I urge my colleagues on both sides of the aisle—this is a bipartisan bill—please, please don't be scared by the President's veto threat yesterday and try to vote for the constituents back home in our districts that desperately need this legislation to pass.

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

The SPEAKER pro tempore (Mr. DUNCAN of Tennessee). All time for debate has expired.

Pursuant to House Resolution 189, the previous question is ordered on the bill.

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.

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 650 is postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Brian Pate, one of his secretaries.

MORTGAGE CHOICE ACT OF 2015

Mr. HUIZENGA of Michigan. Mr. Speaker, pursuant to House Resolution 189, I call up the bill (H.R. 685) to amend the Truth in Lending Act to improve upon the definitions provided for points and fees in connection with a mortgage transaction, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 685

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 ''Mortgage Choice Act of 2015''.

SEC. 2. DEFINITION OF POINTS AND FEES.

(a) AMENDMENT TO SECTION 103 OF TILA.—Section 103(bb)(4) of the Truth in Lending Act (15 U.S.C. 1602(bb)(4)) is amended—

(1) by striking ''paragraph (1)(B)'' and inserting ''paragraph (1)(A) and section 129C'';

(2) in subparagraph (C)—

(A) by inserting ''and insurance'' after ''taxes'';

(B) in clause (ii), by inserting '', except as retained by a creditor or its affiliate as a result of their participation in an affiliated business arrangement (as defined in section 2(7) of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602(7))'' after ''compensation''; and

(C) by striking clause (iii) and inserting the following:

''(iii) the charge is—

''(I) a bona fide third-party charge not retained by the mortgage originator, creditor, or an affiliate of the creditor or mortgage originator; or

''(II) a charge set forth in section 106(e)(1);''; and

(3) in subparagraph (D)—

(A) by striking ''accident,''; and

(B) by striking ''or any payments'' and inserting ''and any payments''.

(b) AMENDMENT TO SECTION 129C OF TILA.—Section 129C of the Truth in Lending Act (15 U.S.C. 1639c) is amended—

(1) in subsection (a)(5)(C), by striking ''103'' and all that follows through ''or mortgage originator'' and inserting ''103(bb)(4)''; and

(2) in subsection (b)(2)(C)(i), by striking ''103'' and all that follows through ''or mortgage originator)'' and inserting ''103(bb)(4)''.

SEC. 3. RULEMAKING.

Not later than the end of the 90-day period beginning on the date of the enactment of this Act, the Bureau of Consumer Financial Protection shall issue final regulations to carry out the amendments made by this Act, and such regulations shall be effective upon issuance.

The SPEAKER pro tempore. Pursuant to House Resolution 189, the gentleman from Michigan (Mr. HUIZENGA) and the gentlewoman from California (Ms. MAXINE WATERS) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. HUIZENGA of Michigan. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and submit extraneous materials on the bill under consideration.

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

There was no objection.

Mr. HUIZENGA of Michigan. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of my bill, H.R. 685, the Mortgage Choice Act.

As someone who has worked in the housing industry, this is a very important issue to me and, more importantly, to all of our constituents across the country.

Last year, the qualified mortgage—or QM—ability to repay rule as mandated by the Dodd-Frank Wall Street Reform Act went into effect. Nobody has a problem with that, but the QM rule is the primary means for mortgage lenders to satisfy its ''ability to repay'' requirements.

Additionally, Dodd-Frank provides that a QM, or qualified mortgage, may not have points and fees in excess of 3 percent of the total loan amount.

As it is ambiguously defined currently, ''points and fees'' include, among other charges, fees paid to affiliated, but not unaffiliated, title companies, and amounts of insurance and taxes held in escrow.

As a result of this confusing and problematic definition, many affiliated loans, particularly those made to low- and moderate-income borrowers would not qualify as QMs and would be unlikely to be made or would only be available at higher rates due to heightened liability risks. Consumers would lose the ability to take advantage of the convenience and market efficiencies and choice offered by one-stop shopping.

I, along with my good friend Representative GREGORY MEEKS from New York, reintroduced H.R. 685, a strong, bipartisan bill that would modify and clarify the way that these points and fees are calculated. This legislation is very narrowly focused to promote access to affordable mortgage credit without overturning the important consumer protections and sound underwriting required under Dodd-Frank's ''ability to repay'' provisions.

Having been a licensed Realtor and coming out of that industry, it didn't take those of us who had been in the industry long to see that there was significant problems with the structure of what had led to the housing crisis in the last number of years.

I tell the story oftentimes of the first closing that I did, where a check was slid across the desk the table to the seller and then a check was slid across the table to the buyer. The closing agent really didn't even know what to say.

It was the first time that they were starting to get into these zero down or even 120 percent loan to values, is what was happening.

□ 1615

I thought to myself, this is not going to end well, and that is the case. We need to have that tightened-up system.

But I think it is important to know that we have some issues with that Dodd-Frank provision. This is one of those.

I do also believe, Mr. Speaker, that it is important to note that when we first introduced this bill in 2012, in the last Congress, it looked substantially different. However, working with my colleagues on the other side of the aisle, I made the decision to make the changes necessary to gain their support of the legislation. As a result, it has been a truly bipartisan effort at every step of the way in the legislative process.

That is why this very legislation unanimously passed both the House Financial Services Committee and the House of Representatives last Congress. In fact, as we dealt with this bill again, the new bill, H.R. 685, it passed out of committee 43–12, after, I think, some had decided that they were going to be against it after they were for it.

It seems that the White House and others on Capitol Hill have decided that, rather than taking care of consumers, and rather than trying to make the bill work, they have decided that it is a citadel that cannot be breached, and not a jot or a tittle of Dodd-Frank can be changed. Otherwise, they label it as bailouts and helping out Wall Street and all these other things.

The real truth of the matter is, Mr. Speaker, we are trying to make sure that real Americans can obtain the American Dream and buy and own their own home.

Specifically, our bill, H.R. 685, would provide equal treatment for affiliated title fees and title companies and clarify the treatment of insurance held in escrow.

When things are held in escrow, they don't belong to the owner, they don't