

□ 1330

The CHAIR. All time for general debate has expired.

Mr. FRANK of Massachusetts. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TONKO) having assumed the chair, Mr. SERRANO, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1106) to prevent mortgage foreclosures and enhance mortgage credit availability, had come to no resolution thereon.

#### EXPRESSING CONDOLENCES TO FAMILIES OF VICTIMS OF CRASH OF CONTINENTAL CONNECTION FLIGHT 3407

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the resolution, H. Res. 183.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. ARCURI) that the House suspend the rules and agree to the resolution, H. Res. 183.

The question was taken.

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

Mr. CLEAVER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 32, as follows:

[Roll No. 90]

YEAS—399

Abercrombie	Boren	Clyburn
Ackerman	Boswell	Coble
Aderholt	Boustany	Coffman (CO)
Adler (NJ)	Boyd	Cohen
Akin	Brady (PA)	Cole
Alexander	Brady (TX)	Conaway
Altmire	Braley (IA)	Connolly (VA)
Andrews	Bright	Cooper
Arcuri	Broun (GA)	Costa
Austria	Brown (SC)	Costello
Baca	Brown, Corrine	Courtney
Bachmann	Brown-Waite,	Crenshaw
Bachus	Ginny	Crowley
Baird	Buchanan	Cuellar
Baldwin	Burgess	Culberson
Barrett (SC)	Burton (IN)	Cummings
Barrow	Butterfield	Dahlkemper
Bartlett	Buyer	Davis (AL)
Barton (TX)	Calvert	Davis (CA)
Bean	Camp	Davis (IL)
Berkley	Cantor	Davis (KY)
Berry	Capito	Davis (TN)
Biggert	Capps	DeFazio
Bilbray	Capuano	DeGette
Bilirakis	Cardoza	DeLahunt
Bishop (GA)	Carnahan	DeLauro
Bishop (NY)	Carney	Dent
Bishop (UT)	Carson (IN)	Diaz-Balart, L.
Blackburn	Castle	Diaz-Balart, M.
Blumenauer	Castor (FL)	Dicks
Blunt	Chaffetz	Dingell
Bocciari	Chandler	Doggett
Boehner	Childers	Donnelly (IN)
Bonner	Bonner	Dreier
Bono Mack	Clay	Driehaus
Boozman	Cleaver	Edwards (MD)

Edwards (TX)	Latham	Reichert
Ehlers	LaTourette	Reyes
Ellison	Latta	Richardson
Ellsworth	Lee (CA)	Rodriguez
Emerson	Lee (NY)	Roe (TN)
Engel	Levin	Rogers (AL)
Eshoo	Lewis (CA)	Rogers (KY)
Etheridge	Lewis (GA)	Rogers (MI)
Fallin	Lipinski	Rohrabacher
Farr	LoBiondo	Rooney
Fattah	Loebsock	Ros-Lehtinen
Filner	Lofgren, Zoe	Roskam
Flake	Lowey	Ross
Fleming	Luetkemeyer	Rothman (NJ)
Forbes	Lujan	Roybal-Allard
Fortenberry	Lummis	Royce
Foster	Lungren, Daniel E.	Ruppelberger
Fox	Lynch	Rush
Frank (MA)	Mack	Ryan (OH)
Franks (AZ)	Maffei	Ryan (WI)
Frelinghuysen	Maloney	Salazar
Fudge	Manzullo	Sanchez, Linda T.
Gallely	Marchant	Sarbanes
Garrett (NJ)	Markey (CO)	Scalise
Gerlach	Markey (MA)	Schakowsky
Giffords	Marshall	Schauer
Gingrey (GA)	Matheson	Schiff
Gohmert	Matsui	Schmidt
Gonzalez	McCarthy (CA)	Schock
Goodlatte	McCarthy (NY)	Schrader
Gordon (TN)	McCaul	Schwartz
Granger	McClintock	Scott (GA)
Graves	McCollum	Scott (VA)
Grayson	McCotter	Sensenbrenner
Green, Al	McDermott	Serrano
Green, Gene	McGovern	Sessions
Griffith	McHenry	Sestak
Guthrie	McHugh	Shadegg
Gutiérrez	McIntyre	Shea-Porter
Hall (NY)	McKeon	Sherman
Hall (TX)	McMahon	Shimkus
Halvorson	McMorris	Shuler
Hare	Rodgers	Shuster
Harman	McNerney	Simpson
Harper	Meek (FL)	Sires
Hastings (FL)	Meeks (NY)	Skelton
Hastings (WA)	Melancon	Slaughter
Heinrich	Mica	Smith (NE)
Heller	Michaud	Smith (NJ)
Hensarling	Miller (FL)	Smith (TX)
Herger	Miller (NC)	Smith (WA)
Herseth Sandlin	Miller, George	Souder
Higgins	Minnick	Space
Himes	Mitchell	Speier
Hinchee	Mollohan	Spratt
Hinojosa	Moore (KS)	Stearns
Hirono	Moore (WI)	Stupak
Hodes	Moran (KS)	Sutton
Hoekstra	Moran (VA)	Tanner
Holden	Murphy (CT)	Tauscher
Holt	Murphy, Tim	Taylor
Honda	Murtha	Teague
Hoyer	Myrick	Thompson (CA)
Hunter	Nadler (NY)	Thompson (MS)
Inglis	Napolitano	Thompson (PA)
Inslee	Neal (MA)	Thornberry
Israel	Neugebauer	Tiaht
Issa	Nunes	Tierney
Jackson (IL)	Nye	Titus
Jackson-Lee	Oberstar	Tonko
(TX)	Obey	Towns
Jenkins	Olson	Tsongas
Johnson (GA)	Olver	Turner
Johnson (IL)	Ortiz	Upton
Johnson, E. B.	Pallone	Van Hollen
Johnson, Sam	Pascrell	Visclosky
Jones	Pastor (AZ)	Walden
Jordan (OH)	Paul	Walz
Kagen	Paulsen	Wasserman
Kanjorski	Payne	Schultz
Kaptur	Perlmutter	Waters
Kennedy	Peters	Watson
Kildee	Peterson	Watt
Kilpatrick (MI)	Petri	Waxman
Kilroy	Pingree (ME)	Weiner
Kind	Pitts	Welch
King (IA)	Platts	Westmoreland
King (NY)	Poe (TX)	Wexler
Kingston	Polis (CO)	Whitfield
Kirkpatrick (AZ)	Pomeroy	Wilson (OH)
Kissell	Posey	Wilson (SC)
Klein (FL)	Price (GA)	Wittman
Kosmas	Price (NC)	Wolf
Kratovil	Putnam	Woolsey
Kucinich	Radanovich	Wu
Lamborn	Rahall	Yarmuth
Lance	Rangel	Young (AK)
Langevin	Rehberg	Young (FL)
Larsen (WA)		

NOT VOTING—32

Becerra	Grijalva	Pence
Berman	Hill	Perriello
Boucher	Kirk	Sanchez, Loretta
Campbell	Klaine (MN)	Snyder
Cao	Larson (CT)	Stark
Carter	Linder	Sullivan
Cassidy	Lucas	Terry
Conyers	Massa	Tiberi
Deal (GA)	Miller (MI)	Velázquez
Doyle	Miller, Gary	Wamp
Duncan	Murphy, Patrick	

□ 1404

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON WEDNESDAY, MARCH 4, 2009, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING THE RIGHT HONORABLE GORDON BROWN, PRIME MINISTER OF THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 4, 2009, for the Speaker to declare a recess, subject to the call of the Chair, for the purpose of receiving in joint meeting the Right Honorable Gordon Brown, Prime Minister of the United Kingdom of Great Britain and Northern Ireland.

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

There was no objection.

#### ADJOURNMENT TO MONDAY, MARCH 2, 2009

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 12:30 p.m. on Monday next for morning-hour debate.

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

There was no objection.

#### HONORING JOHN MAYES

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

Mr. GINGREY of Georgia. Mr. Speaker, in celebration of Black History Month, I want to continue recognizing African Americans from throughout Georgia's 11th Congressional District who have a major impact on their community.

Today, I rise to recognize John Mayes of Rome, Georgia. John has been a dedicated public servant for the people of Rome and Floyd County, Georgia for the majority of his adult life. John is a three-term member of the Floyd County Board of Commissioners, and

he currently serves as the chairman. He is also the current Chair of the Floyd County Public Works Committee.

In addition to his commitment to improving his home county, John also dedicates much of his time to strengthening the health care community in Floyd County, serving on both the Floyd Medical Center Hospital Authority and Management Board and the Floyd County Board of Health.

Despite his heavy involvement in county and city government, John still finds time devote to philanthropic activities, founding Camp Uncle John, a private retreat designed to reach out to area youth, and serving as the director of community organizations such as the YMCA.

In 2007, John Mayes was honored by Rome residents for his selfless community service with the prestigious Heart of the Community Award.

I ask my colleagues, please join me in thanking John Mayes for his service to the people of Rome and Floyd County and his commitment to the betterment of his community.

#### REGULAR ORDER SHOULD BE THE RULE OF THE DAY

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

Ms. KAPTUR. Mr. Speaker, I rise to express the opinion that in the recent vote on H.R. 1106, which had to do with mortgage foreclosures and so-called enhancement of mortgage credit availability, it would be incumbent upon leadership of the institution to follow normal process and to allow the membership, if they wish to offer amendments before the Rules Committee, to be afforded that opportunity.

The challenges we face in the mortgage market are enormous, and regular order should be the rule of the day here. You know, we wouldn't have all these difficulties in our country if we would be properly using the normal institutions to resolve loans, loan difficulties, the Federal Deposit Insurance Corporation and the Securities and Exchange Commission. When you don't use those, and you begin to try to tinker at the edges of a really large problem that the country faces, and the implosion of the mortgage market itself, you can make a lot of mistakes.

Members deserve respect. We deserve due diligence by the respective subcommittee and committees, including the opportunity to amend and include ideas in the manager's amendment. If that does not happen, we don't serve the American people well.

I think every Member here deserves that respect. And I would hope that, as next week begins, we will have the opportunity to perfect this legislation, if it can be perfected or, more properly, to meet with the Secretary of the Treasury and the economic leaders of the new administration to perhaps shape a different path forward.

Well, here's another Housing bill, claiming to be a nostrum for what ails us with housing foreclosures.

Last August, the same committee, with no hearings and no opportunity for amendment pushed through a landmark bill called Hope for Homeowners. It was supposed to help workouts, to bring assistance to counselors, to prevent foreclosures. To this date this program has worked out on 25 mortgages only. Twenty-Five—not 250, 2500, 25,000; just 25.

We have seen more foreclosures, not enough workouts, no Wall Street firms or their hired gun servicers coming to the table. The money for the communities engaged in counseling arrived late, and people lost their homes. The next batch of money did not arrive to allow cities to buy homes, and now out of state individuals or companies own the homes and these new owners have no vested interest in the properties. They are looking at the profit they will receive. The communities lose. The people lose. Even those homeowners who are paying their mortgages, keeping up with their bills and being overall good economic citizens are paying because their neighbors fell on dire straits, property values are plummeting. The money that did reach communities sometimes only reached certain communities—others suffered. In northern Ohio, Cleveland got the majority of the money and Toledo suffers with little or no money available to help people. I myself attended an auction run by a company in Dallas, TX, that sold away my constituent's homes to far away people and the communities are struggling and some neighborhoods are even dying.

Then, the last Administration shoved TARP at us. Crisis was coming or at hand and it was the only way to stop it. Those that voted for it thought that they were going to prevent more foreclosures—they wanted to help the people.

They found out Hank Paulson took all the money for Wall Street banks that didn't do workouts, and are not doing workouts. But the last Congress held them up, saved them, and paid them taxpayer dollars. To what end?

It's a new Congress and a new President. Foreclosures are still rampant. The economy is oscillating and the recession is deepening rather than stabilizing.

Now we are told: we've got another idea we want to sell you.

Let's go the bankruptcy route.

Of course, this won't deal with the millions of pending subprime foreclosures and achieve workouts. It will only address people filing for bankruptcy and about 20% of them might have a home involved in that process. These people could be helped, but we are not helping all the other people who are not turning to the last, absolute last resort of bankruptcy.

Do I understand this—no Wall Street big bank has been asked to go bankrupt and its assets distributed to more responsible community banks. But instead of bringing discipline to the banks, now we're going to ask the American people to file bankruptcy first. And, we're going to provide money to pay the fraudulent servicers.

If you're not sure how to vote on this, think what happened before. Think about the solutions we were told would work. Look around your community. Are they working?

I can tell you in my district they are not.

Here are some questions that ought to be answered before we move forward:

1. Does a family have to declare bankruptcy before qualifying for a "workout/refinancing"? Why do families have to do this but not the banks?

2. What % of troubled loans would this plan rescue—less than 10%, . . . up to 90%?

3. Are eligible loans only "subprime" ones, or any loan?

4. In Title 1, why do lenders need financial incentives to modify loans? They've got TARP \$.

5. What % of appropriated funds for this program will go to lenders? Why? How @ servicers? They're not licensed or certified. Why let them qualify for anything? They've been awful.

6. How will the government recoup its money? Is there a shared appreciation provision that reimburses government for its investment?

7. What happens to credit union financed mortgages? They did no subprimes. Are their loans eligible for workouts? What happens when a reduction in principal wipes out their annual profits?

#### STOP MEDDLING IN THE MORTGAGE INDUSTRY

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

Mr. FLEMING. Mr. Speaker, I rise to speak also about H.R. 1106, the so-called mortgage cram-down bill which, I am afraid, is being crammed down the throats of the American citizens.

There are families in this country seriously hurting in these tough economic times. They're looking for ways to keep their homes from going into foreclosure.

I would support a targeted measure to help those who didn't overreach when they purchased a home, but this broad stroke cram-down bill we have been given allows the court system to modify home mortgages, including reducing the loan principal. This would leave responsible homeowners to pick up the tab for the mistakes of others. Also, it would further encourage folks to file bankruptcy, rather than working out their financial problems. Giving the judges the power to arbitrarily change the terms of a mortgage is not the direction we need to go in this country. Home buyers will be forced to pay higher interest rates and downpayments if lenders face the risk that a judge could change mortgage terms in the future.

It was the meddling in the mortgage industry by Congress that helped start this economic mess in the first place. Why should we continue meddling?

Continued efforts by Congress to reward unwise financial decisions will keep the dream of affordable home ownership unattainable for many responsible citizens for years to come.

#### PROTECT OUR CONSTITUTIONAL LIBERTIES

(Mr. BURTON of Indiana asked and was given permission to address the