

promote our attentiveness to children's charities and youth-serving organizations across the United States.

Private corporations and businesses have joined with hundreds of national and local charitable organizations throughout the Nation in support of a month-long focus on children and youth.

Children and youth-serving organizations provide access to health care, social services, education, the arts, sports, and other services that assist in the development of character and the future success of our Nation's youth.

Children's charities and youth-serving organizations provide invaluable services to enrich the lives of the Nation's children on a daily basis. Through this resolution, Congress is able to recognize the efforts of these organizations on behalf of children and youth as a positive investment for the future of our Nation.

Designating September as National Child Awareness Month acknowledges the inherent public interest that a long-term commitment to children and youth promotes. I stand in support of this resolution. I ask for my colleagues' support in designating September as National Child Awareness Month.

I yield back the balance of my time.

Mr. TONKO. Madam Speaker, the importance of recognizing the impact we can have on our children through programs, through resources, through legislation, through budgeted areas that can support their development are all reason to support this legislation which brings it to laser sharp focus during the month of September where we dedicate a month to growing awareness of the needs of our children.

For those reasons, I strongly support this resolution and encourage our colleagues to do likewise.

Ms. LORETTA SANCHEZ of California. Madam Speaker, as the sponsor of H. Res. 438 I rise in support of this bipartisan resolution expressing support for recognizing the month of September as National Child Awareness Month.

My colleague from California, Congressman KEN CALVERT and I were pleased to introduce H. Res. 438 because it will raise awareness of children's charities and youth-serving organizations across the United States. This resolution recognizes that these organizations' efforts on behalf of children and youth are critical contributions to the future of our nation.

As we know, September is traditionally back-to-school month, a time when families focus on preparing children for the coming school year. In addition to academic preparation, it is also a time when the American public should be focused on the physical, social and economic well-being of our nation's children.

It is my hope that H. Res. 438 will encourage more individuals to volunteer for or contribute to causes that help our children.

An enhanced awareness of children's charities and youth-serving organizations, made possible by this resolution, will assist these organizations' efforts to encourage volunteers to become involved in the lives of the most disadvantaged children in our communities across the country.

I am confident that National Child Awareness Month will serve as a banner that will unite charitable organizations of diverse missions, size, geography and scope to focus on a common goal—improving the lives of our nation's youth.

Many non-profit youth-serving organizations and charities across the country have expressed their strong support for the recognition of September as National Child Awareness Month.

I am hopeful that president Obama will share my enthusiasm and issue a Presidential Proclamation to designate September as National Child Awareness Month. With his support, both public and private programs across the nation will be acknowledged for their contributions to ensuring our children's well-being.

In the meantime, I would like to thank my colleagues for their unanimous support for the adoption of H. Res. 438—National Child Awareness Month as it will serve to bring the nation's focus back to the one resource that guarantees our future success—our children.

I yield back my time, Madam Speaker.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 438.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

#### FRAUD ENFORCEMENT AND RECOVERY ACT OF 2009

Mr. SCOTT of Virginia. Madam Speaker, I move to suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill (S. 386) to improve enforcement of mortgage fraud, securities fraud, financial institution fraud, and other frauds related to federal assistance and relief programs, for the recovery of funds lost to these frauds, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate amendment to the House amendments is as follows:

Senate amendment to House amendments: On page 31, line 13, after "the Commission" insert: "*including an affirmative vote of at least one member appointed under subparagraph (C) or (D) of subsection (b)(1)*"

*Resolved further*, That the Senate agree to the amendment of the House of Representatives to the title of the aforesaid bill.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Texas (Mr. POE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

#### GENERAL LEAVE

Mr. SCOTT of Virginia. Madam 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 gentleman from Virginia?

There was no objection.

Mr. SCOTT of Virginia. I yield myself such time as I may consume.

Madam Speaker, the bill, S. 386, the Fraud Enforcement and Recovery Act of 2009, is a bill crafted to combat the financial fraud that contributed to causing, and worsening, our Nation's mortgage crisis, as well as other financial schemes such as securities fraud, ID theft, and organized retail theft. Not only does the bill clarify certain Criminal Code sections, but more importantly, it provides resources to law enforcement agencies to enforce present antifraud statutes.

This is essentially the same bill the House passed 2 weeks ago, with a minor amendment that the Senate added before it approved the House-amended bill last week, by unanimous consent.

It also keeps the independent bipartisan commission proposed by the gentleman from Connecticut (Mr. LARSON) to examine more broadly the circumstances giving rise to the current financial crisis.

The Senate has clarified the subpoena power of the commission to specify that at least one Republican-appointed commissioner must approve the issuance of any subpoena.

I would like to thank, once again, the chairman of the full Judiciary Committee, the gentleman from Michigan (Mr. CONYERS); the ranking member of the full committee, the gentleman from Texas (Mr. SMITH); the ranking member of the Crime Subcommittee, Mr. GOHMERT; and other Members of the committee, such as the gentleman from Texas (Mr. POE) as well as the gentlelady from Illinois (Mrs. BIGGERT), and our colleagues in the other body for their help in making this such a strong bipartisan bill.

I urge my colleagues to support the bill and to send it to the President.

I reserve the balance of my time.

Mr. POE of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, S. 386, the Fraud Enforcement and Recovery Act of 2009 improves current criminal and civil fraud statutes to help the Federal Government bring predatory lenders and unscrupulous financial institutions to justice.

Judiciary Chairman CONYERS and Ranking Member SMITH sponsored the companion legislation in the House, H.R. 1748, the Fight Fraud Act of 2009. S. 386, as amended, merges these two important pieces of legislation together to provide comprehensive and effective solutions to combating mortgage fraud, securities fraud, and other financial crimes.

The House passed this legislation in early May with overwhelming bipartisan support.

□ 1515

The Senate has returned the bill to us with one important change. Section

5 of the bill creates a Financial Crisis Inquiry Commission within the legislative branch. This commission is charged with examining the causes, both domestic and global, of the current financial and economic crisis in the United States and reporting its findings to Congress.

The bill grants the commission the authority to issue subpoenas, as necessary, to conduct its investigation and meet its obligation to Congress. A subpoena may be issued only by the agreement of the chairperson and vice chairperson or by approval from a majority of the commission's members.

The Senate amendment clarifies that a majority vote must include the vote of at least one Member appointed by either the minority leader of the House or the minority leader of the Senate.

This provides additional assurance that the examination undertaken by the commission, and in its exercise of subpoena authority, will not be politicized. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. SCOTT of Virginia. I reserve the balance of my time.

Mr. POE of Texas. I yield 3 minutes to the gentleman from Texas (Mr. BURGESS.)

Mr. BURGESS. I thank the gentleman for yielding. My concern today involves just that creation of a financial commission. I spoke on this when the bill passed this House earlier this month.

Madam Speaker, I'm generally not in favor of commissions. I think Congress needs to do the work that the people sent us here to do. But if we have to create a commission then, please, let us create that commission so it is above reproach, so that it does not appear to have a political agenda.

The 9/11 Commission really should be the model that this body uses for the creation of this financial commission. After all, the events we saw in September of 2008 have been very devastating to this country, even as the events of September 2001 were devastating to this country.

We have not looked back into the causes of this crisis. We have not held anyone accountable. Most importantly, since we don't know what went wrong, we don't know how to keep it from happening again.

Congressman BRADY from Texas and myself introduced a bill earlier this year for just such a commission, H.R. 2111, but it differs substantially from the bill under consideration today. The bill we are considering again creates a 10-member commission, but composed of 6 Democrats and 4 Republicans.

The 9/11 Commission was split 50-50. So why would we unbalance this commission and, quite frankly, if there's guilt on one side, there's guilt on the other. And why would we tip the scale in one direction or the other?

S. 386 allows the chairman of the Senate Banking Committee to select a commissioner. The chairman of the

Senate Banking Committee may have been part of the problem.

This bill allows the chairman of the House Financial Services Committee to appoint a representative to the commission. The chairman of the House Financial Services Committee may have been part of the problem.

S. 386 creates an accountability commission focused on protecting not the people, but the government. H.R. 2111, however, creates an accountability commission focused on protecting taxpayers and restoring public confidence, something that is missing at this critical juncture.

This commission that we are authorizing today is little more than a fig leaf to provide some measure of congressional cover. And, Madam Speaker, when do we get the report? December of 2010. Conveniently timed a month after the next election. If we are so serious about doing this, what is to prevent us from wrapping this work up within a year's time, or September of 2010 at the latest, so that the American people would have this information before they go to the polls next fall?

Now, I just want to close by quoting a few lines from Investors Business Daily, an article entitled: "Probe Yourself, from April 16, 2009." The article says: "Regulators also deserve blame for lowering lending standards that then contributed to riskier home ownership and the housing bubble." Exactly correct.

Continuing to quote: "As such, the proposed commission will be little more than a fig leaf to cover Congress' own multitude of sins."

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

Mr. POE of Texas. I yield the gentleman 1 additional minute.

Mr. BURGESS. I thank the gentleman. "Letting Members, the true creators of this financial mess, to bash business leaders as they pose as populist saviors of Main Street from Wall Street."

Continuing to quote: "On NPR Thursday," back in April, "a reporter confronted Representative FRANK, the chairman of the Financial Services Committee, with the fact that his \$300 billion Hope for Homeowners program passed with much fanfare a year ago that has so far helped one homeowner." One. One homeowner. And the response was: "It was the fault of the right. And Bush."

Quoting again: "Truth is, the chairman's party has been in charge since 2006. And during that time, Democrats have presided over one of the most disgraceful and least accomplished Congresses in history. This financial mess began on their watch, yet they pretend otherwise."

Further quoting from the Investors Business Daily, the commission that is outlined "won't get to the bottom of our financial crisis; it will carefully select scapegoats to be ritually shamed by the liberal media, stripped of their wealth, and exiled. Then new rules will

be imposed that will no doubt make things worse. And the cycle will begin again."

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

Mr. POE of Texas. I yield the gentleman an additional 2 minutes.

Mr. BURGESS. Madam Speaker, quoting again: "Wall Street didn't create this subprime mess. Congress, through repeated interventions in healthy markets, did. And when the whole thing failed, it was Congress' fault."

Investors Business Daily concludes by saying: "We'd be happy to support a 9/11-style commission to look into the causes of the financial meltdown. But only if Congress agrees to put itself under the microscope. Anything less would be a sham."

Madam Speaker, they're exactly correct. It will be a sham. The American people will see through this. We should do this correctly. If we're going to have a commission, it should be a 50-50 bipartisan split.

Let's investigate. Let's figure out what went wrong. Most importantly, rather than just assigning blame, let us create an environment where this never is able to happen again.

Mr. POE of Texas. I yield back the balance of my time.

Mr. SCOTT of Virginia. Madam Speaker, the bill as it's before us passed the Senate by unanimous consent. I urge my colleagues to concur in the Senate amendment, thereby passing the bill so it can go to the President so that resources can be made available to law enforcement and those who are guilty of fraudulent schemes can be held accountable. I would urge us to pass the bill.

Mr. DINGELL. Madam Speaker, I rise today in support of S. 386, the Fraud Enforcement and Recovery Act. This legislation provides the Department of Justice with the tools it needs to fight fraud in the use of funds under TARP and the American Recovery and Reinvestment Act. S. 386 has a number of provisions that seek to protect Americans by ensuring the agencies tasked with investigating and prosecuting mortgage and financial fraud have the funding and personnel they need to do so. I am also pleased the House recognizes the need for increased accountability for mortgage lending businesses not directly regulated or insured by the Federal Government, an industry responsible for nearly half the residential mortgage market before the housing crash.

I am more hesitant to support other provisions of S. 386. This bill includes an amendment to establish a special commission to investigate the causes of the current financial crisis. I believe that any such commission should be comprised of members of this body, who are furthermore from the committees of jurisdiction relevant to the matter. I have introduced a resolution, H. Res. 345, to do precisely that. It is my long-held belief that the Congress should, contrary to the prevailing fashion of the times, conduct, its own oversight work. For the simple fact that members of this body will ultimately write the legislation to re-impose a strict regulatory framework

upon the financial services industry, they should be personally involved in vigorous efforts to expose the many and sundry causes of this country's recent economic collapse. In brief, well-informed members of Congress write more effective legislation.

With this in mind, I voice my support for aggressive oversight of the financial services industry, but respectfully object to the manner in which S. 386, as amended, mandates it be performed.

Mr. SCOTT of Virginia. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. SCOTT) that the House suspend the rules and concur in the Senate amendment to the House amendments to the Senate bill, S. 386.

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. BURGESS. Madam 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.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 3 o'clock and 23 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1833

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HEINRICH) at 6 o'clock and 33 minutes p.m.

#### REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 111-113) on the resolution (H. Res. 450) 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.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings

will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

House Resolution 300, by the yeas and nays;

Concurring in the Senate amendment to the House amendments to S. 386, de novo;

House Resolution 442, by the yeas and nays.

Remaining postponed votes will be taken later in the week.

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

#### CONGRATULATING CAMP DUDLEY ON ITS 125TH ANNIVERSARY

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 300, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and agree to the resolution, H. Res. 300, as amended.

The vote was taken by electronic device, and there were—yeas 388, nays 0, not voting 45, as follows:

[Roll No. 267]

YEAS—388

Abercrombie  
Ackerman  
Aderholt  
Adler (NJ)  
Akin  
Alexander  
Altmire  
Andrews  
Arcuri  
Austria  
Baca  
Bachmann  
Bachus  
Baird  
Baldwin  
Barrow  
Bartlett  
Barton (TX)  
Bean  
Becerra  
Berkley  
Berman  
Berry  
Bilbray  
Bilirakis  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boccheri  
Boehner  
Bonner  
Bono Mack  
Boozman  
Boren  
Boswell  
Boucher  
Boustany  
Boyd  
Brady (PA)  
Brady (TX)  
Bralley (IA)  
Bright  
Broun (GA)  
Brown (SC)

Brown-Waite,  
Ginny  
Buchanan  
Burgess  
Burton (IN)  
Butterfield  
Buyer  
Calvert  
Camp  
Campbell  
Cantor  
Cao  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson (IN)  
Carter  
Cassidy  
Castle  
Emerson  
Castor (FL)  
Chaffetz  
Chandler  
Childers  
Childers  
Clarke  
Clay  
Cleaver  
Clyburn  
Coble  
Coffman (CO)  
Cohen  
Cole  
Conaway  
Connolly (VA)  
Conyers  
Cooper  
Costa  
Courtney  
Crenshaw  
Crowley  
Cuellar  
Culberson  
Cummings  
Dahlkemper  
Davis (CA)  
Davis (IL)

Davis (KY)  
Davis (TN)  
DeFazio  
DeGette  
DeLauro  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dicks  
Dingell  
Doggett  
Donnelly (IN)  
Doyle  
Dreier  
Driehaus  
Duncan  
Edwards (MD)  
Edwards (TX)  
Ehlers  
Ellsworth  
Emerson  
Engel  
Eshoo  
Etheridge  
Fallin  
Farr  
Fattah  
Filner  
Flake  
Fleming  
Forbes  
Fortenberry  
Foster  
Fox  
Frank (MA)  
Franks (AZ)  
Frelighuysen  
Fudge  
Galleghy  
Giffords  
Gingrey (GA)  
Gohmert  
Gonzalez  
Goodlatte  
Gordon (TN)  
Granger  
Green, Al

Green, Gene  
Griffith  
Guthrie  
Hall (NY)  
Hall (TX)  
Halvorson  
Hare  
Harper  
Hastings (FL)  
Hastings (WA)  
Heinrich  
Heller  
Hensarling  
Herger  
Herseht Sandlin  
Higgins  
Hill  
Himes  
Hinchev  
Hinojosa  
Hirono  
Hodes  
Hoekstra  
Holt  
Honda  
Hoyer  
Hunter  
Inglis  
Inslie  
Israel  
Issa  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jenkins  
Johnson (GA)  
Johnson, E. B.  
Johnson, Sam  
Jones  
Jordan (OH)  
Kagen  
Kaptur  
Kildee  
Kilpatrick (MI)  
Kilroy  
Kind  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kirkpatrick (AZ)  
Klein (FL)  
Kline (MN)  
Kratovich  
Kucinich  
Lamborn  
Lance  
Langevin  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Latta  
Lee (CA)  
Lee (NY)  
Levin  
Lewis (CA)  
Linder  
Lipinski  
LoBiondo  
Loebach  
Lofgren, Zoe  
Lowey  
Lucas  
Luetkemeyer  
Luján  
Lummis  
Lungren, Daniel  
E.  
Lynch  
Mack  
Maffei  
Manzullo  
Markey (CO)

Markey (MA)  
Marshall  
Massa  
Matheson  
Matsui  
McCarthy (CA)  
McCarthy (NY)  
McCaul  
McClintock  
McCotter  
McDermott  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McMahon  
McMorris  
Rodgers  
McNerney  
Meek (FL)  
Meeks (NY)  
Melancon  
Michaud  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Minnick  
Mitchell  
Mollohan  
Moore (KS)  
Moore (WI)  
Moran (KS)  
Murphy (CT)  
Murphy (NY)  
Murphy, Patrick  
Murphy, Tim  
Murtha  
Myrick  
Nadler (NY)  
Napolitano  
Neal (MA)  
Neugebauer  
Nunes  
Nye  
Oberstar  
Obey  
Olson  
Olver  
Ortiz  
Pallone  
Pascrell  
Pastor (AZ)  
Paul  
Paulsen  
Payne  
Pence  
Perlmutter  
Perriello  
Peters  
Peterson  
Petri  
Pingree (ME)  
Pitts  
Platts  
Poe (TX)  
Pollis (CO)  
Pomeroy  
Posey  
Price (GA)  
Price (NC)  
Putnam  
Quigley  
Radanovich  
Rahall  
Rangel  
Rehberg  
Reichert  
Reyes  
Richardson  
Rodriguez  
Roe (TN)

Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rooney  
Ros-Lehtinen  
Roskam  
Ross  
Rothman (NJ)  
Royal-Allard  
Royce  
Ruppersberger  
Rush  
Ryan (WI)  
Salazar  
Sarbanes  
Scalise  
Schakowsky  
Schauer  
Schiff  
Schmidt  
Schock  
Schrader  
Schwartz  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Sessions  
Sestak  
Shadegg  
Shea-Porter  
Sherman  
Shimkus  
Shuster  
Simpson  
Sires  
Skelton  
Slaughter  
Smith (NE)  
Smith (NJ)  
Smith (TX)  
Space  
Spratt  
Stearns  
Sutton  
Tauscher  
Taylor  
Teague  
Terry  
Thompson (CA)  
Thompson (MS)  
Thompson (PA)  
Thornberry  
Tiahrt  
Tiberi  
Tierney  
Titus  
Tonko  
Tsongas  
Turner  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden  
Walz  
Wasserman  
Schultz  
Watson  
Waxman  
Weiner  
Welch  
Westmoreland  
Wexler  
Whitfield  
Wilson (OH)  
Wilson (SC)  
Wittman  
Wolf  
Woolsey  
Wu  
Yarmuth  
Young (AK)  
Young (FL)

#### NOT VOTING—45

Barrett (SC)  
Biggart  
Brown, Corrine  
Carney  
Costello  
Davis (AL)  
Deal (GA)  
Delahunt  
Ellison  
Garrett (NJ)  
Gerlach  
Graves  
Grayson

Grijalva  
Gutierrez  
Harman  
Holden  
Johnson (IL)  
Kanjorski  
Kennedy  
Kissell  
Kosmas  
Lewis (GA)  
Maloney  
Marchant  
McCollum

Mica  
Moran (VA)  
Rohrabacher  
Ryan (OH)  
Sánchez, Linda  
T.  
Sanchez, Loretta  
Shuler  
Smith (WA)  
Snyder  
Souder  
Speier  
Stark