to, especially on unnecessary payments. But, unfortunately, between 250,000 to 400,000 families nationwide are now doing exactly that. They are paying up to $100 each month and thousands of dollars over the life of their mortgages for unnecessary private mortgage insurance.

There is nothing inherently wrong with private mortgage insurance, or PMI. It can be a valuable and essential tool used by many families who want to buy a home but are unable to finance a full 20 percent down payment. Fully 54 percent of mortgages offered last year did require PMI.

That means the lender requires the borrowers to buy and pay for insurance to protect the lender in case of a borrower's default. As a result, lenders have then been able to issue mortgages to families with smaller down payments, who otherwise could not afford homes. that is of benefit to the consumer. So far, so good.

The problem with PMI arises once you have established approximately 20 percent equity in your home. This is the figure generally accepted by the mortgage industry as a benchmark of the risk they take in financing your home. At that point, PMI should no longer be necessary, since there is minimal risk to the lender. After all, the lender holds title to the home if you should default, and can always sell the property.

But many homeowners are never even notified that they can discontinue their private mortgage insurance, and just keep on paying and paying and paying. It adds up to thousands of dollars. Continuing to pay insurance to protect the lender after a borrower no longer represents a serious risk is an unjustified windfall to insurance companies, and an unfair burden on homeowners. That practice must stop, and our action today will insure that it does stop.

Mr. Speaker, I give special credit to the gentleman from Utah (Mr. HANSEN) for bringing this issue to the attention of our Committee on Banking and Financial Services and for bringing it to the attention of the full House of Representatives.

The bill Congressman HANSEN introduced initially would have required disclosure to homebuyers, both at the mortgage signing and in annual statements, of the precise conditions that might enable them to cancel payments of private mortgage insurance. But after Committee Members had time to reflect upon it, we believed that that would be helpful but not helpful enough. Some argued we should move beyond disclosure and also create a right to terminate, at least after certain conditions were met.

Many thought that even that was insufficient and we should go further still. This was my position. Simple disclosure and creation of a right to cancel is not enough. Unnecessary insurance payments should be terminated as a matter of law. Certainly, no sensible borrower would choose to pay for insurance to protect a lender against the borrower's own default unless forced to do so.

Therefore, rather than create a right to reject and cancel insurance, which any reasonable person would always exercise, we argued we should legislate instead the actual termination of the insurance once certain conditions were met. That is an essential element of the bill we have before us today.

The bill protects the consumer's right to initiate cancellation of the private mortgage insurance once 20 percent of the mortgage is satisfied, and requires servicers to cancel a consumer's mortgage insurance once 22 percent of the mortgage is satisfied.

Nonetheless, I am convinced we could have and should have gone even further. For instance, the bill does not afford the same automatic cancellation rights to so-called high-risk consumers, whose PMI will be canceled at the half-life of the mortgage. The bill does direct the housing enterprises, FNMA and Freddie Mac, to establish industry guidelines defining what constitutes a risky borrower.

I assume and hope, and will watch to see, that the GSEs use their authority prudently. But I want to be clear that this provision was not included to enable lenders or investors to circumvent the intent of this legislation or to discriminate against certain types of borrowers. We will be watching implementation of this provision very closely.

With that in mind, I have asked that the bill require the GAO to evaluate how the high-risk exception is being applied, and report the findings to the Congress after enactment.

With regard to state preemption, again, I much preferred the House version. At least in this case, the bill we have before us does protect state PMI cancellation and consumer laws in effect prior to January 2, 1998, and provides those states, eight of them, two years to revise and amend their laws: California, Minnesota, New York, Colorado, Connecticut, Maryland, Massachusetts and Missouri.

I would have strongly preferred that the bill simply respect the rights of all states to enact stronger cancellation and disclosure laws, or had allowed the eight states with laws on the books to amend their laws without limitation. But the Senate would not agree to this approach. Nonetheless, I am pleased that we are now protecting stronger state consumer laws in states like New York, where they already do exist.

All in all, this is a strong consumer bill. It could have been stronger in some regards, and we might make it even stronger in future years. But it represents real and significant progress for consumers. I urge my colleagues now to join me in supporting S. 318.

Mr. LAFALCE. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and pass the Senate bill, S. 318, as amended.

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the Senate bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. LEACH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 318, the Senate bill just passed.

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

There was no objection.

ENFORCEMENT OF CHILD CUSTODY AND VISITATION ORDERS

Mr. COBLE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4164) to amend title 28, United States Code, with respect to the enforcement of child custody and visitation orders.

The Clerk read as follows:

H.R. 4164

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

SECTION 1. CHILD CUSTODY AND VISITATION DETERMINATIONS.

Section 1738A of title 28, United States Code is amended as follows:

(1) Subsection (a) is amended by striking ''subsection (f) of this section, any child custody determination'' and inserting ''subsections (f) and (g) of this section, any custody determination or visitation determination''.

(2) Subsection (b)(2) is amended by striking ''a parent'' and inserting '', but not limited to, a parent or grandparent or, in cases involving a contested adoption, a person acting as a parent''.

(3) Subsection (b)(3) is amended—

(A) by striking ''or visitation'';

(B) by striking ''and'' before ''initial orders''; and

(C) by inserting before the semicolon at the end the following: '', and includes decrees, judgments, orders of adoption, and orders dismissing or denying petitions for adoption''.

(4) Subsection (b)(4) is amended to read as follows:

''(4)(A) except as provided in subparagraph (B), 'home State' means—

''(i) the State in which, immediately preceding the time involved, the child lived with his or her parents, a parent, or a person acting as a parent, with whom the child has been living for at least six consecutive months, a prospective adoptive parent, or an agency with legal custody during a proceeding for adoption, and

''(ii) in the case of a child less than six months old, the State in which the child lived from birth, or from soon after birth,

and periods of temporary absence of any such persons are counted as part of such 6-month or other period; and

''(B) in cases involving a proceeding for adoption, 'home State' means the State in which—

''(i) immediately preceding commencement of the proceeding, not including periods of temporary absence, the child is in the custody of the prospective adoptive parent or parents;

''(ii) the child and the prospective adoptive parent or parents are physically present and the prospective adoptive parent or parents have lived for at least six months; and

''(iii) there is substantial evidence available concerning the child's present or future care;''.

(5) Subsection (b)(5) is amended by inserting ''or visitation determination'' after ''custody determination'' each place it appears.

(6) Subsection (b) is amended by striking ''and'' at the end of paragraph (7), by striking the period at the end of paragraph (8) and inserting ''; and'', and by adding after paragraph (8) the following:

''(9) 'visitation determination' means a judgment, decree, or other order of a court providing for the visitation of a child and includes permanent and temporary orders and initial orders and modifications.''.

(7) Subsection (c) is amended by striking ''child custody determination'' in the matter

preceding paragraph (1) and inserting ''custody determination or visitation determination''.

(8) Subsection (c)(2)(D) is amended by adding ''or visitation'' after ''determine the custody''.

(9) Subsection (d) is amended by striking ''child custody determination'' and inserting ''custody determination or visitation determination''.

(10) Subsection (e) is amended—

(A) by striking ''child custody determination'' and inserting ''custody determination or visitation determination''; and

(B) by striking ''a child'' and inserting ''the child concerned''.

(11) Subsection (f) is amended—

(A) by striking ''determination of the custody of the same child'' and inserting ''custody determination'';

(B) in paragraph (1) by striking ''child'' and by striking ''and'' after the semicolon;

(C) in paragraph (2) by striking the period and inserting ''; and''; and

(D) by adding at the end the following:

''(3) in cases of contested adoption in which the child has resided with the prospective adoptive parent or parents for at least six consecutive months, the court finds by clear and convincing evidence that the court of the other State failed to consider—

''(A) the extent of the detriment to the child in being moved from the child's custodial environment;

''(B) the nature of the relationship between the biological parent or parents and the child;

''(C) the nature of the relationship between the prospective adoptive parent or parents and the child; and

''(D) the recommendation of the child's legal representative or guardian ad litem.

This subsection shall apply only if the party seeking a new hearing has acted in good faith and has not abused or attempted to abuse the legal process.''.

(12) Subsection (g) is amended by inserting ''or visitation determination'' after ''custody determination'' each place it appears.

(13) Section 1738A is amended by adding at the end the following:

''(h) A court of a State may not modify a visitation determination made by a court of another State unless the court of the other State has declined to exercise jurisdiction to modify such determination.

''(i) In all contested custody proceedings, including adoption proceedings, undertaken pursuant to this section, all proceedings and appeals shall be expedited.

''(j) In cases of conflicts between 2 or more States, the district courts shall have jurisdiction to determine which of conflicting custody determinations or visitation determinations is consistent with the provisions of this section or which State court is exercising jurisdiction consistently with the provisions of this section for purposes of subsection (g).''.

(14) Subsection (c)(2) is amended—

(A) by inserting ''or her'' after ''his'' each place it appears; and

(B) by inserting ''or she'' after ''he''.

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

The Chair recognizes the gentleman from North Carolina (Mr. COBLE).

GENERAL LEAVE

Mr. COBLE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4164, the bill under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 4164 is intended to alleviate the legal, financial and emotional hurdles that grandparents, who have visitation rights to their grandchildren, must overcome in order to enforce those rights if the children are subsequently moved to another State.

Mr. Speaker, I have met with several grandparents in my district, and the accounts that they share with me regarding their inability, for various reasons, to visit their grandchildren are generously laced with pain and frustration. H.R. 4164, Mr. Speaker, ensures that a visitation order granted to grandparents in one State will be recognized in any State where the grandchildren may be moved and thereby prevent grandchildren from losing contact with a valuable part of their family.

The bill also restores to Federal courts subject matter jurisdiction to determine which of two conflicting State court custody determinations or visitation determinations is valid based on which State is exercising proper jurisdiction. This will overturn a 1988 Supreme Court decision which held that various Federal courts did not have such jurisdiction, even though Federal courts had already been hearing these type cases for years. The decision resulted in conflicting State court custody decisions with no mechanisms to determine which order was valid.

H.R. 4164 will reduce duplicate State court proceedings. Though the number of such cases may not be overwhelming, the emotional and financial burdens that will be alleviated by this bill for those children and families faced with conflicting custody orders is immeasurable.

This bill also gives State courts an option whether or not to enforce the Parental Kidnapping Prevention Act in a limited number of interstate contested adoption cases. In an interstate contested adoption that has already been ruled on in another State, a State may exercise jurisdiction and modify the decision if the other State had failed to conduct a, ''best interest of the child analysis''. Litigants who have not acted in good faith or who have abused or attempted to abuse the system would not be eligible to utilize this provision.

As I said earlier, Mr. Speaker, I often, in my district, hear from grandparents about the many difficulties they face in trying to achieve contact with their grandchildren, and this is a significant step forward in protecting visitation rights for grandparents. This is a good bill that will benefit children and families involved in these cases, and I urge a ''yes'' vote on H.R. 4164.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

The chairman of the subcommittee has explained this well. I want to stress in particular the importance of giving due recognition to the role of grandparents, especially in today's world. Grandparents often find themselves in a parental role. In fact, we are seeing a good deal of grandparent involvement in the raising of grandchildren, and the law has simply not caught up with that.

I think the point of giving recognition to the strong emotional ties between grandparents and grandchildren, recognizing that grandparents, these days, are as likely to have the best interests of the children at heart as any other, those are all very important and I am delighted to support the legislation which adopts them.

The other part of the bill, which deals with allowing the Federal courts some substantive involvement, I say there is some constitutional controversy, but what persuades me this is worth supporting is it sets forth a substantive standard of the best interest of the child, and we have had too many other competing kinds of interests advanced.

So for those two principles, to the extent that we can federally, arguing that the best interest of the child should be the deciding point in custody cases, and recognizing the love and the care that grandparents parental and giving some protection to the grandparent-grandchildren bond, for those two reasons, I very much support this bill.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time.

I wish to thank the gentleman from North Carolina (Mr. COBLE) of the subcommittee, and the gentleman from Illinois (Mr. HYDE) of the full committee, as well as the ranking members, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Massachusetts (Mr. FRANK) for their help in bringing this legislation to the floor.

Most American grandparents would believe that after a hard fought, very difficult, painful and expensive process of winning the right to visit their grandchildren in State court that they have won that right permanently, or at least until some negative circumstance occurs. Many of them have been shocked and chagrined to find out that that is not the case. Very often, when the child moves to another State, the rights of the grandparents evaporate.

This legislation, which is based upon legislation I authored last year, will solve that problem. It will say that if grandparents have rights to visit their grandchild in New Jersey or North

Carolina or Massachusetts, then they have those rights irrespective of where the child lives. If the child moves to Arizona or Pennsylvania or to another State, the rights move with the child.

I want to commend all my colleagues for their involvement in this and spend a minute in telling my colleagues how I got involved in it. A constituent of mine from Cherry Hill, New Jersey, by the name of Josephine D'Antonio, brought this problem to my attention about 3 or 4 years ago, and it was through learning of her story, as the gentleman from North Carolina (Mr. COBLE) has learned from many stories in his district, that we were able to work together as Republicans and Democrats to bring this bill to the floor today. So I want to thank Mrs. D'Antonio, Mr. Speaker, for her role in making this happen.

I also want to thank Maureen Doherty from my office, who has worked tirelessly on this legislation throughout her tenure here. She is leaving us to go to law school in a couple of weeks. There are not many people who help to write a law before they become a lawyer or a law student, and I commend her for that.

I also want to say that I have learned of the importance of the bond between grandparents and grandchildren in my own heart and in my own life. I also want to say the important lessons many of us parental learned have been in that way, and on behalf of my children I wanted to thank their surviving grandparents, Mrs. Phyllis Wolf, Mr. Ernest Spinello and Mrs. Florence Spinello for the lessons they have taught us about that very important bond.

Mr. Speaker, I am glad today we are coming together so that grandparents all across this country will be able to walk into any courthouse in any State, if they have received a court order, and know that their right to participate in the nurturing and love of their grandchildren will continue across State lines.

I urge support of the bill and thank its movers to the floor.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from New Jersey for his leadership on this really very, very important issue, because it focuses on allowing for the loving and caring grandparents to have a role in the lives of our children.

I thank the gentleman from North Carolina (Mr. COBLE) and the gentleman from Illinois (Mr. HYDE) for their leadership, along with the gentleman from Michigan (Mr. CONYERS) and the gentleman from Massachusetts (Mr. FRANK) for recognizing the value of grandparents.

Let me speak for myself. Personally, I would like not to have to come to the floor of the House on legislation like this. I would like to think that families are bonded and are together for life.

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We would like to think there is no such thing as divorce. We would like to think of the normal or at least, let me correct myself, the family of old, the extended family, where grandparents and parents and children live together. But we do have a different life and a different life-style, and I believe it is extremely important to reinforce that when a grandparent receives visitation in one State that every other State must respect and enforce that court order.

Nationwide, the percent of families with children headed by a single parent increased from 22 percent in 1985 to 26 percent in 1995. More than 75 percent of older Americans are grandparents. This legislation gives peace of mind and comfort, but it also gives the opportunity for our children to be connected with their history.

I, too, would like to pay tribute to my children's grandparents, Mr. and Mrs. Lee, Mr. Lee now deceased; and Mr. and Mrs. Jackson, Mr. Jackson now deceased. This is an excellent piece of legislation that helps bond our families and applauds and respects those grandparents and senior citizens who spend so much of their life contributing to the growth and nurturing of our children.

Mr. Speaker, thank you for allowing me time to speak on this important bill. As Chair of the Congressional Children's Caucus and as a parent, I care deeply about this bill.

H.R. 4164 is a law which is to the benefit of all family members. By enacting this legislation, we are requiring that when a grandparent is awarded visitation in one State, then every other State must respect and enforce that court order.

This law allows loving and caring grandparents access to their grandchildren, and it allows grandchildren the important experience of sharing time with additional family members who love and care about them, their grandparents.

In my home State of Texas the percentage of children living in single parent homes has increased by 33%.

Children growing up in single-parent households often do not have the same economic or human resources available as those growing up in 2 parent families. This law will make it possible for additional adults to make a difference in their lives, to offer support and love and guidance. Although some parents may have difficulties in their relationships with their adult children, a parent should not be able to sever the relationship between grandparent and grandchild—especially when the grandchildren and the grandparent have a meaningful, established relationship and the grandparents have been granted visitation.

For grandchildren, grandparents are the link to memories and family history. For grandparents, grandchildren are a link to the present and the future. This bill will allow a child to grow up with a sense of family history and with additional love and guidance.

Our children are our future and their well-being must be our focus. This bill recognizes the importance of family connection and I support it on behalf of our Nation's families and our children.

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

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

Mr. Speaker, oftentimes we hear about the partisan rancor that surrounds our dealings here, and sometimes that is appropriate because of the nature of the beast. But this is a good example of how bipartisan cooperation played into bringing this bill to the floor.

My friend, the gentleman from Massachusetts (Mr. FRANK), and my friend, the gentleman from New Jersey (Mr. ANDREWS), did good work on this; the gentleman from Michigan (Mr. CONYERS), the ranking member; the gentleman from Illinois (Mr. HYDE), chairman of the full committee. We all had our oars in the water. And with all that has been said, I guess nothing further needs to be said.

But let me say this. I would be remiss if I did not mention Debbie Laman, counsel to the committee, who worked very diligently in this matter as well. But as has been said, Mr. Speaker, the grandparent-grandchild relationship is a cherished one that should be encouraged and nurtured.

This bill before us today is designed to promote this special relationship and, hopefully, will result in the resolution of problems that presently plague not only grandparents but children and families across our land.

I urge passage of this bill.

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

The SPEAKER pro tempore (Mr. HAYWORTH). The question is on the motion offered by the gentleman from North Carolina (Mr. COBLE) that the House suspend the rules and pass the bill, H.R. 4164.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

HIRAM H. WARD FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. KIM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2379) to designate the Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, as the ''Hiram H. Ward Federal Building and United States Courthouse.''

The Clerk read as follows:

H.R. 2379

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

SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 251 North Main Street in Winston-Salem, North Carolina, shall be