

they reach down to the low-income groups in this society and cut their health care. It seems to me that if you are going to start by cutting health care benefits anywhere, we ought to start right on this floor, with the people who work here.

FREEDOM IS WINNING, TERRORISM IS LOSING IN IRAQ

(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, it has been asked in some shrill tones this morning on the floor of this Congress, 2,000 American casualties in Iraq, and what do we have to show for it?

Well, I would offer very humbly, what we have to show for it is a dictator behind bars, a terrorist haven vanquished, 100,000 Iraqis in uniform with another 100,000 yet being trained in the next year, millions freed from tyranny, national elections in January, and, as the headlines today attest, a constitution ratified in a new, free, and democratic Iraq. That is what we have to show for it.

Because of the ongoing sacrifices of the American soldier, those at their post and those in glory, and their families, freedom is winning, terrorism is losing in Iraq.

CAPTAIN JAMES R. JONES

(Ms. FOXX asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. FOXX. Mr. Speaker, I rise today to pay tribute to Vietnam War hero Captain James R. Jones, who gave his life for his country. This past weekend, I had the pleasure to award the late Captain Jones the Purple Heart for his bravery and courage.

Captain Jones was an extraordinary man. Born in Surry County, North Carolina, in 1939 to Buster and Myrtle Jones, Captain Jones received degrees with honor from J.J. Jones High School in Mount Airy, A&T College in Greensboro, and a dentistry degree from Howard University. Upon his graduation in 1964, he was commissioned as a captain under the ROTC program and subsequently entered military service.

In 1967, he was assigned to a small dental clinic at an outlying base in Vietnam. Sadly, his care would never be received. The aircraft he was on board crashed soon after takeoff and caught fire. Everyone on board perished. Captain Jones is remembered today for his commitment to his fellow man and his country.

Mr. Speaker, Captain James R. Jones is to be commended for his bravery, his fierce determination, and his patriotism. His self-sacrifice should be a testament to us all.

BEING BITTER AND ANGRY

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

Mr. KINGSTON. Mr. Speaker, "Together We Can Do Better." That is the new motto of the Democrat Party. Well, you can judge the future by their past, and let us see how they did in the past.

Social Security, take an issue. What was their solution? Still waiting. No solution. Hello Democrat Party, put it on the board. You did not like our solution? What is your better solution?

Taxes? You do not like tax cuts. The government knows how to spend your money better than you do. And when tax revenues went up \$94 billion because of our tax cuts creating new jobs, what did the Democrats have to say? We just do not like tax cuts.

Fiscal responsibility. Now they have a chance. We know in the Committee on Appropriations they have offered \$61 billion in spending increases in the last 3 years. Now is their chance to show "we did not mean it." They can do better.

9/11, what was their response? Whining and pining and hand-wringing, saying, Why do they hate us? That is what we must find out.

Iraq, well, let us turn Iraq over to Cindy Sheehan. She should run our foreign policy.

Together we can do better? I think they ought to look at "together we can be bitter, bitter and angry."

DEFENDING CRITICISM AGAINST DEMOCRATS

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

Mr. FRANK of Massachusetts. Mr. Speaker, I do not want the gentleman from Georgia to wonder all day about some of these things, so I have one answer and one correction.

Our response to 9/11, the gentleman's memory seems to be failing him, was to vote virtually unanimously with only one dissent to invade Afghanistan and put an end to that regime. I am sorry we were not able to catch Osama bin Laden. But I have heard few distortions as great as to say that our response to 9/11 was whatever he said. In fact, we all but one on this side voted to go to war in Afghanistan. Now, that may seem a triviality to him, but it seems to me that that was a very useful response.

Secondly, the gentleman wants to know what is our answer to Social Security. It is very simple: put the money back. If Social Security receives every dollar which has been paid into Social Security and the interest that it is legally entitled to receive on that, it is fully funded until sometime in the 2040s.

Now, having spent some of the Social Security surplus for the war in Iraq,

for tax cuts for the very wealthy, the President now says, Well, those are just IOUs. We do not have the money.

But here is my answer: put the money back. If you just put the money back into Social Security, we will be okay.

APPOINTMENT OF CONFEREES ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

Mr. HOBSON. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. HEFLEY). The question is on the motion offered by the gentleman from Ohio (Mr. HOBSON).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees: Messrs. HOBSON, FRELINGHUYSEN, LATHAM, WAMP, MRS. EMERSON, Messrs. DOOLITTLE, SIMPSON, REHBERG, LEWIS of California, VIS-CLOSKY, EDWARDS, PASTOR, CLYBURN, BERRY, and OBEY.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 1461, FEDERAL HOUSING FINANCE REFORM ACT OF 2005

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 509 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 509

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. 1461) to reform the regulation of certain housing-related Government-sponsored enterprises, 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. 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. It shall be in order to consider as an original bill for the purpose of 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. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee

amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such 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 amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. 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.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

□ 1045

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

This structured rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Financial Services. It waives all points of order against consideration of the bill, and provides that the amendment in the nature of a substitute recommended by the Committee on Financial Services now printed in the bill shall be considered as an original bill for the purpose of amendment and shall be considered as read. It waives all points of order against the amendment in the nature of a substitute and makes in order only those amendments printed in the Rules Committee report accompanying the resolution.

It provides that the amendments made in order may be offered only in the order printed in the report, offered only by a Member designated in the report, shall be considered as read, and shall be debatable for the time specified in the report equally divided and controlled by the proponent and opponent. They shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole.

Finally, the rule waives all points of order against the amendments printed in the report and provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today in strong support of this rule and the underlying legislation, H.R. 1461, the Federal Housing Finance Reform Act of 2005. This bill, cosponsored by my good friend, Chairman RICHARD BAKER, was accepted at its full committee markup last May and reported to the House by an overwhelming bipartisan vote of 65 to 5. This balanced rule under debate makes in order a manager's amendment and an equal number of additional amendments from Members of both sides of the aisle, with four Republican and four Democrat amendments also made in order.

The purpose of this legislation is simple: to provide for the creation of a world-class regulator to oversee the housing government-sponsored entities that help make America's mortgage and capital markets the envy of the world.

Currently, approximately 70 percent of American households own their own home, a fact that is due in no small part to the liquid and strong capital markets that allow families to achieve the American dream of homeownership at rates never seen before.

But the same GSEs that help to drive high ownership rates are also among the largest U.S. financial institutions, with approximately \$2.5 billion in assets. Between the two largest GSEs, Fannie Mae and Freddie Mac, nearly half the residential market is either owned or guaranteed. Because of their size and potential to have a disproportionate impact on America's capital markets, they require strong and effective oversight of their operations. The Federal Housing Finance Reform Act, brought forth by Chairman MIKE OXLEY and Chairman RICHARD BAKER, will accomplish this goal.

This bill will provide for the continued strength of our mortgage markets by creating a new, world-class regulator with strong safety and soundness and mission powers to oversee these GSEs. It merges the Office of Federal Housing Enterprise Oversight, which currently regulates Fannie Mae and Freddie Mac, with the Federal Housing Finance Board, which currently regulates the Federal home loan banks, into a single entity. This new entity, the Federal Housing Finance Agency, will be headed by a Director who is appointed by the President and confirmed by the Senate. It will also be comprised of an advisory board, represented by the Department of the Treasury, HUD, and two nongovernmental members.

This regulator will be empowered to ensure the safety and soundness of GSEs through a number of increased powers similar to ones already given to bank regulators, including the ability to determine minimum and risk-based capital standards, to review and adjust portfolio holdings, to approve new programs and business activities, to mandate prudent management and operational standards, to take prompt corrective and enforcement actions, and to put critically undercapitalized GSEs

into receivership, to require corporate governance improvements, and, lastly, to hire examination and accounting experts.

This legislation also establishes an Affordable Housing Fund, based on the Affordable Housing Program already in place for the Federal home loan banks. Fannie Mae and Freddie Mac will now have the opportunity to manage affordable housing programs funded by a percentage of their earnings. These funds will be awarded through a competitive application process to for-profit builders, State housing agencies, and non-profit organizations; and, this fund will streamline HUD's current affordable housing goals for the GSEs to meet pressing needs in low-income and rural communities.

Under this rule we also have the opportunity to discuss a manager's amendment to this legislation, which makes a significant number of improvements to the bill. Chief among these is the recognition that Congress must provide strong, market-based incentives to rebuild the devastated gulf coast region in the wake of Hurricanes Katrina and Rita. The manager's amendment will ensure that during the first 2 years, additional weight will be given to Hurricane Katrina and Rita disaster areas and to those families affected by these catastrophes. Priority will be given for other disaster areas and to areas of greatest impact and geographic diversity.

The manager's amendment also recognizes the need for fast action in the gulf region, and speeds up the effective dates of this legislation from 1 year to 6 months after enactment. Finally, the manager's amendment sunsets the fund after 5 years, at which point the Director will report to Congress on whether funds should be extended or modified to improve its efficiency and effectiveness so that Congress can exercise appropriate oversight of this new program.

Mr. Speaker, I strongly support this legislation to reform and improve oversight of housing GSEs, and I would like to thank Chairman RICHARD BAKER and Chairman MIKE OXLEY and their colleagues on the Financial Services Committee for their hard work on this important legislation. I encourage my colleagues to support this fair and balanced rule and the underlying legislation.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes, and I yield myself 5½ minutes.

(Mr. MCGOVERN asked and was given permission to revise and extend his remarks.)

Mr. MCGOVERN. Mr. Speaker, I rise today in opposition to this restrictive rule and to the manager's amendment made in order under the rule. H.R. 1461, the Federal Housing Finance Reform Act, as reported out of the Committee

on Financial Services, was a thoughtful, reasonable, bipartisan piece of legislation. As evidenced by the 65-5 committee vote in favor of the bill on May 25, H.R. 1461 clearly has the support from both Democrats and Republicans.

Chairman OXLEY and Ranking Member FRANK worked together to craft bipartisan legislation that provides real oversight and a stronger, more powerful regulator for Freddie Mac, Fannie Mae, and the Federal home loan banks. The Federal Housing Reform Act, as reported out of the committee in May, is the kind of legislation that the Framers intended Congress to pass. Not only is it legislation that will do good and will improve people's lives, it is legislation that was created out of bipartisan negotiations and compromise.

I commend Chairman OXLEY and Ranking Member FRANK for their actions on the Financial Services Committee and for producing an excellent bill.

But, Mr. Speaker, it is clear that the Republican leadership cannot handle bipartisan success. Despite overwhelming bipartisan support in committee, the Republican leadership held the bill hostage for 5 months, merely because a radical faction of their party opposes affordable housing and, specifically, opposes the Affordable Housing Fund included in the bill.

Unfortunately, after being strong-armed by the Republican Study Committee, the Republican leadership forced changes that not only weakened the Affordable Housing Fund provision, but will actually restrict the ability of low-income people from voting in future elections. Here is the deal: They have a manager's amendment that has some very good things in it, but tucked in that manager's amendment there is included some language that many of us find offensive. And the gentleman from Massachusetts, the ranking member of the Financial Services Committee, wanted to have an amendment made in order to strike that offensive language and was denied that opportunity last night in the Rules Committee.

The language that I am talking about specifically denies faith-based and nonprofit groups from funding simply if they express their first amendment rights. Under these restrictions, any nonprofit community group, or church would be ineligible to receive funding if either they or their "affiliates" have engaged in nonpartisan voter registration and get-out-the-vote activities. Furthermore, affiliation is defined so broadly that it includes having overlapping board members sharing physical space or other public communications.

It is worth noting that for-profit companies are exempt from these restrictions. Why would we protect companies from these restrictions, and impose them on low-income and faith-based communities, the very people who this legislation is supposed to em-

power? I would ask my colleagues, what do you have against faith-based organizations? We need to enhance access to affordable housing, not reduce it.

Mr. Speaker, these restrictions are undemocratic. They are part of a pattern by the extreme right in the Republican Party in an attack on poor people. They are written with the intent to deny poor people the access to vote. These provisions are a direct affront on the democratic principles upon which this country was founded.

It seems clear that these restrictions are unconstitutional. They would require any organization that wanted to receive funding from the Affordable Housing Fund to sacrifice their freedom of assembly, which protects their right to associate with one another in groups for economic, political, or religious purposes.

We can provide and expand the affordable housing market without trouncing on the Bill of Rights. Just as easily as these restrictions were added into the legislation, they can be removed without affecting the goals of the Affordable Housing Fund or the overall legislation.

A multitude of organizations across the country, ranging from the United States Conference of Catholic Bishops to the National Alliance to End Homelessness, have expressed their strong disapproval of these egregious provisions. For one reason, these groups realize how harmful these restrictions would be toward fighting homelessness.

Homelessness cannot be combatted unless our Nation's affordable housing stock is increased. Affordable housing cannot be expanded if we bar nonprofits and community organizations from tapping into the appropriate resources.

Mr. Speaker, affordable housing should not be a partisan issue, but, unfortunately, the Republican leadership has made it so. The battle against homelessness and the expansion of affordable housing needs to be addressed through a coordinated effort between the government and nonprofit and faith-based communities. This language in this manager's amendment severely restricts the ability of affordable housing professionals to fulfill their role.

After Hurricane Katrina, President Bush and the leadership in the House talked about the need to help poor Americans rise out of poverty. They talked about improving people's lives. Well, Mr. Speaker, their actions clearly do not match their rhetoric. When the Republican leadership had a chance to help the poorest of Americans to receive affordable housing, they acted to restrict access to a proposed affordable housing fund. When the Republican leadership had a chance to stand up for people who do not have a voice, for people who need help making ends meet, they made a conscious decision to turn their backs on them.

Mr. Speaker, at the heart of this debate is the ability to provide affordable

housing and access to voting for low-income families. One of the icons of the civil rights movement, Rosa Parks, died on Sunday. We all mourn her passing. But it is hard not to see the irony that 2 days after her death, we are going to debate and vote on a bill that will restrict the ability of the poor to have access to affordable housing and to vote in democratic elections in this country.

This is a lousy way to run this Congress. I urge my colleagues to vote against this undemocratic and restrictive rule.

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

Mr. SESSIONS. Mr. Speaker, it is right out there in front of everybody: Republicans are good on policy and, evidently, the Democrats do not like the politics. The policy is what this Financial Services Committee is all about. That is why they produced this great bill.

I am pleased to yield 3 minutes at this time to the gentleman from Florida (Mr. FEENEY) who serves on that committee.

□ 1100

Mr. FEENEY. Mr. Speaker, I want to thank the gentleman from Texas for yielding me this time.

I want to speak in favor of the manager's amendment, if it is adopted, certainly a great and important bill, and the rule itself.

The actual truth of the matter is that housing ownership in America is at an all time high. This Congress and this President have established policies that allow virtually every American that has a job to find a way, if they desire, to own a home.

The GSEs, Fannie Mae and Freddie Mac, have played an important part in that. They provide liquidity in the secondary market so that there are more opportunities for people to borrow at relatively low rates of interest. We ought to preserve that system, and we ought to protect that system.

These are enormous entities. Fannie alone is \$1.7 trillion in terms of assets, and both of these entities had some accounting troubles. The gentleman from Ohio (Mr. OXLEY) and the gentleman from Louisiana (Mr. BAKER) have led the way so that we can reform and have appropriate oversight for those enormous, but important, entities that help the housing market in America flourish.

The question here today is whether the rule ought to be adopted. Some of our friends on the other side are very upset, because rather than providing money for bricks and mortar, what they would like to do is to provide money for politics. They want to allow folks that engage in political activity, including voter registration, to have access to money that otherwise would go to low-interest loans or to help affordable housing builders at the local level actually build bricks and mortar.

People that want a home do not need a lobbyist; they do not want a politician. They want somebody that will actually build them, with the sticks and the bricks and the mortar, a home to live in. That is what this fight is about. One of the largest advocates, the groups that the other side would like to have receive up to 2 or \$3 billion this fund may reach in the next 5 years, is a group called ACORN.

Now, ACORN is an important group. They are a first amendment group. The gentleman is right. They have every right to participate in first amendment activity, but not with money that we give them from Congress. Thomas Jefferson said that to force a man to contribute to a cause in which he does not believe is the definition of tyranny.

We want to build homes. They want to buy liberal lobbyists and politicians. That is what this debate is about. ACORN had a game plan in the year 2003 in Florida. By the way, they do this in many other competitive States. ACORN wanted to register voters. They argued to the public that this was about support for a minimum wage constitutional amendment in Florida.

But their three bottom-line goals here are very important. Increasing the minimum wage was the least important thing as part of their voter registration drive. What they argued to contributors, who have the right to contribute to this activity, who we should not force probably to contribute to this activity, is they had three goals. And I want to read these into the RECORD.

The goals of this campaign are three-fold: To increase voter turnout of working class, mainly Democratic voters without increasing opposition turnout; number two, to increase the power of progressive constituencies by moving a mass agenda, putting together the capacity to get on the ballot and win and by putting our side on the offensive; number three, to deliver a wage increase to hundreds of thousands of Floridians. That was an afterthought.

Chairman OXLEY and Chairman BAKER have fashioned a great compromise. Let us build homes. Let us pay for bricks and mortar. Let us not pay for a liberal lobbyist.

Mr. MCGOVERN. Mr. Speaker, I include in the RECORD the following letter from Catholic Charities USA, which strongly opposes the language in the manager's amendment.

CATHOLIC CHARITIES USA,
Alexandria, VA, October 25, 2005.

Hon. JAMES P. MCGOVERN,
House of Representatives, Cannon House Office
Building, Washington, DC.

DEAR CONGRESSMAN MCGOVERN: On behalf of Catholic Charities USA, the national association of Catholic social services agencies and institutions serving over seven million people in need every year, I urge you to support H.R. 1461, the Federal Housing Finance Reform Act of 2005, and to oppose amendments that would prevent experienced faith-based and community-based organizations from successfully competing for the proposed affordable housing funds.

We strongly support the creation of the housing funds and are convinced that this initiative would increase the development of affordable housing, but we have learned that the Rules Committee will be asked to put in order a managers' amendment to bar organizations with proven experience in mobilizing community support and resources.

We applaud efforts to develop additional non-governmental funding resources to support affordable housing efforts that will be cost neutral to the federal budget. At the same time, we oppose limiting language that essentially bars non-profits whose mission extends beyond the provision of affordable housing. Not only our Catholic Charities agencies, but many religious orders and some parishes, whose missions are serving the poor and vulnerable in their communities, develop and manage very effective affordable housing programs alongside programs that provide food, clothing, counseling, and other health and social services. These agencies should not be barred from affordable housing funds simply because their primary purpose goes beyond affordable housing.

In addition, we oppose amendments that restrain non-profits from receiving these funds if they are engaged in any non-partisan voter registration activities, even if these activities are funded by their own resources. One of the strengths of our democratic system has been the almost universal involvement of community-based and religious organizations in encouraging all citizens to register and vote. National religious bodies, regional bodies, such as Catholic dioceses, and local congregations throughout the country organize voter registration efforts and provide transportation to the polls for isolated seniors and people with disabilities. Non-profits with expertise in housing should not have to choose between two equally important missions: supporting full participation in our democracy and providing affordable housing.

While this Administration has worked diligently to remove barriers to full participation in federal programs and funding by faith-based organizations, these amendments would bar these very same groups from being considered for this funding while for-profit agencies remain free to engage in these same voter activities. We are puzzled and troubled by the double standard being applied to faith-based and non-profit organizations.

Existing limits in H.R. 1461 on activities that qualify for affordable housing funds prevent abuse of this funding. In addition, Catholic Charities agencies routinely sign certifications to receive federal, state, and local government funds that prohibit diversion of program funds for political and lobbying purposes. There are multiple vehicles available to ensure that the new Affordable Housing Funds are protected from inappropriate use by grantees.

The proposed Affordable Housing Fund to be created under H.R. 1461 is sorely needed, especially in the devastated Gulf Coast region where hundreds of thousands of families have not been able to return to their homes. In such challenging times, it would be unfortunate if experienced faith-based organizations and non-profits that have performed laudably in meeting the needs of these survivors would be barred from participation in funding that would help meet critical housing needs.

Sincerely,

REV. LARRY SNYDER,
President.

Mr. Speaker, I yield 3½ minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, the problem is, I tell the former Speaker from

the Florida legislature, you do not have the courage of your convictions on your side. You are not prepared to put your proposition to a democratic vote on your side.

Mr. Speaker, once again this House majority is resorting to heavy-handed tactics that are designed to do one thing only, to achieve a preordained result by shutting down a full and fair debate in this House.

Let me remind my colleagues what the chairman of the Rules Committee, Mr. DREIER, said on this floor 12 years ago, in March 1993: "Frankly, it seems to me that the process of representative government means that a person who represents 600,000 people here should have the right to stand up and put forth an amendment and then have it voted down if it is not supportable. We are simply asking that we comply with the standard operating rules of this House."

Why will you not do that today? Because you do not have the confidence you have the votes. Again, today, the gentleman from California (Mr. DREIER) and his Republican colleagues are violating their own promise to allow free and fair debates. It is another stark example of the arrogance of power and the abuse of power.

This Republican majority has blocked Mr. FRANK's amendment, as well as other Democratic amendments, and thus stifled, shut down, democracy and stifled debate.

The manager's amendment, among other provisions, will prohibit non-profit organizations from using their own funds. I tell the gentleman from Florida, their own funds, from voter registration drives or get-out-the-vote activities for a period beginning 12 months before a grant application until it is over.

Mr. Speaker, it is outrageous that this House would take such an action, any action that would inhibit or prevent anyone from engaging in non-partisan voter registration, unless, of course, you fear the wrath of the voters in response to your abuse of power. Let us be clear. This provision is nothing more than a transparent attempt to disenfranchise voters who otherwise may not register to vote.

The gentleman mentioned the Catholic Conference. Let me read just two sentences, I hope I have the time to do it: "Proposals that would limit eligible recipients to organizations that have as their primary purpose the provision of affordable housing would effectively prevent Catholic dioceses, parishes and Catholic charity agencies from participating in affordable housing programs."

That is the Catholic Conference of Bishops speaking. They say it would force Catholic agencies, not ACORN, would force Catholic agencies to choose between participating in affordable housing fund programs, or engaging in constitutionally protected voter registration and lobbying activities with their own funds.

This is Catholic bishops, I tell my friend, speaking. These provisions are an outrage, and this process is an outrage. As one Member of this body complained, once again the vast majority of Americans are having their representatives in Congress gagged by the closed-rule committee.

That was the gentleman from California (Mr. DREIER), the now-chairman of the Rules Committee. This undermines democracy in this the People's House. What a shame.

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

I am very disappointed that the gentleman from Maryland referred to this as a closed rule, when in fact he knows it is not a closed rule.

The gentleman from Maryland understands that what we have done and undertaken in this rule is the opportunity that would allow any Member, but in particular a Member of the minority, a chance to vote on a manager's amendment, a motion to recommit, and certainly final passage.

Mr. HOYER. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Maryland.

Mr. HOYER. Mr. Speaker, so the public understands and our colleagues understand, what I indicated was that the gentleman from Massachusetts (Mr. FRANK), the ranking Democrat on this committee, who has been here over a quarter of a century, wants to offer an amendment that was supported in the committee; and he has been precluded from offering that amendment.

To that extent, the Republicans have undermined the free and fair debate on this floor. That was my point. And I believe I was absolutely correct.

Mr. SESSIONS. Mr. Speaker, reclaiming my time, so that the gentleman does understand the facts of the case, the committee had no discussion on this point. The discussion took place in the Rules Committee, because a decision was made well after May, at the time that the committee brought it forward.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman from Massachusetts.

Mr. FRANK of Massachusetts. Mr. Speaker, I agree with the gentleman, it was never discussed in committee. That is precisely the point. The restrictive language being put forward, which would say no faith-based group could participate, has never been debated in this committee and we are not allowed to do an amendment on the floor.

Yes, it is part of the manager's amendment along with a number of other things such as preference for the gulf. All we asked for was an ability to vote on some of these specific things. I agree, it was not brought up in committee. It was brought up in a private session between the Republican Study Committee and the then-majority leader. That is not an appropriate forum to be the only place where we discuss things.

Mr. SESSIONS. Mr. Speaker, reclaiming my time, my point is that the gentleman from Maryland referred to this as being a closed rule. It is not a closed rule.

Mr. Speaker, I will insert in the RECORD a campaign plan from ACORN that is very much a part of this debate today about what organizations and groups plan to do with politics and money.

FLORIDIANS FOR ALL—CAMPAIGN PLAN FOR A NOVEMBER 2004 MINIMUM WAGE CONSTITUTIONAL AMENDMENT INITIATIVE

INTRODUCTION

A Florida constitutional amendment initiative to create a minimum wage of \$6.15 with indexing will help defeat George W. Bush and other Republicans by increasing Democratic turnout in a close election, will deliver wage gains to at least 300,000 Floridians, and will catalyze the construction of permanent progressive political infrastructure that will help redirect Florida politics in a more progressive, Democratic direction.

The 2004 election in Florida is shaping up to be just as close as 2000, which Al Gore won by 537 votes. Although there have been demographic changes and growth throughout Florida when the 2000 total is adjusted for 2004 it is still razor thin: Unofficial NCEC analysis shows that Gore's adjusted margin is 404, combined with the 2004 adjusted Nader voter—25,138 (assuming 25 percent stay home, 25 percent vote for Bush and 50 percent vote for Gore). The 2004 adjusted margin is 25,542—too close for comfort.

The 2004 projections indicate addition turnout of 370,000 a total of 6.4 million, increasing the vote goal by 200,000 in order to have a winning margin. The other significant change in preliminary analysis is that the electorate will have 10 percent fewer ticket splitters than 2000. With less persuadable voters, the need to increase base voters and turning out more infrequent voters is critical to reach the vote goal in Florida.

Given that turnout is down when the economy is bad, since our voters are more discouraged, the need for an exciting ballot initiative strategy that works to address the needs of the most economically needy, and also likely Democratic voters, is a fundamental part of a winning strategy in Florida.

Florida ACORN is building a coalition, called Floridians for All, that will unite labor unions, community and civil rights organizations, the faith community, elected officials, sectors of the business community, political organizations, and thousands of grassroots activists behind the proposed strategy. At the same time, we are building the infrastructure to carry out the campaign and ensure the accomplishment of our objectives.

The empirical evidence from other states indicates that initiatives generally increase voter turnout, and that minimum wage initiatives can significantly increase the turnout of supporters without increasing turnout from the opposition. [ACORN's own experience running municipal and state minimum wage ballots [Denver, Houston (1996), Missouri (1996), New Orleans (2002)] supports the conclusion that these efforts are highly motivating to low-wage voters.] In 2000, 6.1 million voters came to the polls in Florida, a turnout of approximately 70 percent. A targeted campaign that works to turn out 1 percent of that electorate, approximately 61,000 voters, would not only make the difference for the Democratic Presidential candidate but also lend significant support to Congressional and local races. [As an example, Congressional District 5 was won by conservative Republican Ginny Brown-Waite, by lit-

tle over 4,000 votes. From the top of the ticket on down, a ballot initiative strategy which mobilizes infrequent voters and energizes unregistered Democratic constituency will help defeat George W. Bush and allow Floridians to vote themselves a raise.]

An estimated 300,000 Florida workers would receive a direct raise from our proposal. Moreover, thousands more would receive residual raises because of their wage level just above the new minimum. Floridians sorely need this proposed raise. In 2001 over 28 percent of Florida's workers earned less than the poverty line (approximately \$8.70 an hour). A full 20 percent of those workers earned less than \$7.69 an hour, a result that can be partially explained by the concentration of workers in the lowest wage job sectors—retail and service. A whopping 37.3 percent of the state's workforce is employed in service sector jobs, with another 19.6 percent in the low wage retail sector. The additional earnings of minimum wage workers, almost \$700 million in the first year alone, would be directly pumped back into the economy, helping to stimulate the stagnant economy created under the watch of Bush's destructive tax cuts. Not only is this proposal beneficial to Florida's economy, it also helps to seed a mass constituency for future change.

Because we are starting this campaign early, and because we have a plan, the Floridians for All Campaign will challenge the institutional forces for progressive and Democratic change in the state to build permanent political capacity. This is particularly important to rehabilitating the long-term prospects of our side. In a state where Democrats control only 53 of 160 legislative seats, and zero Constitutional offices, the need to rebuild infrastructure and capacity to win, has never been more important. For example, the signature gathering phase of the campaign will lead to the construction of a vast database of hundreds of thousands of economic justice activists and voters in the state. These are the same voters the Democratic Party must court and win to regain a presence in state politics. The campaign will also force organizations like ACORN to build massive field capacity to deliver these necessary signatures and GOTV. A vast network of activists and voters, combined with sophisticated field campaign will act as a unifying force among Democratic electoral forces. The combined strength of community, labor, and—faith organizations committed to mobilizing their members and leaders at the grassroots level, will result in a cohesive strategy to retake the White House in 2004 and rebuild the Florida Democratic Party.

CAMPAIGN GOALS

The goals of this campaign are threefold:

1. To increase voter turnout of working class, mainly Democratic voters without increasing opposition turnout;
2. To increase the power of progressive constituencies by moving a mass agenda, putting together the capacity to get on the ballot and win, and by putting our side on the offensive;
3. To deliver a wage increase to hundreds of thousands of Floridians.

Increasing turnout is crucial to a successful 2004 electoral strategy from the top of the ticket all the way down, through the many key races in Florida that include not only the Presidency, but also a key Senate race, Congressional seats and also significant turnover in the Florida Legislature. Given these many key races, exciting and mobilizing constituency has never been more important, but in order to do this there must be a compelling issue on the ballot. Though presidential year elections always result in

higher turnout, the 2000 elections demonstrate the importance of every vote in Florida; and we do not want to leave turnout to chance. These turnout figures from the most recent Florida elections demonstrate the overall decline in voter participation and the need to refocus efforts on mobilizing and motivating our base.

	Percent
1992	83
1994	66
1996	67
1998	49
2000	70
2002	55
AVG	64

General Election Turnout Statistics from the Florida Secretary of State
<http://election.dos.state.fl.us/online/voterpercent.shtml>

Giving our constituency the opportunity to vote themselves a raise is probably the most compelling reason to go the ballot box. Candidates will make many promises, but turning out to vote for a higher minimum wage is a voter's guaranteed chance to affect real chance at the ballot box.

The process of building a statewide network of progressive forces can be accelerated greatly through the use of the minimum wage ballot initiative. Though there are many groups that represent and advocate for the needs of social justice, civil liberties, and environmental concerns, the strength of these forces is limited through a lack of coordination amongst these groups. While the groups promote diverse agendas, a coalition of necessity is required in the face of organized and unilateral support amongst opposition groups. This ballot initiative will bring together progressive forces from around the state around a common goal: increasing turnout in the 2004 election in order to support campaigns which represent the interests of all our groups.

Approximately 303,000 workers would be directly affected by a minimum wage increase, putting millions of dollars into the pockets of working families across Florida. In addition to the workers who are directly affected, many more will benefit through the rising tide of wages that results from raising the baseline wage level. Unlike tax cut policies which supposedly put money into people's pockets, but really just raid state and federal treasuries, a minimum wage increase

will put real in the hands of those who need it the most: working families.

CAMPAIGN STRATEGY

We define winning here as accomplishing the three campaign objectives:

1. Driving heightened Democratic turnout;
2. Passing the initiative;
3. Building permanent political capacity for future gains.

Our plan to win centers on a series of strategic premises, laid out as follows:

1. First, we will divide the electorate into targeted groups of voters/potential voters, and make a strategic plan vis-à-vis each group. We are in the process of completing this plan, but roughly, the categories/plans are as follows:

*African American voters—According to NCEC, there are 440,000 unregistered VAP (Voting Age Population) African-Americans in Florida. Of the 440,000 unregistered voters statewide, 176,000 of these voters live in the 475 majority African-American precincts in Florida. This campaign will work to register 50,000 of these potential voters through voter registration drives in the following major metropolitan areas:

	Total VAP	White	Latino	Black	County
VAP (from 2000)					
Miami:					
M-Dade	283,673	32,116	195,859	49,000	1.7M
Orlando:					
Orange	144,987	81,100	23,414	32,563	670K
Tampa:					
Hillsborough	228,681	126,387	42,711	50,109	746K
Fort Lauderdale:					
Broward	122,821	77,807	11,282	28,620	1.2M
St. Petersburg:					
Pinellas	194,796	141,797	7,618	36,752	744K
Jacksonville:					
Duval	539,278	353,983	20,759	139,700	573,888
Tallahassee:					
Leon	124,431	74,942	5,341	39,327	188,445

This potential universe of newly registered voters, and highly motivated activists can be the deciding factor in the 2004 election. Registering 50,000 new African-American voters in these majority precincts can result in a net vote gain of approximately 21,000 votes (assuming 70 percent turnout of new registrations and 60 percent approval for the measure).

*Non-Cuban Latino voters—There are 800,000 Hispanic voters in Florida, 400,000 of whom are non-Cuban, and 345,000 new potential Hispanic voters of Voting Age Population. The Hispanic population is the fastest growing population in Florida, and presents the Democratic Party with an opportunity to build a new, revitalized constituency within Florida.

Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. GILLMOR).

Mr. GILLMOR. Mr. Speaker, I appreciate the gentleman from Texas for yielding. I rise in support of the rule, rise in support of the bill, and I also want to note that government-sponsored enterprise reform is way overdue, and it does pose a systemic risk to our financial system.

Also I want to commend Chairman OXLEY, Chairman BAKER and also Ranking Member FRANK for all of the work they have put into bringing this bill to this point.

Mr. Speaker, I would like to discuss briefly an amendment that I had offered that was adopted by the committee by voice vote back in May. That amendment adds an important disclosure requirement to ensure that shareholders are fully informed on the charitable giving practices of Fannie Mae and Freddie Mac.

The language would authorize the Federal Housing Finance Agency to require that Fannie Mae and Freddie Mac make publicly available each year the

total value of contributions made to nonprofit organizations during the previous fiscal year, and it would also request specific disclosures on donations to insider-affiliated charities.

The housing GSEs, Fannie Mae and Freddie Mac, were established by congressional charter and give special privileges to provide a service to the American people by creating a secondary mortgage market and increasing liquidity.

Given their unique status and responsibility to improve access to the housing market, it is both their shareholders' and the public's right to know how these profits are being spent.

Mr. MCGOVERN. Mr. Speaker, I include the following editorial that appeared in today's New York Times entitled, "A Ban on Voter Registration," which is very much opposed to the offensive language in the manager's amendment.

[From the New York Times, Oct. 26, 2005]

A BAN ON VOTER REGISTRATION

Hurricane Katrina made it politically necessary for Republican Congressional leaders to tone down their effort to kill off federal programs for affordable housing. But it has not stopped them from dragging their feet on an important bill to create a valuable housing fund by tapping into a small portion of the after-tax profits of the federally backed mortgage giants Fannie Mae and Freddie Mac. The fund would initially be aimed at the hurricane-ravaged gulf states, but would

eventually help to house poor, elderly and disabled people nationally.

Not satisfied with just delaying the bill, House ideologues are advocating an outrageous and potentially unconstitutional provision that would bar the nonprofit groups that build most affordable housing from participating in the fund if they also participate in even nonpartisan voter registration. This would force such nonprofits to choose between their historically important roles: promoting civic engagement and providing housing and other services for low-income people. The provision would conflict with state laws that require housing grant recipients to do things like register voters and would put the federal government in the unacceptable position of actively discouraging political participation.

The long-overdue housing fund contains numerous safeguards that would prevent grant recipients from using federal dollars for advocacy. A measure that would bar them from nonpartisan activities has absolutely no place in a democracy.

Mr. Speaker, I yield 3½ minutes to the gentlewoman from California (Ms. MATSUI).

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

Ms. MATSUI. Mr. Speaker, I rise today in opposition to the rule, House Resolution 509. The Federal Housing Finance Reform Act as reported by the Committee on Financial Services is a strong bipartisan effort.

It represents several years of work that will ensure the safety and soundness of the government-sponsored entities, helping working Americans achieve the dream of homeownership. Unfortunately, this rule has a potential to undercut the committee's fine effort and may severely undermine critical GSE reform.

The availability of affordable housing keeps our communities strong. So wisely, the committee bill includes a fund to build and preserve affordable housing and, I would add, support these activities at no cost to the Federal Government. Unfortunately, the manager's amendment mars this fund by forcing nonprofit, affordable housing groups to make a choice. They can work to bring affordable housing to working families, or they can register voters in the most nonpartisan of ways; but they cannot do both, not even to drive an elderly person to the polls.

Over 60 national organizations, many of them faith-based, such as the U.S. Conference of Catholic Bishops, the Episcopal Church, the Presbyterian Church, have come out opposing this provision. These organizations represent the mainstream values of this Nation, and their efforts should not be hindered by roll-backs in these constitutionally protected rights.

I urge my colleagues to maintain the broadly supported language that came out of the Committee on Financial Services by rejecting the rule and the manager's amendment.

This rule also provides for consideration of another amendment worthy of a "no" vote. I am referring to the measure by the gentleman from New Jersey (Mr. GARRETT) that would strike the bill's conforming loan limit provision. Like many other metropolitan locations, my constituents in Sacramento face escalating housing prices that are making it harder and harder for working families to achieve the dream of homeownership: firefighters police officers, the teachers in our schools. They deserve to live in the same communities they work in.

□ 1115

Increasing the conforming loan limit would bring fairness to the housing market by giving working families in more expensive parts of the country the same opportunity as everyone else to own their own home.

Once again, this commonsense provision was included in the bipartisan committee bill, and so I urge my colleagues to reject the Garrett amendment.

In closing, I reiterate to my colleagues the importance of maintaining the bipartisan version of H.R. 1461 that came out of the committee. Vote no on this rule which will tar the Affordable Housing Fund without giving the majority an opportunity to vote on it.

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

Mr. MCGOVERN. Mr. Speaker, I yield 4 minutes to the gentleman from Missouri (Mr. CLEAVER).

(Mr. CLEAVER asked and was given permission to revise and extend his remarks.)

Mr. CLEAVER. Mr. Speaker, I would like to thank my friend for yielding me time.

Mr. Speaker, at no time in our Nation's history has the need for affordable housing been so great. As the price of owning a house has risen all over America, the poverty level has risen to almost 13 percent, and now Hurricanes Katrina and Rita have left thousands more Americans, many of limited income, homeless.

The bill we will consider today takes a critical step toward addressing our Nation's affordable housing crisis. By establishing an affordable housing fund, we are increasing the supply of affordable homes to low- and very low-income families. As a member of the Committee on Financial Services, I was proud to see the inclusion of an affordable housing fund in the bill and proud to support the bill in committee.

Seeing this bipartisan support for this bill provided one of those moments when we can just say, oh, happy days. But this important provision will be for naught should one amendment made in order by the Rules Committee pass. The Oxley amendment would disqualify nonprofit organizations, including faith-based organizations, from participating in the fund if they engage in voter participation or get-out-the-vote activities. And it effectively prevents many nonprofits from participating.

As an ordained minister in the United Methodist Church, I come to this discussion from a unique perspective. Mr. Speaker, it is the mission of the United Methodist Church and every denomination and every faith group in our world to serve the poor and vulnerable. For my church, the St. James United Methodist Church in Kansas City, an important part of the mission is to shelter the poor, and that is why we started in 1985 a section 202 project not far from our church.

Mr. Speaker, I grew up one of those vulnerable citizens. I am not sure how many Members of the United States Congress lived in public housing, but I did. My family, including my three sisters and mother and father, lived in a shack, literally a two-room shack. My mother and father both worked all day every day, and I can tell you, growing up in public housing, not one time did we ever see a candidate canvassing our community, not one time do I remember any kind of effort to get the citizens to vote.

I do not even remember seeing a voting precinct until I was about 17 years old because the elected officials knew that the poor do not vote. They knew that if you were poor, you were preoccupied with survival, and so there was no civic or political involvement. It was, how can we make it one more day?

We have created a culture in low-income neighborhoods where people do

not participate in the political process, and what we need is to democratize the low-income neighborhoods of our communities. And if you go around, I do not care whether you are Republican or Democrat or just a lazy person, if you go and look at the voting returns, you will find that people who live in low-income neighborhoods do not vote. And I do not care who you are, you ought to want to get people to vote.

This is the United States of America. We are strong only if we are able to get all of our citizens to participate in the political process.

Someone used the term "liberal." If liberal means that I care, then color me liberal. And understand this: Caring may hurt, but not caring hurts more. We can do better than this. America can do better than this.

Mr. Speaker, at no time in our Nation's history has the need for affordable housing been so great. As the price of owning a home has risen all over America, the poverty level has risen to almost 13 percent. And now Hurricanes Katrina and Rita have left thousands more Americans, many of limited means, homeless.

The bill we will consider today takes a critical step forward toward addressing our Nation's affordable housing crisis. By establishing an affordable housing fund, we are increasing the supply of affordable homes to low- and very low-income families. As a member of the Financial Services Committee, I was proud to see the inclusion of affordable housing fund in the bill, and proud to support the bill in committee. Seeing the bipartisan support for this bill provides one of those moments when we can say, "O Happy Day". But this important provision will be for naught should one amendment made in order by the Rules Committee pass. The Oxley amendment would disqualify nonprofit organizations, including faith-based organizations, from participating in the fund if they engage in voter registration or get-out the vote activities, and it effectively prevents many nonprofits from participating.

As an ordained minister in the United Methodist Church, I come to this discussion from a unique perspective, Mr. Speaker. It is the mission of the United Methodist Church, and every denomination and faith group in our world, as it is of many religious orders and communities, to serve the poor and vulnerable. For my church, St. James United Methodist in Kansas City, an important part of that mission is to shelter the poor by providing affordable housing. But an equally important part of that mission is empowering the poor and vulnerable by supporting their full participation in the Democratic process.

I grew up one of those vulnerable citizens—my family, by any standard of measurement was financially poor. Until the age of 7, I lived in a shack—literally a two room shack—with my mother, my father, and my three sisters. We had no indoor plumbing and for a while, no electricity. My family moved into public housing when I was 7. I can tell you, growing up, no candidates canvassed our community and few, if any residents in our projects voted. My great-grandfather, who lived until age 103, never once voted in his life. I say this as a point of illustration. The poor and vulnerable are often those who need the most help to fully participate in our democracy. When you

live in public housing, you are preoccupied with economic survival.

Let me be perfectly clear, Mr. Speaker, by forcing faith-based organizations and other nonprofits to choose between participating in the Affordable Housing Fund or engaging in constitutionally protected voter registration and get out the vote activities with their own funds, the Oxley amendment limits the full participation of our Nation's most vulnerable citizens in our democracy.

I keep a photograph of the shack where I grew up hanging on the wall in my office to remind me that I have been given the opportunity to speak for those who cannot, and represent in this the interests of the most vulnerable and voiceless American citizens here in the Congress. Every day when I go to work for the people of my district and the citizens of our country, I walk out of the front door of that shack. But whose interests are being served by passing these restrictions? We're not serving the interests of the faith-based community or the poor. These restrictions serve only the political purposes of some study group that should not have the power to derail democracy in our land. It is an assault on the poor in this country, and it is obscene.

Vote "no" on the Rule and vote "no" on the Oxley amendment.

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

Mr. Speaker, the gentleman from Kansas City very clearly articulated the exact reason why this bill is moving forward, and the reason why Chairman RICHARD BAKER and the chairman of the committee, Chairman MIKE OXLEY, have moved forward a bill that is so powerful, that will include more dollars.

But I believe that the argument that is here is about politics, pure and simple politics, rather than policy. And this bill is about policy. It is about getting millions of dollars that will be given to the source at which we will create more and better housing for really poor people.

The gentleman referred to him being a member of the United Methodist Church. I am a member of the United Methodist Church. When you look at a Web site for Habitat for Humanity, you will see large corporations on that list who contribute to new houses in this country, not-for-profits and others; and number four on that list is my church, of the entire country, my church the Highland Park United Methodist Church of Dallas, Texas. We build houses in Dallas, Texas, for poor people, people who are without that ability for their families.

But what we are asking here is the ability to move this bill to create thousands of more homes. And I think what MIKE OXLEY wants in this bill is to make it about policy, not about politics. And I am proud of how we are doing this.

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

Mr. MCGOVERN. Mr. Speaker, the gentleman from Texas keeps on saying this is about policy, not politics; but what would be more political than the language in here that denies poor people the right to vote?

Mr. Speaker, I yield 2½ minutes to the gentleman from Pennsylvania (Mr. KANJORSKI).

Mr. KANJORSKI. Mr. Speaker, I rise today with a heavy heart. We need to have a strong, independent and world-class regulator for Fannie Mae, Freddie Mac, and the Federal home loan banks.

The committee I serve on, the Committee on Financial Services, has labored for 6 years, 20 hearings, hundreds and hundreds of hours, and hundreds of witnesses to put together what I think is probably one of the best examples of bipartisan activity this House has seen in many years. It is unfortunate that we come here today with the manager's amendment excluding faith-based entities from participating in the Affordable Housing Fund.

I am convinced that the overwhelming majority of our friends on the other side of the aisle, if they understood the restrictions in the manager's amendment and the denial by the Committee on Rules of a right to vote on the issue, that is all we asked, it was never considered in the subcommittee. It was never considered in the full committee. It has never had an up-and-down vote or any consideration of this issue. It appeared at the 11th hour to satisfy some political fears of some of the majority party's members, and they felt this was a way of solving it. Maybe it was directed at one entity, but in fact it has encompassed in its grasp the faith-based entities of this country which provide most of the affordable housing.

I have to say that with this we are making our religious institutions choose between a joint mission of serving God their number one mission, and then helping the poor. They are going to have to give up helping the poor because if they were to do so, they will be restricted from spending their own funds, not these affordable housing funds, but their own funds, to bring out the vote, to have voter education, and to have even carrying a voter to the polls for people who do not have a ride.

We have taken 15 protections in the bill to see that the intended purposes were not abused. We did not need these additional restrictions. They are there, I think, probably for political reaction purposes, and it is unfortunate. As a result, we are going to compromise an otherwise perfectly bipartisan bill that could have shone with great favor in this House at this particular time in our history. I find it unfortunate that we are denied this right to have an up and down vote, and, as a result, I urge my colleagues to vote no on the rule.

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentleman from the Fifth Congressional District of Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentleman for yielding me time, and I rise in support today of this rule.

I have been listening with great interest to some of the debate, which I must admit is a little bit confusing to

me. I hear some of my colleagues on the other side of the aisle argue that essentially this is a closed rule; yet I look at the fact that we will be voting on a number of amendments later today, a number of which were offered by Democratic Members.

I understand there is an accusation that somehow language dealing with the Affordable Housing Fund, that Members do not have an ability to weigh in on that. As I look at the manager's amendment, substantially all of it has to do with the Affordable Housing Fund issue. So if for some reason you do not like this language, you have an opportunity to vote on it. So it seems to me that the process and procedures dealing with this very important issue are quite open. If you do not like it, vote against the manager's amendment. Vote for the underlying bill.

Now, let us move to the substance of the arguments as far as the creation of the so-called Affordable Housing Fund. I for one am not convinced of the need for yet another government so-called affordable housing program. Already we have over 80 different government programs ostensibly aimed at affordable housing. We have got Community Development Block Grant for Insular Areas; Shelter Plus Care, S Plus C Emergency Shelter Grant. We have housing opportunities, the HOPWA program, One- to Four-Family Mortgage Insurance, section 203(b). We have got counseling for home buyers, Supporting Housing for the Elderly, and the list goes on and on and on.

Mr. Speaker, the truth is there is no greater housing program than the American free enterprise system, which is created by the creation of jobs, which, under the economic policies of this administration and this Republican Congress, are working. Over 4 million new jobs have been created. And guess what, Mr. Speaker? We now have achieved the highest rate of homeownership in the entire history of the United States of America. That is astounding. We have the highest rate of homeownership in the entire history of America.

The question or the debate is not how much money we are going to spend on housing; the question is who is going to do the spending? Is it going to be American families, or is it going to be government bureaucracies?

Now, I know this fund is included in the bill, and so be it, I support the legislation. But the question is, going forward, if we are going to have yet another housing fund, should not it be used for housing? Why open up the opportunity for it to be subverted into things like political activities? I do not understand if those who have advocated on behalf of the funds truly want to help the low-income, then why do we not simply increase the section 8 voucher program? Why do we not cut out the middleman? That is what we need to do.

□ 1130

Mr. McGOVERN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Speaker, I rise in strong opposition to the rule on H.R. 1461. It adds an anti-minority, anti-family provision that was not included in any of the sections of the legislation I supported in committee.

The rule will prohibit nonprofit groups involved in voter registration and get-out-the-vote activities from receiving money from the affordable housing fund created by the bill.

It will negatively impact good civic organizations in my district such as Amigos del Valle, National Council of La Raza, and Catholic and faith-based organizations.

This rule is strongly opposed by large Latino groups, including NALEO, LULAC, NCLR, and others.

The newly added provision is included in the manager's amendment and appears to be aimed at suppressing the civic engagement of low- and moderate-income and minority families. I respectfully urge that these provisions be removed before the amendment and bill come to the House floor for a vote.

I will insert at this point in the RECORD two letters to Speaker HASTERT. One is dated October 24, 2005, by NCLR, LULAC, and the League of United Latin American Citizens. The second letter is from the Jesuit Conference, and that letter is signed by the Reverend Bradley Schaeffer.

OCTOBER 24, 2005.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: It has come to our attention that the House Leadership has forged a compromise with members of the House Financial Services Committee regarding the Federal Housing Finance Reform Act of 2005 (H.R. 1461). The newly-added provision is included in the Manager's amendment and appears to be aimed at suppressing the civic engagement of low- and moderate-income and minority families. We urge that these provisions be removed before the amendment and bill come to the House floor for a vote.

With strong bipartisan support, H.R. 1461 (Federal Housing Finance Reform Act of 2005) passed the House Financial Services Committee. The bill contained a measure that would create an affordable housing fund, potentially generating billions of dollars for development. As you know, with housing prices continuing to rise, many communities suffer from a lack of affordable rental and homeownership opportunities for hard-working families.

Unfortunately, after passage, a compromise was struck between the House Leadership and the Financial Services committee that would preclude most nonprofits from accessing the funds. Many of the organizations that would be left out are uniquely positioned to develop the affordable housing needed in their communities. Specifically, nonprofit applicants would be restricted from participating in voter registration and many classic civic engagement activities in the twelve months before the time of application. In addition, the nonprofit applicants would be deemed ineligible if they are affiliated with an organization that engages in these activities. Notably, for-profit organizations would not have the same restrictions.

As representatives of diverse Hispanic constituencies, we have the following concerns: Minority Voter Suppression. The Latino community has experienced a long history of voter suppression. Nonprofit community-based organizations have played a critical role in fighting against those who would limit the voice of Latinos. The groups often serve as the main point of contact in Hispanic communities and, in many cases, they are the only local organization addressing their social, civic, and educational needs. The proposed Manager's amendment to H.R. 1461 will force these trusted community centers to choose between providing civic education and affordable housing.

For-Profit Double Standard. Inexplicably, under this provision, for-profit developers would not face similar restrictions and would likely become the majority of fund recipients. Even for-profits with a dubious track record would be eligible to receive funds while public interest social service providers would not.

We urge you to preserve the integrity of H.R. 1461 by fighting to remove the restrictions on nonprofits.

Sincerely,

National Association of Latino Elected and Appointed Officials.

National Council of La Raza.

National Puerto Rican Coalition, Inc.

League of United Latin American Citizens.

JESUIT CONFERENCE,
OFFICE OF THE PRESIDENT,
Washington, DC, October 25, 2005.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I am writing to you on behalf of the Jesuit Conference board of the Society of Jesus in the United States to express our concern regarding an amendment to H.R. 1461, the Federal Housing Finance Reform Act of 2005, that concerns the Affordable Housing Fund. We support the Fund but strongly oppose a manager's amendment that would severely restrict the organizations eligible to build much needed affordable housing and would be an affront to the promotion of civic engagement.

Today there are approximately 3,300 Jesuit priests and brothers working in our domestic programs and abroad which include: over 100 parishes, various social works throughout the country, 28 Jesuit-affiliated colleges and universities, and around 60 Jesuit-affiliated secondary and middle schools. Many of our projects put us in direct contact with low-income people that benefit from affordable housing programs, or that suffer from a lack of housing.

Our nation desperately needs more housing that is affordable to those struggling to get by. The U.S. Catholic bishops, in their statement, Putting Children and Families First, comment that, "Many families cannot find or afford decent housing, or must spend so much of their income for shelter that they forego other necessities, such as food and medicine . . . [The Catholic bishops] support housing policies which seek to preserve and increase the supply of affordable housing and help families pay for it." The Affordable Housing Fund would address some of this great need by increasing the supply of affordable homes for very low and extremely low-income families. We applaud the effort to increase the affordable housing stock in the country.

However, the manager's amendment that will be introduced would disqualify any nonprofit organization, including faith-based groups, from using resources from the Fund to build affordable housing if that organization has engaged in voter registration, get-out-the-vote, and other nonpartisan voter

participation activities. Furthermore, language in the amendment also disqualifies organizations that are "affiliated," a term broadly defined, with any organization that engages in such activities.

Concerns that the Affordable Housing Fund would finance partisan grassroots lobbying are unfounded. Current law, and language in H.R. 1461, already contains sufficient restrictions to ensure that funds are used solely for affordable housing and not for other activities. However, the manager's amendment will prevent even those groups that both build housing and that conduct constitutionally protected voter registration activities from receiving funds.

We strongly urge you to allow a vote on an amendment to delete the harmful provisions of the manager's amendment described above. H.R. 1461 and the Affordable Housing Fund present Congress with an opportunity to provide housing relief to the families that need it most. Don't let the unconstitutional manager's amendment get in the way.

In the Lord,

Very Reverend Bradley M. Schaeffer, S.J.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Baton Rouge (Mr. BAKER), the author of the bill.

Mr. BAKER. Mr. Speaker, I thank the gentleman for yielding time and wish to express my appreciation to him and members of the Rules Committee who have delivered a rule enabling consideration by the House today of significant legislation relative to the reform in the regulatory structure of government-sponsored enterprises.

For many years, that has been the subject of discussion by the Committee on Financial Services and, prior to that, the Committee on Banking. I cannot express enough appreciation to Chairman OXLEY for his long-standing tolerance on this matter, the many hours of agony I am sure I have caused all Members on this subject matter; and I am very appreciative for his courtesies extended in bringing to the floor a bill which has been over many months hammered into the shape we currently find it.

As to the current issue before the House in the consideration of the rule now pending, I wish to make clear that the manner in which the manager's amendment was constructed is no different from the construction of hundreds of manager's amendments over the years in this body. From the time at which a matter leaves committee until it arrives on the House floor can be a matter of days, weeks, or months. Circumstances change.

In this case, one element of that manager's amendment is the establishment of assistance for victims of the significant hurricanes the country has experienced, a highly appropriate utilization of a new fund. I think it important to understand this is the first time such fund has been constructed. The entity which will manage and distribute the funds does not now exist; and so, for some Members, constraining the utilization of the fund in its beginning stages was a logical precaution.

It is about restoration of housing in the case of hurricane victims, many of whom do not live in my district, but

certainly reside in my State. At the moment, they are without a home. They are living in a FEMA trailer or a tent or with family and friends or in any number of circumstances around the country. They are desperate for the opportunity to come home, to live in that structure that they call their own.

The bill now provides resources to construct homes. It was never intended that the bill would become the basis for political activism. The choice is clear: If we have limited resources to meet overwhelming need, should we not ensure that those resources are used as intended for the construction, for affording opportunity for low-income individuals and those who are requiring homeownership opportunities for the first time to have every cent go for that utilization? Of course it does.

It is regrettable, of course, that there would be those to say the amendment is flawed and that you should oppose it because we will not allow a voter registration campaign or political activism. I think in light of the concerns expressed, the overwhelming need for housing inventory, the fact that this is a 5-year program which will end at the end of 5 years, that we do not have yet an entity to manage, supervise or distribute the funds, it is highly appropriate that the constraints adopted in the manager's amendment be favorably considered by this House and adopted.

More broadly, I think the rule has made in order a number of amendments that were not discussed in committee, which the House will consider and vote on accordingly; and I think at the end of the day, no matter the construct of the final bill, it is important to understand that a government-sponsored enterprise reform is absolutely essential.

I will speak more to that matter during general debate; but I think those who only listen to the debate on the rule should understand, a government-sponsored enterprise is created by an act of Congress. It is given a privileged position in the marketplace. They utilize taxpayer-guaranteed debt in order to make a profit for their shareholders. They are unique in their construct in that they are authorized by the Congress, but are shareholder-driven institutions. They take on great risk and, accordingly, deserve the highest standard of regulatory oversight possible. This bill achieves that.

Mr. McGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Speaker, I rise in support for the underlying bipartisan bill on GSEs, but in strong opposition to the rule that was put in at the last minute, a provision that prevents any nonprofit recipient of a housing grant from conducting nonpartisan civic voter registration.

This is an outrageous, undemocratic provision that imposes restrictions on promoting the most fundamental of our civil liberties, the right to vote. Of all our rights, this is the one that our Founding Fathers held most dear.

What in the world are we doing today in this Congress in an attempt to limit this great right on which our country was founded?

Restricting the right of nonprofits in this way violates these organizations' first amendment rights. Voter ID, civic awareness, civic activities are protected by the first amendment. Yet this provision forbids any nonprofits from even applying for a grant if they have encouraged voting in the recent past.

There is absolutely no justification for preventing nonprofits' efforts to encourage civic activities such as voting. Many faith-based organizations, including the Catholic Church, the Presbyterian Church, the American Jesuit Conference, have come out in opposition to this provision; and I will place in the RECORD at this point a list of these organizations that have come out in opposition to this provision.

THE EPISCOPAL CHURCH,
OFFICE OF GOVERNMENT RELATIONS,
Washington, DC, October 20, 2005.

Hon. DENNIS HASTERT,
House of Representatives,
Washington, DC.

DEAR SPEAKER HASTERT. The Episcopal Church supports the Affordable Housing Fund as part of the Federal Housing Finance Reform Act of 2005 (H.R. 1461). However, we are strongly opposed to the inclusion of language in H.R. 1461 that restricts nonprofits—including religious organizations—from receiving Affordable Housing Funds if they have engaged in any voter registration, voter identification, get-out-the-vote, and other nonpartisan voter participation activities or voter encouragement efforts within 12 months of the application. They very people in need of affordable housing are those who often need the most help in fully participating in our democracy as voters. It is highly ironic that at the very moment when we have seen in the starkest of terms the great need for affordable housing, important legislation to meet that need is encumbered with language that undermines our democracy.

The Episcopal Church, through Jubilee Ministries and Episcopal service providers, offers housing assistance to many of our nation's poor. Jubilee Ministries administers grants to over 70 Jubilee Centers throughout the United States as well as the wider Anglican Communion. Including a provision that would prohibit Episcopal organizations that encourage democratic engagement from participating in Affordable Housing Fund programs would limit our response to God's call to serve the least among us and severely restrict our efforts to provide safe, decent, and affordable housing.

In supporting the Affordable Housing Fund in H.R. 1461, we are acting upon a resolution passed at our 2003 General Convention that reaffirmed our commitment to providing affordable housing for the poor. The resolution calls for the legislative branches of the federal government to provide "rental and owner-occupied housing that is safe, accessible, and affordable for low-income and moderate-income persons and their families including persons with disabilities" and "to ensure that housing assistance programs are adequately funded to address the growing gap between the number of affordable housing units available and the number of renter households in the bottom quartile of income in this nation."

As a church we have also acknowledged "the use of the political process as an act of

Christian stewardship" and recognized that a "faithful commitment to voting is an extension of our baptismal covenant to 'strive for justice and peace and the dignity of every human being.'" We have asked "all Episcopalians to actively engage in advocating for voter rights, encouraging voter registration, getting out the vote, and volunteering to assist voters at the polls."

Mr. Speaker, we ask that you do all in your power to see that the provisions related to voter participation are removed from H.R. 1461. No organization should be asked to choose between providing homes for those in need or enabling citizens to fully participate fully in our democracy.

Sincerely,

REV. KWASI A. THORNELL,
Chair, National Concerns Committee of the Executive Council.

RT. REV. JOHN BRYSON
CHANE, D.D.,
Bishop of Washington.

NATIONAL ORGANIZATIONS OPPOSED
TO VOTER RESTRICTIONS IN H.R.
1461,

Washington, DC, October 19, 2005.

Hon. DENNIS HASTERT,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER, The undersigned national organizations have learned that the compromise reached by House Leadership on H.R. 1461, the Federal Housing Finance Reform Act of 2005, includes provisions that would restrict the ability of American citizens to engage in our democratic process. We urge that these provisions be removed before the bill comes to the House floor for a vote probably during the week of October 24.

Specifically, we object to the restrictions on non-profit organizations that apply for grants through the Affordable Housing Fund established in H.R. 1461. The egregious provisions, which we strongly oppose, disqualify any nonprofit organization that has engaged in voter registration, voter identification, get-out-the-vote, and other nonpartisan voter participation activities in the 12 months prior to application from eligibility for the Affordable Housing Fund grants. It further prohibits non-profit organizations that receive grant funds from engaging in these activities.

These grants are to be used solely to produce and preserve housing that is affordable to extremely low and very low income families. For the first two years, the funds will be prioritized to rebuild housing in the areas devastated by Hurricane Katrina. The anti-democratic provisions do not just prohibit the use of Affordable Housing Fund dollars from being used for these purposes. The prohibition applies to any resources of a grantee, including funds specifically for civic engagement activities.

Moreover, even if a particular non-profit organization does not itself engage in any of these activities itself, "affiliation" with an organization that does would disqualify the nonprofit from applying for Affordable Housing Fund grants. Notably, for-profit companies are exempt from these restrictions.

These provisions are blatantly undemocratic and raise substantial constitutional questions in the attempt to limit the rights of affiliation. They are intended for no other purpose than to reduce access to voting by low income people. People of color are over-represented in the low income population, making this a civil rights issue. Moreover, these provisions have serious implications for the broader nonprofit community by setting a very dangerous precedent.

The low income housing community has worked tirelessly to establish the Affordable

Housing Fund in H.R. 1461, because we know the dire need for funds to increase the nation's affordable housing stock. But nothing is worth compromising the right of all Americans to participate in our precious democracy.

Sincerely,

Alliance for Healthy Homes.
 Alliance for Justice.
 American Counseling Association.
 American Federation of State, County and Municipal Employees.
 American Network of Community Options and Resources.
 Americans for Democratic Action.
 Association of Community Organizations for Reform Now (ACORN).
 Campaign for America's Future.
 Center for Community Change.
 Center for Law and Social Policy.
 Child Welfare League of America.
 Children's Defense Fund.
 Cities for Progress at the Institute for Policy Studies.
 Coalition on Human Needs.
 Consortium for Citizens with Disabilities.
 Corporation for Supportive Housing.
 Enterprise Foundation.
 Environmental Working Group.
 Episcopal Church.
 Lawyers' Committee for Civil Rights Under Law.
 Leadership Conference on Civil Rights.
 Local Initiatives Support Corporation.
 Lutheran Services in America.
 Mercy Housing.
 National AIDS Housing Coalition.
 National Alliance of HUD Tenants.
 National Alliance on Mental Illness.
 National Alliance to End Homelessness.
 National Association for the Advancement of Colored People (NAACP).
 National Association of Housing Cooperatives.
 National Coalition for the Homeless.
 National Committee for Responsive Philanthropy.
 National Community Reinvestment Coalition.
 National Council on the Aging.
 National Council of Nonprofit Associations.
 National Council on Independent Living.
 National Fair Housing Alliance.
 National Head Start Association.
 National Health Care for the Homeless Council.
 National Housing Conference.
 National Housing Law Project.
 National Housing Trust.
 National Law Center on Homelessness & Poverty.
 National Low Income Housing Coalition.
 National Neighborhood Coalition.
 National Policy and Advocacy Council on Homelessness.
 National Urban League.
 OMB Watch.
 Poverty and Race Research Action Council.
 Presbyterian Church (U.S.A.) Washington Office.
 Public Housing Authorities Directors Association (PHADA).
RESULTS.
 Smart Growth America.
 Stewards of Affordable Housing for the Future.
 Technical Assistance Collaborative.
 The Arc of the U.S.
 U.S. Public Interest Research Group (U.S. PIRG), National Association of State PIRGs.
 United Cerebral Palsy.
 United Church of Christ Justice and Witness Ministries.
 Women's Committee of 100.
 YWCA USA.

Mr. Speaker, clearly, these organizations recognize an attack on faith-based values when they see one.

These restrictions force faith-based organizations to make a decision between providing low-income housing or promoting civic activities, and that choice is not one Congress should be forcing.

It goes against our deepest principles and strikes at those who can least protect themselves, and I feel that it is particularly inappropriate that the majority is trying to limit the rights of the disadvantaged this week in the wake of the death of Rosa Parks, who stood up for the right to vote in so many courageous ways.

I urge a "no" vote on this rule.

Mr. Speaker, I rise in opposition to this rule which did not permit a vote on Congressman FRANK's amendment to strike from this bill the provision that prevents any nonprofit recipient of a housing grant from conducting non-partisan civic voter registration.

This is an outrageously bad provision that imposes unconstitutional restrictions on promoting the most fundamental of our civil liberties: The right to vote.

Of all our rights, this is the right that our Founding Fathers held most dear; that thousands have come to this great democracy to hold; and that right now our men and women are dying to protect in Iraq.

What are we doing here limiting this great right on which our Nation is founded?

Restricting the rights of nonprofits in this way violates these organizations' fundamental First Amendment rights. Voter registration, voter identification, and get-out-the vote activities are protected by the First Amendment. Yet this provision forbids nonprofits from even applying for grants if they have encouraged voting in the recent past. There is just no justification for preventing nonpartisan civic efforts to encourage voting.

Many faith based organizations strongly oppose these restrictions. The Catholic Church is just one of many organizations whose faith-based mission to serve the disadvantaged leads them to both provide low-cost housing and help the disadvantaged exercise their right to vote.

Indeed, faith based organizations are strongly united in their opposition. Among them are the Lutheran Church, the United Church of Christ, the Presbyterian Church, the U.S. Jesuit Conference, and the American Jewish Congress, just to name a few.

Clearly these organizations recognize an attack on faith-based values when they see one.

These restrictions force faith based organizations to make a choice: Provide low-income housing or promote the ability to vote. That choice is not one Congress should be forcing. It goes against our deepest principles and strikes at those who can least protect themselves.

It is particularly inappropriate that the majority is trying to limit the rights of the disadvantaged to vote this week, in the wake of the death of Rosa Parks. Rosa Parks was a national icon, a symbol of what one courageous person can do to achieve civil rights and liberties. This amendment to preserve non-partisan voter registration could be called the Rosa Parks Amendment—to remind us that she co-founded the Rosa and Raymond Parks Institute for Self Development to help young people register to vote, and I am confident that she would have supported it with the quiet

dignity and faith that she demonstrated in her own life.

I urge my colleagues on both sides of the aisle to repudiate these provisions that strike all faith-based organizations.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I find it rather embarrassing to have to come to the floor of the Congress of the United States to protect the constitutional rights of the citizens of this country when, in fact, that is what we were all elected for, to make sure that this democracy works.

I am opposed to this rule, and I cannot believe that my colleagues on the opposite side of the aisle would jeopardize the opportunity for us to provide housing for people who are victims of these hurricanes that have hit this country because they have interjected politics into this bill.

This is absolutely outrageous. There is nothing in this bill that would allow any nonprofit or profit-making organization who wished to produce housing for low- and moderate-income people to use this money for any political activity. It is not fair. My colleagues are making it up, and it is absolutely outrageous.

As a matter of fact, we were so concerned about making sure that everybody had an opportunity to provide housing, to produce housing, we put in an amendment that would make sure that this money would not go to one or two big organizations; that it would be available in rural communities; it would be available to the faith-based communities; it would be available all over this country to small- and medium-sized organizations, not just a few large ones.

So we have been very democratic. We know that there are some people on the opposite side of the aisle that did not like the idea of providing funds for low- and moderate-income housing; but we also know, because of the leadership of some people on the other side of the aisle who understood the homelessness and the crisis that we have in America, lack of housing, the low-income people, that they were able to prevail, and we came out with a good bill.

Do not get up here and fuss and talk about closed rule, modified rule, manager's amendment. It has nothing to do with that. My colleagues either want to provide low-income housing and not put politics in it and prevent people from exercising their constitutional rights or they do not want anything for anybody.

Mr. MCGOVERN. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Massachusetts (Mr. FRANK), the ranking member on the committee.

Mr. FRANK of Massachusetts. Mr. Speaker, first, as to the rule, let us be very clear. This is democracy denied squared. Substantively, this imposes restraints on getting lower income people to vote.

One of the Members of the majority, one of the authors of this restriction, the gentleman from Florida, talked about ACORN. In fact, under provisions of the bill which are agreed upon unanimously, what ACORN proposed would have disqualified them from getting funds. There is agreement that if groups are engaging in partisan activity they should be excluded.

One thing that the majority forgot to mention, one of the pieces of their amendment to which we object is the piece that says you can only participate in this program if housing is your principal purpose. The faith-based initiative, rest in peace. Apparently, it did not last very long.

The primary purpose of faith-based organizations is faith. It is not housing. They would like to do housing. It is part of their mission, but it is not their primary purpose. That is why not just Catholic charities but the Conference of Catholic Bishops of the United States has asked that this be amended, because this provision that only if your primary purpose is housing can you participate denies any faith-based group the right to participate. Apparently, the fear of low-income people voting outweighs the support for faith-based groups.

What are the substantive restrictions? We agree that there should be no partisanship. There would be a lot of restrictions if my very small, specific amendment were to pass. You could do not electioneering. You could not do lobbying beyond a very limited amount, but you could get out the vote. You know what that means? We had the Episcopalians, the Methodist, the Orthodox Jews, all of which do a lot of housing. You are the Methodists and you run an elderly housing project, under the Republican provision, you cannot do get-out-the-vote activity if you help build housing. So you cannot hire a bus to go take the old people to vote. You cannot have somebody come in and get them to register.

That is what we are talking about. There is an extremism here that is not comprehensively accepted in the history.

The committee voted on this bill. It is contentious as anything I would write, as anybody would write. It is a good bill which sets up a world-class regulator. Much of what has been said on that side I agree with.

Then the Republican Study Committee, the most conservative Members of the House who appear to be able to run the House by using their influence with the majority leadership, an influence which does not seem to have changed since the majority leadership changed, they were able to take this bill hostage.

□ 1145

They tried to kill this whole thing. Members on their side now say, we are for doing this affordable housing. Well, then why did they try to kill it?

There was an amendment to kill the whole affordable housing fund, not re-

stricted. It lost 53 to 17, and so then they went to the majority leader and said we cannot win a fair fight. Hijack the bill. So now it comes to the rules situation. Here it is. Yes, we will get the vote on the manager's amendment. The manager's amendment includes what the gentleman from Ohio, the gentleman from Louisiana, myself, and the gentleman from Pennsylvania all agree to, along with the gentlewoman from California, to give a preference for those areas affected by the hurricane.

So what the gentleman from Texas would have Members believe, both gentlemen from Texas, it is an open rule on this issue because if you are willing to vote not to give a preference to the hurricane areas, you can also vote to let the Catholic Church participate in low-income housing. They come as a package. If you think the Catholic Church and the Episcopal Church and the Methodist Church and other churches ought to be able to participate in this, then you have to vote not to give preference to the hurricane areas. That is their idea of a fair rule.

All I asked for was a chance to agree to everything in the manager's amendment except for three things: Allow faith-based groups to participate. Let it be one of their primary purposes. Let them do nonpartisan voter registration and let them do nonpartisan get-out-the-vote. We are not given a chance to vote on that.

I hope Members will vote against the manager's amendment. It is a tough vote for Members in the hurricane areas because they will be demagogued.

If the manager's amendment is defeated, let me announce now, I will then offer a motion to recommit which will be everything in the manager's amendment except these three things. So Members over there who have told these low-income groups, as often happens, I do not like what these people have done, I do not want to exclude the Catholic Church, but my hands are tied, we will untie your hands. We will give you a chance to vote on it, but it is still not a fair vote.

I think it is very clear that there is one reason why the Members are not allowed to vote on a specific amendment that says let us take all of the restrictions on the groups, and when people say we do not want the money spent on other things, it has always been clear that the money can only be spent on affordable housing. We are talking about whether groups with their own money can do other things. People have said the money is fungible. Well, when we were debating faith-based groups, when we said if you give money for day care, is that going to go to religious activities, we were told, no, they will be segregated. I agreed with that. So the argument about fungibility, apparently, appears to be itself very fungible.

Mr. Speaker, all we are asking for is a chance for an up-or-down vote on three provisions which have never been

voted on which were inserted here because the most conservative elements in the Republican Party, the Republican Study Committee, got the majority leader to make them a condition of the bill coming to the floor. I guess if the rest of the Republicans want to be held hostage by that group, they will show us by their votes today.

Mr. SESSIONS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. OXLEY), chairman of the Committee on Financial Services.

(Mr. OXLEY asked and was given permission to revise and extend his remarks.)

Mr. OXLEY. Mr. Speaker, let me thank the gentleman from Texas (Mr. SESSIONS) for conducting a worthwhile debate on this issue and the rule.

While we will have plenty of time to debate the merits of the legislation, and there are a great deal of those out there, and I think both sides would agree, I want to thank the gentleman from Louisiana (Mr. BAKER) for his excellent work, as well as the gentleman from Massachusetts (Mr. FRANK), the ranking member.

The approach that we took, beginning with the need, the glaring need for a world-class regulator for the GSEs, became quite evident with the revelations of some of the accounting scandals that took place in both of those institutions and to a lesser extent with the Home Loan banks.

Looking back in the past when Chairman BAKER was a lone voice in trying to get changes in the regulatory structure to where we are now is quite extraordinary. It is quite extraordinary that we are actually debating a rule that would bring up a major piece of legislation totally changing the way we look at GSEs and their role in the housing market and the secondary market, particularly as it relates to their regulation and how they are regulated. I do not think anybody can argue that the structure we set up is less than superlative and provides a world-class regulator.

Some of the issues we debated that were so contentious, I think of receivership, and all of the debates that we had about the necessity for including receivership language in it so in case one or both of the GSEs, that the regulator could actually put them in receivership, essentially became a nonissue just a few months ago. I think that points out the kind of progress we made in the committee. The 65-5 vote that we had on final passage was quite extraordinary.

We also needed to look at the whole issue of affordable housing. The gentleman from Ohio (Mr. NEY) and his subcommittee really deserve a lot of credit for putting together, I think, a very solid plan borrowed from the Home Loan bank system from which they set aside 10 percent of their profits towards affordable housing. Let me point out that program has been incredibly successful over the years, borrowing a page from the Home Loan

banks, in this case, to set aside 5 percent from Fannie Mae and Freddie Mac that would potentially provide hundreds of millions of dollars towards affordable housing. Again, I think Members agreed with that, and the concern was always, I think, in the back of everybody's mind to make certain that this money was accountable and it was used for bricks and mortar, actually building the homes instead of political advocacy and the like. Indeed, I think we came to a reasonable conclusion on that.

We have differences as to the application of that. It was always our goal to make those funds available only to groups that had housing as a function and that they had a track record. I am thinking of Habitat for Humanity as a good example, but also State housing agencies and for-profit companies that would compete for those funds and would have to be approved by the board we set up in the legislation, again, providing accountability where that money goes because it is technically, certainly, not government funds, taxpayer funds, but private sector funds. We want to make certain that every dollar that was made available went into building affordable housing.

And then, of course, along came Hurricane Katrina, Hurricane Rita, and now Wilma; and those events provided another glaring need for affordable housing in those heavily struck areas. That is why we wanted to include those and provide them with the opportunity to essentially be first in line for those funds because of the enormous complications that have developed down there in terms of housing and exacerbated an already difficult situation. That is where we are now.

I am proud of the committee and the work we have been able to do. I think we are in a position where we can debate the manager's amendment under the rule. There are several Democrat amendments made in order, Republican amendments made in order, four on each side. I think the Rules Committee has done a superb job in doing that. I know the gentleman from Massachusetts will probably offer a motion to recommit based on the issue of fund availability. That is precisely within his rights, and I would expect that.

But this vote on the rule that I support is moving us forward to get to legislation passing to help the hurricane victims and to better regulate the GSEs. I think there is a broad bipartisan consensus for that. Let us vote up the rule and get on with the debate.

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

Mr. Speaker, over the past 5 years, we have seen 100,000 Federal housing units lost. We are down 50 percent in real terms in elderly and disabled housing at a time when the leadership on the other side of the aisle has tried to eliminate the Community Development Block Grant Program. They have significantly cut back on the number of section 8 vouchers for low-income

housing assistance, and they have tried to limit housing assistance overall, so it is important that this underlying bill pass and at the same time that this reprehensible provision, this attack on poor people, be struck from the bill.

Mr. Speaker, to prohibit organizations from receiving funding for housing, many of these organizations, faith-based organizations, that participate in nonpartisan activities, as the New York Times said today, has no place in our democracy. We can do so much better. The fact of the matter is that many of these faith-based organizations that do an incredible job in housing will be barred from participating because of this provision. Vote down the rule. Let us fix this provision.

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

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

Mr. Speaker, I heard the gentleman from Massachusetts refer to his 25 years of service in this distinguished body, and I have great respect for that; but I want him to know, and I am certain he remembers this, that the Democrats when they were in the majority, many times denied Republicans an opportunity in the legislative and rulemaking process to have motions to recommit. In fact, the Republican majority has given the minority that under this rule, as we have the entire time we have been in the majority.

This vote today is simply on the rule. The committee voted for the bill 65-5. Members are going to have an opportunity during consideration of these amendments to voice their disapproval of the manager's amendment and vote it down if that is what they choose to do.

The purpose of these changes that we are talking about in the manager's amendment is to prevent nonprofits from receiving these funds and engaging in political activity, to ensure that the scarce and available funds for housing resources are allocated effectively and for their intended purpose, pure and simple. We want to make sure that they are used for rebuilding houses with the primary emphasis in the gulf region.

This legislation does not prevent nonprofit organizations from pursuing a political agenda if they so choose. It simply prevents them from accepting these funds if they put politics first. It is their choice.

Hurricanes do not take party affiliation into account, and these funds are being contributed by the housing GSEs to rebuild this important region of our country. It should not be done on a political basis. I am very proud of this bill and the underlying legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to H. Res. 509 as reported out of the Committee on Rules last night relative to our debate of the GSE legislation, H.R. 1461. While many substantive amendments were made in order, the committee blocked what we undoubtedly consider one of the most substantive amendments that was of-

fered by the gentleman from Massachusetts, Mr. FRANK, the ranking member of the body from which the underlying measure was discharged.

The gentleman's amendment would have removed language contained in the current manager's amendment that bars organizations with proven experience in mobilizing community support and resources—a nonpartisan initiative. In addition, the manager's amendment would constrain the ability of experienced faith-based and community-based organizations to successfully compete for the affordable housing funds that are proposed in the underlying bill.

My district of Houston, TX, has a plethora of faith-based organizations that have plans that would provide much-needed affordable housing for the surrounding community. Our affordable housing stock has suffered for a long time, and I have been working steadfastly with the Secretary of Housing and Urban Development to facilitate the obtaining of opportunities by these groups. The nugatory provisions in the manager's amendment will contravene the hard work that I and many other Members have done to this end.

While I applaud the effort made by the administration to remove barriers to full participation in Federal programs and funding faith-based entities, proposals such as the manager's amendment will bar these groups from access to this funding while for-profit agencies remain free to engage in the democratic process which is every American's birthright. This double-standard must be removed. It contravenes the spirit of the U.S. Constitution.

Mr. Speaker, I oppose this rule.

Mr. HOLT. Mr. Speaker, I rise today to oppose an outrageous provision attached to previously strong legislation. I am shocked and disappointed that the majority has chosen to destroy what was an effective, responsible, and bipartisan bill by including an indefensible provision to restrict nonpartisan civic activity of nonprofit organizations.

This legislation started out as an example of how the legislative process should work. The Financial Services Committee reported a bill to reform Government Sponsored Enterprises, GSEs, and establish an Affordable Housing Fund, AHF. The bill would increase home ownership among low-income families, increase investment in housing in low income and economically distressed areas, and in general increase the Nation's supply of affordable housing. The bill received broad bipartisan support, reported by a vote of 65-5.

It is unfortunate that the majority has chosen to mandate consideration of a bill that includes a provision restricting nonpartisan civic activities of nonprofit organizations, even if they use their own funds to conduct such activities. Nonprofit organizations (and any affiliate of the nonprofit) would be prohibited from engaging in nonpartisan voter registration or get-out-the-vote activities. These restrictions would force low-income housing groups and faith-based groups to choose between obtaining funding for low-income housing and using other funds to engage in nonpartisan voter registration and get-out-the-vote activities.

In my home State of New Jersey, organizations like Catholic Charities provide vital social services to vulnerable people in need, such as food, clothing, counseling, and health services. They also routinely hold voter registration drives before elections and provide elderly and

disabled voters with transportation to the polls. Their activities are nonpartisan and play a vital role in ensuring that people are able to vote if they so desire. Under this legislation, they would no longer be able to fulfill this function. This body should not prohibit social service organizations from conducting nonpartisan civic activities.

The majority protests loudly when its actions are judged to be motivated by a desire to suppress voter turnout and civic participation in urban or low-income areas. From the inclusion of this discriminatory provision, it is difficult to reach any other conclusion. Today this rule blocks an amendment by Representative BARNEY FRANK that would remove this provision.

It is disheartening to see that, at a time when the majority and the administration claims to support removing barriers for faith-based organizations, this provision has been included to restrict the activities they are permitted to conduct. Inclusion of the provision has sunk the prospects of passing strong and bipartisan legislation that will help the most vulnerable obtain affordable housing. I urge my colleagues to reject this rule.

Mr. CROWLEY. Mr. Speaker, I rise to lament the wrecking of a solid, bipartisan bill that, at one time, both established a tough new regulator for our Nation's secondary mortgage market and created a new national housing trust to build affordable housing.

Our Nation's economic security and the housing opportunity of millions of Americans is being played with on the floor today.

But more than this particular bill, I also lament the fact that this Congress is held hostage to the extreme right wing agenda of the majority. A small cabal of 50 or so Members who, though small in number, loud in voice, threaten this Republican Majority and hold this Congress and our country hostage.

They claim they want smaller government but they are saddling our children with trillions in the notorious birth tax—yes, every child born in America today comes into this world with a \$30,000 debt to the Government thanks to the skewed economic policies of the so-called fiscally conservative Republican Party.

They claim to help people but want to strip away student loans from college kids, Medicaid from the poor, and aid to farmers, for bigger tax cuts for the richest Americans.

They claim they support families, but they are robbing the basic tenet of the American Dream—home ownership—right here in this very bill.

They claim to represent people of faith, but they are stripping away the ability of groups like Catholic Charities, Baptists and other people of faith to use this new funding to benefit their communities and make America stronger.

If this rule passes the Republicans will have done what they do best, stripping away the American Dream of owning a home for millions of Americans. As well as continuing on their path to destroying what this country stands for, religious freedom, home ownership and the ability of child to live a better life than his or her parents.

This debate is bigger than this rule, bigger than this bill. It goes to the heart of who the Republican Party is today, and it is a party that does not stand for working people.

This rule demonstrates this fact. Vote down this anti-religion, anti-American rule.

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

move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the resolution.

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

Mr. MCGOVERN. 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.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 443. An act to improve the investigation of criminal antitrust offenses.

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 later today.

HURRICANE KATRINA FINANCIAL SERVICES RELIEF ACT OF 2005

Mr. BAKER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3945) to facilitate recovery from the effects of Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions and Federal regulatory agencies, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3945

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 "Hurricane Katrina Financial Services Relief Act of 2005".

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) On August 29, 2005, Hurricane Katrina, a category 4 storm with an impact area of 90,000 square miles, reached landfall devastating the States of Louisiana, Mississippi and Alabama, causing loss of life and property.

(2) Levee breaches in the flood control system for the city of New Orleans as a result of Hurricane Katrina resulted in tragic flooding, causing additional loss of life and property.

(3) Due to the substantial damage to both property and infrastructure, more than 1,000,000 people were made homeless or

brought under financial duress by the effects of Hurricane Katrina.

(4) At least 120 insured depository institutions and 96 insured credit unions are located in the areas of Texas, Louisiana, Mississippi and Alabama, declared as major disaster areas by the President.

SEC. 3. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) APPROPRIATE FEDERAL BANKING AGENCY.—The term "appropriate Federal banking agency" has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(2) INSURED CREDIT UNION.—The term "insured credit union" has the same meaning as in section 101 of the Federal Credit Union Act.

(3) INSURED DEPOSITORY INSTITUTION.—The term "insured depository institution" has the same meaning as in section 3 of the Federal Deposit Insurance Act.

(4) QUALIFIED DISASTER AREA.—The term "qualified disaster area" means any area within Alabama, Louisiana, or Mississippi in which the President, pursuant to section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, has determined, on or after August 28, 2005, that a major disaster exists due to Hurricane Katrina.

SEC. 4. SENSE OF THE CONGRESS ON CASHING OF GOVERNMENT CHECKS.

It is the sense of the Congress that—

(1) it is vital that insured depository institutions and insured credit unions continue to provide financial services to consumers displaced or otherwise affected by Hurricane Katrina, which includes the cashing of Federal government assistance and benefit checks;

(2) the Secretary of the Treasury and the Federal financial regulators should seek to educate insured depository institutions and insured credit unions on the proper application of the guidance issued by the Secretary on cashing of Federal government assistance and benefit checks and published in the Federal Register while such guidance is in effect; and

(3) the Federal financial regulators should continue to work with the insured depository institutions and insured credit unions operating under extraordinary circumstances to facilitate the cashing of Federal government assistance and benefit checks.

SEC. 5. WAIVER OF FEDERAL RESERVE BOARD FEES FOR CERTAIN SERVICES.

Notwithstanding section 11A of the Federal Reserve Act or any other provision of law, during the effective period of this section, a Federal reserve bank shall waive or rebate any transaction fee for wire transfer services that otherwise would be imposed on any insured depository institution or insured credit union that as of August 28, 2005, was headquartered in a qualified disaster area.

SEC. 6. FLEXIBILITY IN CAPITAL AND NET WORTH STANDARDS FOR AFFECTED INSTITUTIONS.

(a) IN GENERAL.—Notwithstanding section 38 of the Federal Deposit Insurance Act, section 216 of the Federal Credit Union Act, or any other provision of Federal law, during the 18-month period beginning on the date of enactment of this Act, the appropriate Federal banking agency and the National Credit Union Administration may forbear from taking any action required under any such section or provision, on a case-by-case basis, with respect to any undercapitalized insured depository institution or undercapitalized insured credit union that is not significantly or critically undercapitalized, if such agency or Administration determines that—

(1) the insured depository institution or insured credit union derives more than 50 percent of its total deposits from persons who