's 2006 Revised Inventory of Inherently Governmental Activities and Inventory of Commercial Activities; to the Committee on Oversight and Government Reform.

3310. A letter from the Assistant Secretary for Administration and Management, Competitive Sourcing Official, Department of Labor, transmitting pursuant to the provisions of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270), the Department's 2006 Inventory of Inherently Governmental Activities and Inventory of Commercial Activities; to the Committee on Oversight and Government Reform.

3311. A letter from the Assistant Secretary for Legislative Affairs, Department of the Treasury, transmitting the Department's annual report for FY 2006 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, Public Law 107-174; to the Committee on Oversight and Government Reform.

3312. A letter from the Chairman and CEO, Farm Credit Administration, transmitting pursuant to the provisions of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270), the Administration's FY 2007 inventory of inherently governmental activities; to the Committee on Oversight and Government Reform.

3313. A letter from the Inspector General, General Services Administration, transmitting the Audit Report Register, including all financial recommendations, for the period ending March 31, 2007, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

3314. A letter from the EEO Director, National Mediation Board, transmitting the Board's FY 2006 report, pursuant to the requirements of section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No Fear Act); to the Committee on Oversight and Government Reform.

3315. A letter from the Director, Office of Management and Budget, transmitting the Office's Fiscal Year 2006 list of commercial activities in accordance with the Federal Activities Inventory Reform (FAIR) Act of 1998 (Pub. L. 105-270); to the Committee on Oversight and Government Reform.

3316. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Activities Inventory Reform (FAIR) Act Inventory Summary as of June 30, 2006; to the Committee on Oversight and Government Reform.

3317. A letter from the Inspector General, Railroad Retirement Board, transmitting the budget request for the Office of Inspector General, Railroad Retirement Board, for fiscal year 2009, prepared in compliance with OMB Circular No. A-11; to the Committee on Oversight and Government Reform.

3318. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Norwalk River, Norwalk, CT [CGD01-07-019] (RIN: 1625-AA09) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3319. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Choptank River, Cambridge, MD [Docket No. CGD05-07-046] (RIN: 1625-AA08) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3320. A letter from the Attorney, Department of Homeland Security, transmitting

the Department's final rule — Vessel Documentation; Recording of Instruments [USCG-2007-28087] (RIN: 1625-AB18) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3321. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments [USCG-2007-27887] (RIN: 1625-ZA13) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3322. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Buzzards Bay, Massachusetts; Navigable Waterways within the First Coast Guard District [CGD01-04-133] (RIN: 1625-AB17) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3323. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Sacramento River, Rio Vista, CA [Docket No. CGD11-07-013] received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3324. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Waters Surrounding U.S. Forces Vessel SBX-1, HI. [COTP Honolulu 07-005] (RIN: 1625-AA87) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3325. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Hawaii Super Ferry Arrival/Departure, Nawiliwili Harbor, Kauai, Hawaii [Docket No. USCG-2007-29153] (RIN: 1625-AA87) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3326. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Oahu, Maui, Hawaii, and Kauai, HI [CGD14-07-001] (RIN: 1625-AA87) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3327. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; China Basin, San Francisco, CA [Docket No. CGD11-07-012] received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3328. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Ouachita River, Louisiana [CGD08-07-019] (RIN: 1625-AA09) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3329. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Beaufort (Gallants) Channel, Beaufort, NC [CGD05-07-077] (RIN: 1625-AA09) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3330. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Potomac River, between Maryland and Virginia [CGD05-07-074] (RIN: 1625-AA-09) received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3331. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Mystic River, Charlestown and Boston, MA [CGD01-07-112] received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3332. A letter from the Chief, Regulations and Administrative Law, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Hackensack River, Jersey City, NJ [CGD01-07-093] received September 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3333. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Air Tractor, Inc. Model AT-602 Airplanes [Docket No. FAA-2004-20007; Directorate Identifier 2004-CE-50-AD; Amendment 39-14798; AD 2006-23-01] (RIN: 2120-AA64) received September 14, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ARCURI: Committee on Rules. House Resolution 659. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 110-332). Referred to the House Calendar.

Mr. ARCURI: Committee on Rules. House Resolution 660. Resolution providing for consideration of the bill (H.R. 2761) to extend the Terrorism Insurance Program of the Department of the Treasury, and for other purposes (Rept. 110-333). Referred to the House Calendar.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOOZMAN (for himself, Mr. HALL of New York, Mrs. WILSON of New Mexico, Ms. BERKLEY, Mr. MILLER of Florida, Mr. GORDON, Mr. FILLNER, Mr. MCGOVERN, Mr. HAYES, Mr. BILIRAKIS, Ms. NORTON, Mr. BRADY of Pennsylvania, and Mr. BERRY):

H.R. 3558. A bill to provide for the establishment of a Center of Excellence in Prevention, Diagnosis, Mitigation, Treatment, and Rehabilitation of Military Eye Injuries, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PICKERING (for himself, Mr. PITTS, Mr. MATHESON, and Mr. MCINTYRE):

H.R. 3559. A bill to require the FCC, in enforcing its regulations concerning the broadcast of indecent programming, to maintain a policy that a single word or image may be considered indecent; to the Committee on Energy and Commerce.

By Mr. YOUNG of Alaska (for himself, Mr. PALLONE, Mr. KENNEDY, Mr. ABERCROMBIE, and Mr. FALCONE-VAEGA):

H.R. 3560. A bill to provide for the completion of certain land selections under the Alaska Native Claims Settlement Act, and for other purposes; to the Committee on Natural Resources.

By Mr. GENE GREEN of Texas (for himself, Mr. WAMP, Mr. SMITH of Washington, and Mr. BACA):

H.R. 3561. A bill to authorize the Secretary of Health and Human Services to make grants to community health coalitions to assist in the development of integrated health care delivery, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HILL (for himself, Mr. FOSSELLA, Mr. PENCE, Mr. BURTON of Indiana, Mr. HALL of New York, Mr. ELLSWORTH, Mrs. GILLIBRAND, Mr. DONNELLY, and Mr. PATRICK MURPHY of Pennsylvania):

H.R. 3562. A bill to amend the Internal Revenue Code of 1986 to allow the deduction for real property taxes on the principal residences to all individuals whether or not they itemize other deductions; to the Committee on Ways and Means.

By Mr. CUMMINGS (for himself, Mr. WYNN, Mrs. CAPPS, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CHRISTENSEN, Mr. BURTON of Indiana, Mr. HOLDEN, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, and Mr. MEEKS of New York):

H.R. 3563. A bill to provide for prostate cancer imaging research and education; to the Committee on Energy and Commerce.

By Mr. CANNON (for himself and Ms. LINDA T. SANCHEZ of California):

H.R. 3564. A bill to amend title 5, United States Code, to authorize appropriations for the Administrative Conference of the United States through fiscal year 2011, and for other purposes; to the Committee on the Judiciary.

By Ms. BORDALLO (for herself, Mr. FALCONE-VAEGA, Mrs. CHRISTENSEN, and Mr. FORTUÑO):

H.R. 3565. A bill to require rate integration for wireless interstate toll charges; to the Committee on Energy and Commerce.

By Mr. KLINE of Minnesota (for himself, Mr. McKEON, Mr. KELLER, and Mr. SESTAK):

H.R. 3566. A bill to permanently extend the waiver authority of the Secretary under the Higher Education Relief Opportunities for Students Act of 2003; to the Committee on Education and Labor.

By Mr. ALTMIRE (for himself, Mr. GRAVES, and Ms. VELÁZQUEZ):

H.R. 3567. A bill to amend the Small Business Investment Act of 1958 to expand opportunities for investments in small businesses, and for other purposes; to the Committee on Small Business.

By Mr. ARCURI:

H.R. 3568. A bill to amend the Violent Crime Control and Law Enforcement Act of 1994 to provide grants to prosecutors and law enforcement to combat violent crime; to the Committee on the Judiciary.

By Mr. BACA:

H.R. 3569. A bill to designate the facility of the United States Postal Service located at 16731 Santa Ana Avenue in Fontana, California, as the "Beatrice E. Watson Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BOREN:

H.R. 3570. A bill to take certain property in McIntosh County, Oklahoma, into trust for the benefit of the Muscogee (Creek) Nation, and for other purposes; to the Committee on Natural Resources.

By Mr. BRADY of Pennsylvania:

H.R. 3571. A bill to amend the Congressional Accountability Act of 1995 to permit individuals who have served as employees of the Office of Compliance to serve as Executive Director, Deputy Executive Director, or General Counsel of the Office, and to permit individuals appointed to such positions to serve one additional term; to the Committee on House Administration.

By Mr. CLEAVER (for himself, Mr. AKIN, Mr. GRAVES, Mr. SKELTON, Mr. HULSHOF, Mr. CARNAHAN, Mr. BLUNT, Mr. CLAY, and Mrs. EMERSON):

H.R. 3572. A bill to designate the facility of the United States Postal Service located at 4320 Blue Parkway in Kansas City, Missouri, as the "Wallace S. Hartsfield Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. FRELINGHUYSEN:

H.R. 3573. A bill to authorize the addition of 100 acres to Morristown National Historical Park; to the Committee on Natural Resources.

By Ms. HOOLEY (for herself, Mr. DEFAZIO, Mr. BLUMENAUER, and Mr. WU):

H.R. 3574. A bill to continue the work to enhance access to the Willamette River that has been initiated by the Willamette River Basin communities, State, regional, local, and Indian tribal governments and non-government partnerships, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON:

H.R. 3575. A bill to provide for the sale of approximately 25 acres of public land to the Turnabout Ranch, Escalante, Utah, at fair market value; to the Committee on Natural Resources.

By Mr. PASTOR:

H.R. 3576. A bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit to include the hiring of certain domestic abuse victims by small employers, and for other purposes; to the Committee on Ways and Means.

By Ms. LINDA T. SÁNCHEZ of California (for herself, Mr. POMEROY, Mr. HOLT, Ms. DELAURO, Mrs. MCCARTHY of New York, Mr. ELLSWORTH, Mr. POE, Ms. BORDALLO, Mr. CHABOT, Mr. KENNEDY, Mr. MCINTYRE, and Mr. KIND):

H.R. 3577. A bill to direct the Attorney General to provide grants for Internet safety education programs; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. CHABOT, Mr. DONNELLY, and Mr. COHEN):

H.R. 3578. A bill to safeguard the economic health of the United States and the health and safety of United States citizens by improving the management, coordination, and effectiveness of domestic and international intellectual property rights enforcement, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Foreign Affairs, and Ways and

Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of Florida:

H.J. Res. 50. A joint resolution expressing the sense of Congress regarding the contribution of the USO to the morale and welfare of the members of the Armed Forces and their families; to the Committee on Armed Services.

By Mr. THOMPSON of California (for himself, Mr. RADANOVICH, Mrs. TAUSCHER, Mr. BERMAN, Ms. HARMAN, Mr. HERGER, Mr. LANTOS, Ms. ZOE LOFGREN of California, Mr. GEORGE MILLER of California, Mr. LEWIS of California, Ms. MATSUI, Mr. CARDOZA, Mr. MCCARTHY of California, Mr. MCNERNEY, Mr. CALVERT, Ms. WOOLSEY, Mr. GALLEGLY, Ms. WATSON, Mrs. CAPPS, Ms. ROYBAL-ALLARD, Mrs. EMERSON, Mr. SHERMAN, Mr. STARK, Ms. ESHOO, Ms. LORETTA SANCHEZ of California, Mr. ROHR-ABACHER, Mr. FARR, Mrs. BONO, Mr. BILBRAY, Mr. HUNTER, Mr. NUNES, and Mrs. DAVIS of California):

H. Con. Res. 213. Concurrent resolution celebrating the outstanding contributions of California's wine industry to the State, the Nation and winemaking as a whole and supporting the goals and ideals of "California Wine Month"; to the Committee on Oversight and Government Reform.

By Mr. KING of New York (for himself, Mr. JACKSON of Illinois, Mr. PAUL, and Mr. RANGEL):

H. Con. Res. 214. Concurrent resolution expressing the sense of Congress that the President should grant a posthumous pardon to John Arthur "Jack" Johnson for the 1913 racially motivated conviction of Johnson, which diminished his athletic, cultural, and historic significance, and tarnished his reputation; to the Committee on the Judiciary.

By Mrs. MALONEY of New York (for herself and Mr. WALSH of New York):

H. Res. 658. A resolution supporting the goals and ideals of Federal Credit Union Month and recognizing the importance of Federal credit unions to the economy, and their critical mission in serving those of modest means; to the Committee on Financial Services.

By Mr. HASTINGS of Florida (for himself, Mr. MEEK of Florida, Ms. KILPATRICK, Ms. CORRINE BROWN of Florida, Mr. MARIO DIAZ-BALART of Florida, Ms. NORTON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. COHEN, Ms. MATSUI, and Ms. WASSERMAN SCHULTZ):

H. Res. 661. A resolution honoring the accomplishments of Barrington Antonio Irving, the youngest pilot and first person of African descent ever to fly solo around the world; to the Committee on Transportation and Infrastructure.

By Ms. HOOLEY:

H. Res. 662. A resolution supporting the goals and ideals of National Assisted Living Week; to the Committee on Energy and Commerce.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 17: Mr. PAYNE and Mr. SHUSTER.  
H.R. 89: Mr. SPACE.  
H.R. 98: Mr. ALTMIRE.  
H.R. 154: Mr. JONES of North Carolina.  
H.R. 160: Mr. SOUDER.  
H.R. 211: Mr. ARCURI.

H.R. 229: Mr. BARRETT of South Carolina.  
H.R. 303: Mrs. BLACKBURN, Mrs. MCMORRIS RODGERS, Mr. RUPPERSBERGER, and Mr. MICA.  
H.R. 371: Ms. LEE.  
H.R. 405: Mr. WALDEN of Oregon and Ms. DEGETTE.

H.R. 436: Mr. GARY G. MILLER of California.  
H.R. 507: Ms. BERKLEY.  
H.R. 549: Mr. WU and Mr. SHUSTER.  
H.R. 621: Mr. BISHOP of Utah and Mr. BARRETT of South Carolina.

H.R. 677: Ms. HERSETH SANDLIN.  
H.R. 688: Mr. BAIRD.  
H.R. 699: Mr. GORDON and Mr. BROWN of South Carolina.

H.R. 724: Mr. HUNTER.  
H.R. 726: Mr. SMITH of Washington.  
H.R. 743: Mr. CARTER, Mr. YOUNG of Florida, Mr. FORBES, Mr. CONAWAY, Mr. DOYLE, Mr. BONNER, Mr. ADERHOLT, Mr. GARRETT of New Jersey, Mrs. CHRISTENSEN, and Mr. GRAVES.

H.R. 854: Ms. SOLIS and Mr. TOWNS.  
H.R. 882: Mr. PLATTS and Mrs. MYRICK.  
H.R. 901: Mr. YARMUTH.  
H.R. 943: Mr. HILL.  
H.R. 989: Mr. KUHL of New York.  
H.R. 997: Mr. AKIN, Mr. PICKERING, Mr. BONNER, Mr. KUHL of New York, and Mr. BROUN of Georgia.

H.R. 1029: Mr. GRAVES and Mr. ROGERS of Kentucky.

H.R. 1064: Mr. CONAWAY.  
H.R. 1077: Mr. ADERHOLT.  
H.R. 1084: Mr. FORBES.  
H.R. 1102: Mr. BRALEY of Iowa.  
H.R. 1127: Mr. PAUL.  
H.R. 1223: Mr. CARNEY.  
H.R. 1225: Ms. WOOLSEY and Ms. BERKLEY.

H.R. 1232: Mr. ROGERS of Michigan, Mr. BOSWELL, and Mr. SPACE.

H.R. 1233: Mr. GORDON.  
H.R. 1237: Mr. MANZULLO, Mr. BRALEY of Iowa, Mr. ENGEL, Mr. BERRY, and Mr. BOOZMAN.

H.R. 1287: Mr. BERMAN.  
H.R. 1302: Mr. FARR.  
H.R. 1333: Mr. PERLMUTTER, Mr. REYNOLDS, Mrs. MILLER of Michigan, and Mr. BERMAN.

H.R. 1376: Ms. SOLIS.  
H.R. 1400: Mr. FRANK of Massachusetts.  
H.R. 1439: Mr. SHUSTER.  
H.R. 1512: Ms. ESHOO.  
H.R. 1532: Mr. GONZALEZ.  
H.R. 1553: Mr. ELLISON, Ms. SCHAKOWSKY, and Mr. LEWIS of Georgia.

H.R. 1644: Mr. VAN HOLLEN, Mr. HONDA, Mr. ARCURI, Ms. CARSON, Mr. PETERSON of Minnesota, Mr. GUTIERREZ, Mr. CARNAHAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. WYNN, Mr. HALL of New York, Ms. VELÁZQUEZ, Ms. SHEA-PORTER, Mr. BECERRA, Mr. HINOJOSA, Mr. MCNULTY, and Mr. WU.

H.R. 1671: Mr. ELLISON.  
H.R. 1767: Mr. MORAN of Kansas and Mr. HAYES.

H.R. 1843: Mr. BLUMENAUER.  
H.R. 1876: Mr. ELLISON, Mr. DAVIS of Kentucky, Ms. BERKLEY, Ms. MOORE of Wisconsin, Mr. ROYCE, Mr. HONDA, Mr. KENNEDY, Mrs. DAVIS of California, Mr. HINCHEY, and Mrs. JONES of Ohio.

H.R. 1884: Mr. SPACE, Mr. KLEIN of Florida, Mr. WU, and Mr. KAGEN.  
H.R. 1926: Ms. MCCOLLUM of Minnesota and Mr. GONZALEZ.

H.R. 1940: Mr. WICKER.  
H.R. 1955: Mr. THOMPSON of Mississippi, Mr. DICKS, Mr. PERLMUTTER, Mr. LANGEVIN, Mr. CARNEY, Mrs. CHRISTENSEN, Ms. CLARKE, Mrs. LOWEY, Mr. AL GREEN of Texas, Mr. DANIEL E. LUNGREN of California, and Ms. ZOE LOFGREN of California.

H.R. 1975: Mr. PRICE of North Carolina and Mr. LOBIONDO.  
H.R. 1983: Mr. SIREN, Mr. SPACE, Mr. WU, Mr. KLEIN of Florida, and Mr. KAGEN.

H.R. 1992: Ms. WASSERMAN SCHULTZ and Mr. SESTAK.

- H.R. 2016: Mr. BRALEY of Iowa and Mr. PERLMUTTER, Mrs. DAVIS of California, Mr. LOBIONDO.  
 H.R. 2017: Ms. WOOLSEY and Mr. CLAY.  
 H.R. 2032: Mr. MURTHA.  
 H.R. 2038: Mr. PLATTS.  
 H.R. 2039: Mr. STUPAK.  
 H.R. 2045: Ms. BORDALLO, Ms. SCHAKOWSKY, and Mr. WEINER, and Mr. BOUCHER.  
 H.R. 2075: Mr. BOREN.  
 H.R. 2084: Mr. FORBES.  
 H.R. 2088: Mr. WAMP.  
 H.R. 2103: Mr. SPACE.  
 H.R. 2136: Ms. LINDA T. SÁNCHEZ of California.  
 H.R. 2211: Ms. WOOLSEY.  
 H.R. 2212: Mr. FILNER.  
 H.R. 2232: Ms. MATSUI.  
 H.R. 2236: Mr. BAIRD.  
 H.R. 2256: Mr. WAMP.  
 H.R. 2266: Ms. DELAURO.  
 H.R. 2349: Mr. CONAWAY.  
 H.R. 2360: Mr. COBLE.  
 H.R. 2370: Mr. UPTON and Ms. WASSERMAN SCHULTZ.  
 H.R. 2380: Mr. EDWARDS.  
 H.R. 2503: Mr. ENGEL.  
 H.R. 2511: Mrs. CUBIN.  
 H.R. 2550: Mr. LATOURETTE, Mr. MACK, Mr. MCHUGH, and Mr. FEENEY.  
 H.R. 2561: Mr. BOOZMAN and Mr. GERLACH.  
 H.R. 2562: Mr. ADERHOLT.  
 H.R. 2609: Mrs. GILLIBRAND.  
 H.R. 2619: Mr. HARE.  
 H.R. 2668: Mr. ALLEN.  
 H.R. 2677: Mr. JINDAL.  
 H.R. 2694: Mr. VAN HOLLEN, Mrs. JO ANN DAVIS of Virginia, and Mr. GERLACH.  
 H.R. 2702: Ms. DELAURO, Mr. HAYES, Mr. BISHOP of Georgia, and Mr. KENNEDY.  
 H.R. 2706: Mr. GOODE.  
 H.R. 2734: Mr. PUTNAM.  
 H.R. 2758: Mr. FRANK of Massachusetts.  
 H.R. 2768: Mr. SPACE.  
 H.R. 2769: Mr. SPACE.  
 H.R. 2770: Mr. ROSS.  
 H.R. 2779: Mr. YARMUTH, Mr. WEXLER, Mr. LARSEN of Washington, Mr. KLEIN of Florida, Mr. MCNERNEY, Mr. TANNER, Mr. REYES, Mr. DONNELLY, and Mr. COURTNEY.  
 H.R. 2820: Mr. ROGERS of Alabama.  
 H.R. 2832: Mrs. GILLIBRAND.  
 H.R. 2834: Mrs. NAPOLITANO.  
 H.R. 2927: Mrs. MUSGRAVE, Mr. LAMBORN, and Mr. PERLMUTTER.  
 H.R. 2933: Mr. FORTENBERRY.  
 H.R. 2943: Mrs. CAPITO, Mr. PETERSON of Minnesota, and Mr. MCINTYRE.  
 H.R. 2976: Ms. DELAURO, Ms. ZOE LOFGREN of California, and Mr. ROTHMAN.  
 H.R. 2989: Mr. SHAYS and Ms. MATSUI.  
 H.R. 2990: Mr. VISCLOSKEY, Mr. SULLIVAN, Mr. SOUDER, Mr. THOMPSON of California, Mr. CROWLEY, and Mr. LARSON of Connecticut.  
 H.R. 3005: Ms. ZOE LOFGREN of California, Mrs. MALONEY of New York, Mr. PAYNE, Mr. FALDOMAEGA, and Mr. MORAN of Virginia.  
 H.R. 3025: Ms. LINDA T. SÁNCHEZ of California.  
 H.R. 3036: Mr. SAXTON, Mr. PAYNE, Mr. LOBIONDO, Ms. CLARKE, Mr. HARE, Mr. WU, Ms. SHEA-PORTER, Mr. MCGOVERN, Mr. H. Con. Res. 183: Mr. NUNES.  
 H. Con. Res. 193: Mr. KANJORSKI and Mr. KILDEE.  
 H. Con. Res. 200: Ms. ZOE LOFGREN of California and Ms. ROS-LEHTINEN.  
 H. Con. Res. 204: Mr. SMITH of Texas.  
 H. Con. Res. 207: Ms. BORDALLO, Mr. HARE, Mr. MCCARTHY of California, and Mr. SESTAK.  
 H. Res. 79: Mr. HILL, Mr. MCHENRY, and Mr. KILDEE.  
 H. Res. 113: Mr. LAMPSON.  
 H. Res. 128: Mr. PASCRELL.  
 H. Res. 145: Mr. MATHESON, Mr. MELANCON, and Mr. LAMPSON.  
 H. Res. 212: Mr. KILDEE, Mr. MCGOVERN, Ms. LINDA T. SÁNCHEZ of California, Ms. SUTTON, and Mr. PETRI.  
 H. Res. 237: Ms. SUTTON.  
 H. Res. 282: Mr. HALL of Texas.  
 H. Res. 356: Mr. HONDA.  
 H. Res. 573: Mr. CHABOT, Mr. HONDA, Mr. DELAHUNT, Mrs. CAPPS, Mr. OLVER, Mr. BRADY of Pennsylvania, and Ms. WOOLSEY.  
 H. Res. 587: Mr. GORDON.  
 H. Res. 616: Mr. MCCAUL of Texas.  
 H. Res. 630: Mr. JEFFERSON, Mr. MCINTYRE, Mr. PETERSON of Pennsylvania, Mr. MCGOVERN, Mr. MURTHA, Mr. DOYLE, Mr. CARNEY, Mr. ABERCROMBIE, Ms. Bean, Ms. CORRINE BROWN of Florida, Mr. BOYD of Florida, Mr. DICKS, Mr. GENE GREEN of Texas, and Mr. FILNER.  
 H. Res. 634: Mr. RODRIGUEZ and Mrs. BACHMANN.  
 H. Res. 635: Ms. BERKLEY, Mr. CLEAVER, and Mr. TOWNS.  
 H. Res. 640: Mrs. TAUSCHER, Mr. LAHOOD, Ms. BEAN, Mr. HASTERT, Mr. BRADY of Pennsylvania, and Mr. LARSEN of Washington.  
 H. Res. 641: Mr. BLUNT.  
 H. Res. 651: Mr. MEEKS of New York, Mr. MACK, Mr. FORTUÑO, Ms. LINDA T. SÁNCHEZ of California, and Mr. SIRES.
- H.R. 3041: Mr. ABERCROMBIE.  
 H.R. 3058: Mr. ROSS and Mr. SIRES.  
 H.R. 3065: Mr. MICHAUD, Mr. ABERCROMBIE, and Mr. HINCHEY.  
 H.R. 3088: Mr. JONES of North Carolina and Mr. MORAN of Kansas.  
 H.R. 3090: Mr. DAVIS of Alabama.  
 H.R. 3099: Mr. DELAHUNT.  
 H.R. 3111: Mr. HINCHEY, Mr. DELAHUNT, and Mr. STARK.  
 H.R. 3115: Ms. LINDA T. SÁNCHEZ of California and Mr. GRIJALVA.  
 H.R. 3145: Mr. WAMP.  
 H.R. 3168: Mr. ELLISON and Ms. ZOE LOFGREN of California.  
 H.R. 3197: Mr. WEINER.  
 H.R. 3202: Ms. WATSON.  
 H.R. 3204: Ms. LINDA T. SÁNCHEZ of California.  
 H.R. 3253: Mr. ABERCROMBIE and Ms. CARSON.  
 H.R. 3265: Mr. HULSHOF and Mr. CLAY.  
 H.R. 3282: Ms. KILPATRICK, Mr. MCCOTTER, Mr. CUMMINGS, and Mr. JINDAL.  
 H.R. 3289: Mrs. MALONEY of New York and Mr. SESTAK.  
 H.R. 3329: Mr. GRIJALVA and Ms. LINDA T. SÁNCHEZ of California.  
 H.R. 3404: Ms. DEGETTE.  
 H.R. 3416: Mr. STARK.  
 H.R. 3432: Mr. MEEK of Florida, Mr. SCOTT of Virginia, Mr. CROWLEY, Ms. LORETTA SANCHEZ of California, Ms. MCCOLLUM of Minnesota, Mr. ENGEL, Mr. KLEIN of Florida, Mr. WEXLER, Mr. HINOJOSA, and Ms. WOOLSEY.  
 H.R. 3446: Mrs. MILLER of Michigan.  
 H.R. 3448: Ms. LORETTA SANCHEZ of California and Ms. SOLIS.  
 H.R. 3463: Mr. UDALL of New Mexico.  
 H.R. 3479: Mr. HUNTER.  
 H.R. 3480: Ms. BORDALLO and Mr. ROHR-ABACHER.  
 H.R. 3496: Mr. KINGSTON.  
 H.R. 3501: Mr. EMANUEL.  
 H.R. 3513: Mr. WU.  
 H.R. 3529: Ms. GIFFORDS and Mr. MCNERNEY.  
 H.R. 3531: Mr. GALLEGLEY, Mr. BOOZMAN, and Mr. GOODE.  
 H.R. 3533: Mr. GENE GREEN of Texas, Mr. COHEN, Mr. HINCHEY, Mr. NADLER, and Mrs. LOWEY.  
 H.J. Res. 12: Mr. KING of New York.  
 H. Con. Res. 28: Mrs. WILSON of New Mexico.  
 H. Con. Res. 37: Mrs. CAPITO.  
 H. Con. Res. 75: Mr. MCCOTTER.  
 H. Con. Res. 83: Mr. CARTER and Mr. FRANKS of Arizona.  
 H. Con. Res. 122: Mr. WYNN, Mr. CASTLE, Ms. HOOLEY, Mr. DOYLE, Mr. FALDOMAEGA, and Mrs. LOWEY.  
 H. Con. Res. 134: Mr. WAXMAN, Mr. ELLISON, Mr. STARK, Ms. BORDALLO, and Ms. LINDA T. SANCHEZ of California.  
 H. Con. Res. 176: Mr. RADANOVICH and Mr. GOODE.

#### CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative Frank of Massachusetts or a designee to H.R. 2761, the Terrorism Risk Insurance Revision and Extension Act of 2007, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.

The amendments to be offered by Mr. Oberstar or his designee to H.R. 2881, the "FAA Reauthorization Act of 2007", does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of Rule XXI.