

Congress, to be vigilant in protecting the waters of the Great Lakes for the use and sustainability of the environmental, economic, and public health of the Great Lakes Basin.

The Committee on Transportation and Infrastructure has been integral in protecting the waters of the Great Lakes from water diversions. In the Water Resources Development Act of 1986 (“WRDA 1986”), the Committee required that each of eight Great Lakes States consent to any diversion of water from the Great Lakes Basin. WRDA 1986 prohibited any diversion of Great Lakes water by any State, Federal agency, or private entity for use outside the Great Lakes Basin without the consent of each of the eight Governors of the Great Lakes States.

Unfortunately, however, the waters of the Great Lakes are still at risk.

In 1998, Congress learned of a plan, approved by the Canadian province of Ontario, to export up to 160 million gallons of water from Lake Superior for sale to Asia. After this incident, a decision was made by the Governors of the eight Great Lakes States and Congress to strengthen Federal and interstate protections of Great Lakes waters.

In the Water Resources Development Act of 2000, the Committee on Transportation and Infrastructure strengthened the prohibition on diversions of Great Lakes waters by explicitly prohibiting exports, and “encourage[d] the Great Lakes, in consultation with the Provinces of Ontario and Quebec, to develop and implement a mechanism that provides a common conservation standard embodying the principles of water conservation and resource improvement for making decisions concerning the withdrawal and use of water from the Great Lakes Basin.”

This “common conservation standard” is embodied in the Great Lakes—St. Lawrence River Basin Water Resources Compact (“Compact”), as proposed for the consent of Congress in S.J. Res. 45. The protections contained in the Compact are consistent with the underlying prohibition of diversions and exports of Great Lakes water without consent of all eight Great Lakes States under section 1109 of WRDA 1986. In addition, the Compact should be viewed as supplementary to current laws and regulations, and as an effort by the eight Great Lakes States and Congress to strengthen protections already in place.

First, the Compact establishes that “all new or increased diversions of Great Lakes waters are prohibited,” except within the limited exceptions contained in the Compact.

The Compact also requires each of the Great Lakes States to regulate any proposed new or increased withdrawals of Great Lakes water so as to not “physically impact” the waters and water-dependent natural resources of the Basin, including the physical, chemical, and biological integrity of the Basin watersheds.

In addition, the Compact establishes a process for the inventory, registration, and reporting of Great Lakes water withdrawals, diversions, and consumptive uses within the Basin.

With respect to small-scale water uses, such as bottled water, beer, and canned goods, the Compact allows individual States to choose how to regulate smaller transfers of water in products. For example, the State of Michigan chose to regulate bottled water under the Compact by requiring producers to obtain a permit for new or increased water

withdrawals of more than 200,000 gallons per day. Under Michigan law, a permit may be granted if, among other requirements, there are no individual or cumulative adverse impacts, the water withdrawal is reasonable under state common law principles, and the producer has certified that it is in compliance with water conservation measures. This state program ensures that bottled water proposals receive careful scrutiny.

It is time for the U.S. House of Representatives to join with the Governors and State legislatures of all eight Great Lakes States, the U.S. Senate, and the administration in support of the Great Lakes—St. Lawrence River Basin Water Resources Compact.

I strongly urge my colleagues to join me in supporting S.J. Res. 45.

Mr. LEVIN. Mr. Speaker, I rise in strong support of the legislation before the House to grant congressional approval of the Great Lakes Compact.

Passage of this legislation today is essential to the health of the Great Lakes. With the approval of the Compact, at long last we will close the door to bulk diversion of Great Lakes water. The Compact also establishes a comprehensive management framework to protect this shared resource and requires Great Lake states to control their own large-scale water use.

Some will say that the agreement does not go far enough and that Congress should hold off approving the Compact until changes are made. We have to be careful not to let the perfect become the enemy of the good. The agreement before us is the product of years of effort and enjoys broad support from all eight Great Lakes states, the environmental community, conservation groups, and other key stakeholders. The region has come together behind this plan as the best way to protect the Great Lakes. It is now time for Congress to act.

There is no question that we’re in a much stronger position to protect the Great Lakes with the Compact than without it. I urge the House to join me in supporting this vital legislation.

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

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

The question was taken.

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

Mr. STUPAK. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair’s prior announcement, further proceedings on this motion will be postponed.

The point of no quorum is considered withdrawn.

#### NATIONWIDE MORTGAGE FRAUD TASK FORCE ACT OF 2008

Ms. SUTTON. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6853) to establish in the Federal Bureau of Investigation the Nationwide Mortgage Fraud Task Force to address mortgage fraud in the United States, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6853

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Nationwide Mortgage Fraud Coordinator Act of 2008”.

#### SEC. 2. ESTABLISHMENT IN THE FEDERAL BUREAU OF INVESTIGATION OF THE NATIONWIDE MORTGAGE FRAUD COORDINATOR.

(a) ESTABLISHMENT.—The Director of the Federal Bureau of Investigation shall assign the Chief of its Financial Crimes Section, Criminal Investigative Division, in addition to other assigned duties, to be the Nationwide Mortgage Fraud Coordinator.

(b) DUTIES OF THE COORDINATOR.—The Nationwide Mortgage Fraud Coordinator shall oversee all Federal Bureau of Investigation activities related to the investigation of mortgage fraud, including the following:

(1) Establishing and operating regional task forces, consisting of the voluntary participation of Federal, State, and local law enforcement and prosecutorial agencies, to organize initiatives to investigate mortgage fraud, including initiatives to enforce all pertinent Federal and State mortgage fraud laws.

(2) Providing training to Federal, State, and local law enforcement and prosecutorial agencies with respect to mortgage fraud, including related Federal and State laws.

(3) Collecting and disseminating data with respect to mortgage fraud, including, to the extent practicable, Federal, State, and local data relating to mortgage fraud investigations and prosecutions.

(4) Preparing an annual report describing the Federal Bureau of Investigation’s efforts to combat mortgage fraud and the results of these efforts. This report shall be submitted by the Federal Bureau of Investigation to Congress. The initial report shall be submitted no later one year after the date of the enactment of this Act.

(5) Making recommendations to the Director as to the need for resources to combat mortgage fraud.

(6) Performing other duties as assigned that are related to the investigation and prosecution of mortgage fraud.

(c) OPTIONAL FUNCTIONS.—The Nationwide Mortgage Fraud Coordinator shall have the following optional responsibilities:

(1) Establishing a toll free hotline and other information systems for—

(A) receiving reports of mortgage fraud;

(B) providing the public with access to information and resources with respect to mortgage fraud; and

(C) directing reports or allegations of mortgage fraud to the appropriate Federal, State, or local law enforcement and prosecutorial agency, including any appropriate regional task force.

(2) Creating a database with respect to suspensions and revocations of mortgage industry licenses and certifications to facilitate the sharing of such information by States.

(d) OPTIONAL RESPONSIBILITY OF THE DEPARTMENT OF JUSTICE.—The Department of Justice, upon consideration of any recommendations by the Nationwide Mortgage Fraud Coordinator, may—

(1) propose legislation to Federal, State, and local legislative bodies to assist in the detection, investigation, and prosecution of

mortgage fraud, including measures to address mortgage loan procedures and property appraiser practices that provide opportunities for mortgage fraud; and

(2) make recommendations to Congress as to the need for additional resources to combat mortgage fraud.

(e) SUNSET.—This section shall sunset September 30, 2015.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Ohio (Ms. SUTTON) and the gentleman from North Carolina (Mr. COBLE) each will control 20 minutes.

The Chair recognizes the gentlewoman from Ohio.

GENERAL LEAVE

Ms. SUTTON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

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

H.R. 6853, as amended, the Nationwide Mortgage Fraud Task Force Act, was introduced by Congressman MEEK from Florida. H.R. 6853 directs the Federal Bureau of Investigation to designate a high-level official to coordinate mortgage fraud investigations.

Mortgage fraud is one of the fastest-growing white-collar crimes in the United States. The FBI estimates that the number of cases grew from approximately 17,000 in 2004 to 46,000 in 2007.

The losses from these crimes amount to billions of dollars spread among the financial institutions that have been struggling in the wake of the collapse of the real estate market.

Beyond the direct harm to the defrauded lender, this crime has far wider ripple effects in our neighborhoods and in our national economy.

In our neighborhoods, mortgage fraud has resulted in abandoned houses that cannot be easily resold because they are now owned by a bank and tied up in litigation. These houses often sit empty, deteriorating and becoming overgrown with weeds, an invitation to burglars or other criminal elements, and a blight on the entire neighborhood. In our economy, mortgage fraud has exacerbated the subprime loan crisis that is now having wide-spread effects on the entire financial system.

Mortgage fraud can take many forms and may involve dishonest borrowers, appraisers, settlement agents, loan officers, brokers or other persons, including phony straw purchasers under the direction of others. These can be difficult, time consuming and resource-intensive cases to investigate and prosecute. This bill will help the FBI meet these challenges by directing it to appoint a nationwide mortgage fraud coordinator to coordinate the FBI's efforts.

The coordinator would supervise regional task forces, coordinate investigations and facilitate appropriate

training and information sharing. They would also prepare reports to assist Congress in undertaking any additional legislative response as may be warranted.

This is an important bill that addresses an important issue facing our communities and our families. I urge my colleagues to support this important legislation.

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

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

I rise in support of H.R. 6853, the Nationwide Mortgage Fraud Task Force Act of 2008. I appreciate the willingness of my colleagues on the other side of the aisle to address some concerns that we had with the bill.

However, I understand that despite improvements to the bill, there was a rush to bring it to the floor. The Judiciary Committee held no hearings or markups on the bill. At a minimum, the committee could have sought the input of FBI Director Mueller when he appeared before our committee last Tuesday. Unfortunately, however, we were not aware of the majority desire to move this legislation at that time.

The subprime mortgage crisis has taken a toll on millions of Americans across the country. Inflated housing prices, combined with fluctuating mortgage interest rates, have left many homeowners struggling to make their monthly mortgage payments or, worse, facing foreclosure on their homes.

Many factors have contributed to this crisis, including predatory lending by corrupt lenders, mortgage fraud and even foreclosure fraud. Estimated losses for mortgage fraud are between 4 and 6 billion dollars, with \$813 million in losses in fiscal year 2007 alone.

According to the Federal Bureau of Investigation, the western region of the United States led the Nation with 37 percent of mortgage fraud-related reports filed during fiscal year 2007. States with the most significant mortgage fraud problems in 2008 include Florida, Nevada, Michigan, California, Utah, Georgia, Virginia, Illinois, New York and Minnesota. Other States significantly affected by mortgage fraud included Arizona, Maryland, Utah, Nevada, Missouri, Indiana, Tennessee, Virginia, New Jersey and Connecticut.

Clearly this is a nationwide problem. The FBI has been actively investigating mortgage fraud since 1999. In his testimony before our Judiciary Committee last week, FBI Director Robert Mueller informed us that 42 FBI mortgage fraud task forces are currently handling 1,400 mortgage fraud investigations across the country. This includes 24 investigations into large-scale corporate fraud. The FBI's Operation Malicious Mortgage is an immense multiagency operation focused primarily on three types of mortgage fraud, lending fraud, foreclosure rescue schemes and mortgage-related bankruptcy schemes.

As of June, this operation has nabbed more than 400 defendants, 173 convictions, and 81 sentencing in crimes accounting for more than \$1 billion in estimated losses. Just last month, in my home State of North Carolina, four defendants were indicted in Federal court for using various fraud schemes, including inflated property values and false representations to lenders to secure financing for the purchase of property and mobile homes.

H.R. 6853 lends additional support to the FBI for its mortgage fraud investigations and provides additional tools to State and local law enforcement. The bill designates the chief of the FBI's Financial Crimes Section as the nationwide mortgage fraud coordinator and directs her to oversee all mortgage fraud investigations, provide additional training to State and local law enforcement, and collect and report annual mortgage fraud data to the Congress.

Again, I thank my colleagues for amending the bill to address our objections and concerns, and I urge my colleagues to support the bill.

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

Ms. SUTTON. Mr. Speaker, at this time it's my honor to yield 5 minutes to the gentleman from Florida, the sponsor of this bill, Mr. MEEK.

Mr. MEEK of Florida. I want to thank the gentlewoman from the great State of Ohio for yielding to me and my good friend from North Carolina. Both of their explanations about H.R. 6853 are very accurate of the situation.

Mr. Speaker, we have a number of Americans that are trying to get homes or tried to get homes, and we have individuals that are preying upon them. This is really one of the most egregious white-collar crimes that are out there right now.

With this bill, it will give the FBI some direction in working with local law enforcement to bring about the kind of coordination we need in our country to be able to assist Americans or be able to save Americans from falling victim to mortgage fraud.

In my community alone, in Miami-Dade County, there was a task force set up. Just last year, they were able to not only arrest 71 individuals, but they were able to generate more cases because of the coordination they have and expertise that they have, but that's a metropolitan city. With this legislation, it will bring about the coordination of smaller police departments and also prosecutor offices that will be able to move faster on these mortgage crimes.

Many of the Members have been given the statistics that have plagued our country thus far, but this legislation is very, very urgent. Right now, we are facing a crisis on Wall Street, but we have a number of Americans that are facing a crisis because they have been had by those that are out there preying upon them and that are coordinating themselves in a more detailed way than law enforcement at

this time. But we are catching up and legislation, like the legislation that is before us, will allow us to do so.

I want to commend the FBI for what they have been able to do thus far. With this legislation, it will give even more focus to mortgage fraud.

Also, I just want to state for the record that we have been in communication with the FBI. They are fully aware of this. I think the reason why we have an amendment, this bill has been amended, is the fact that the coordinator will serve better than just an overall task force that will create regional task forces, that will then come back to the Congress and give us some legislative ideas on how we can even pinpoint more efforts towards this particular crime.

As you know, many, many Americans, many Americans have saved up their money to be able to purchase their first home. Many of these individuals that are out there coordinating to take their money, to take their life savings, to be able to take every little thing that they have punched in for and punched out for many, many years, some of them have taken the money their loved ones left for them once they have passed on to be able to buy that first home, and for them to be taken advantage of is one of the bad things that we look at in our society.

We do know we have undesirables out there that are willing to prey on hard-working Americans. This legislation is urgent. It's right now for the moment.

I am glad we are on the floor. I want to thank the chairman of the committee, and, also, our colleagues on the other side of the aisle, for working to push this legislation to passage here in the House and hopefully through the Senate and on to the President of the United States, so that we don't have to continue to see the number of victims, especially seniors and especially first-time home buyers, fall victim to these individuals that are out there.

I ask for the Members to please support H.R. 6853, the legislation that would create a nationwide mortgage coordinator in the FBI.

□ 1430

Mr. COBLE. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. BROUN).

Mr. BROUN of Georgia. I thank the gentleman for yielding.

Mr. Speaker, I believe that people who commit fraud should be held responsible at the highest degree. I think the greatest form of fraud that we have in America and has been part of the problem that has created this financial crisis is an act passed by Congress called the Community Development Act. This has created a system that people are fraudulently giving mortgages, but it has also created a system where groups, community development organizations such as Acorn are holding financial institutions hostage. They use threats, extortion and bribes to try to get these financial institu-

tions to give loans to people who can't pay, and it has created a system in America that has caused a meltdown in our whole financial system.

If we are going to start dealing with fraud in America, we need to start dealing with the greatest source of fraud, and the Community Development Act is one of those. We need to repeal the Community Development Act. We need to stop Acorn and other types of organizations like this from threatening our financial institutions. We need to put America back on a strong financial basis. Only by repealing the Community Development Act will we do so. We have to find solutions. We can't just play around the edges as we are doing now.

We will be voting on a bill very shortly to try to bail out financial institutions in America. I am very skeptical of the bill, frankly. But we do know that there are some very inherent problems in bills that were passed by this House as well as the Senate and put into law.

We need to repeal the Community Development Act as well as other acts such as that which have created this house of cards financially that is collapsing around our ears.

Ms. SUTTON. Mr. Speaker, may I inquire how many more speakers the gentleman from North Carolina has.

Mr. COBLE. I have no more speakers, and I yield back the balance of my time.

Ms. SUTTON. I thank the distinguished gentleman from North Carolina.

Mr. Speaker, H.R. 6853 is an important bill that addresses a large problem that is facing our communities and families. I urge my colleagues to support this important legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Ohio (Ms. SUTTON) that the House suspend the rules and pass the bill, H.R. 6853, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas have it.

Mr. BROUN 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 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### ELDER ABUSE VICTIMS ACT OF 2008

Ms. SUTTON. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5352) to protect seniors in the United States from elder abuse by establishing specialized elder abuse prosecution and research programs and activities to aid victims of elder abuse, to provide training to prosecutors and other law enforcement related to elder

abuse prevention and protection, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5352

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Elder Abuse Victims Act of 2008".

#### TITLE I—ELDER ABUSE VICTIMS

#### SEC. 101. ANALYSIS, REPORT, AND RECOMMENDATIONS RELATED TO ELDER JUSTICE PROGRAMS.

(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Attorney General, in consultation with the Secretary of Health and Human Services, shall carry out the following:

(1) STUDY.—Conduct a study of laws and practices relating to elder abuse, neglect, and exploitation, which shall include—

(A) a comprehensive description of State laws and practices relating to elder abuse, neglect, and exploitation;

(B) a comprehensive analysis of the effectiveness of such State laws and practices; and

(C) an examination of State laws and practices relating to specific elder abuse, neglect, and exploitation issues, including—

(i) the definition of—

(I) "elder";

(II) "abuse";

(III) "neglect";

(IV) "exploitation"; and

(V) such related terms the Attorney General determines to be appropriate;

(ii) mandatory reporting laws, with respect to—

(I) who is a mandated reporter;

(II) to whom must they report and within what time frame; and

(III) any consequences for not reporting;

(iii) evidentiary, procedural, sentencing, choice of remedies, and data retention issues relating to pursuing cases relating to elder abuse, neglect, and exploitation;

(iv) laws requiring reporting of all nursing home deaths to the county coroner or to some other individual or entity;

(v) fiduciary laws, including guardianship and power of attorney laws;

(vi) laws that permit or encourage banks and bank employees to prevent and report suspected elder abuse, neglect, and exploitation;

(vii) laws relating to fraud and related activities in connection with mail, telemarketing, or the Internet;

(viii) laws that may impede research on elder abuse, neglect, and exploitation;

(ix) practices relating to the enforcement of laws relating to elder abuse, neglect, and exploitation; and

(x) practices relating to other aspects of elder justice.

(2) DEVELOPMENT OF PLAN.—Develop objectives, priorities, policies, and a long-term plan for elder justice programs and activities relating to—

(A) prevention and detection of elder abuse, neglect, and exploitation;

(B) intervention and treatment for victims of elder abuse, neglect, and exploitation;

(C) training, evaluation, and research related to elder justice programs and activities; and

(D) improvement of the elder justice system in the United States.

(3) REPORT.—Not later than 2 years after the date of enactment of this Act, submit to the chairman and ranking member of the Special Committee on Aging of the Senate,