

interact with them, credit unions, and mortgage brokers in wholesale transactions—not in any kind of retail transaction.

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

I, along with Representative GREGORY MEEKS, introduced H.R. 3211, a strong, bipartisan bill that would modify and clarify the ways points and fees are calculated. I should note, Mr. Speaker, that of our nine original cosponsors, two of them were Republicans, seven of them were Democrats, and we are very pleased that this has seen wide and broad support.

This legislation is narrowly focused to promote access to affordable mortgage credit without overturning the important consumer protections and sound underwriting required under Dodd-Frank's "ability to repay" provisions.

Specifically, my bill, H.R. 3211, would provide equal treatment for affiliated title fees compared with unaffiliated title fees. What that means is, for companies that are owned and integrated in, those same requirements and same designations would apply to those who are totally separate and independent companies. It also would clarify the treatment of insurance and taxes held in escrow. Now think about that. We are talking about taxes that no one makes a profit off of, that just literally get sent to the government, being counted in this points and fees definition. That, to me, just seems fundamentally unfair. And only—again, I might add—if they are an affiliated company versus an unaffiliated company.

These commonsense changes will promote access to affordable mortgage credit for low and moderate-income families and first-time home buyers by ensuring that safer, properly underwritten mortgages pass the QM test.

I would like to thank my colleague, Representative MEEKS, along with many others, who have worked tirelessly to help fix this flawed provision currently being implemented.

Mr. Speaker, this evening, Congress has the opportunity to help more Americans realize a portion of the American Dream, not by some grandiose law or decree or something that is going to be big, but by simply reforming a burdensome regulation. Homeownership has been a pillar in American life for generations. Tonight, we can reaffirm that pillar and reassert that homeownership can and should be an attainable goal.

I urge my colleagues to vote in support of H.R. 3211 and make the dreams

of so many Americans a reality by ensuring that all consumers have greater access to mortgage credit and more choices to credit providers. I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it has been a pleasure to work with Representative HUIZENGA on this very, very important bill.

This legislation is about two things: fairness and opportunity. My fellow cosponsors—both Democrats and Republicans—and I support H.R. 3211, which is the Mortgage Choice Act, because of our shared concern about access; access to credit, yes, for all consumers, but especially for lower-income consumers and middle-income consumers, and to ensure that everybody in America that needs a home and wants a home, when securing a loan, that they have a choice in selecting both the mortgage and the title insurance providers of their choice.

I urge my colleagues to support this needed legislation, and I yield back the balance of my time.

Mr. HUIZENGA of Michigan. Mr. Speaker, I am prepared to close, but I, too, would like to thank my friend, Mr. SCOTT from Georgia, for working with Representative MEEKS to bring this to the forefront. With that, I yield back the balance of my time.

Mr. ROYCE. Mr. Speaker, today I rise to express my strong support for the Mortgage Choice Act. I thank the gentleman from Michigan for his leadership on this important bill.

Owning a home has long been the cornerstone of the American Dream, but regulations are currently restricting consumer access to mortgage credit for low and moderate income homebuyers. The Mortgage Choice Act will ensure that potential homeowners can borrow funds for their home in a responsible manner while keeping intact consumer protections established by Dodd-Frank's ability to pay provisions.

I urge passage of this bill today. This is a legislative initiative that merits strong bipartisan support.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, H.R. 3211.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### EXPEDITED FUNDS AVAILABILITY ACT AMENDMENT

Mr. HUIZENGA of Michigan. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1679) to amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1679

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

#### SECTION 1. APPLICATION OF THE EXPEDITED FUNDS AVAILABILITY ACT.

(a) IN GENERAL.—The Expedited Funds Availability Act (12 U.S.C. 4001 et seq.) is amended—

(1) in section 602(20) (12 U.S.C. 4001(20)) by inserting “, located in the United States,” after “ATM”;

(2) in section 602(21) (12 U.S.C. 4001(21)) by inserting “American Samoa, the Commonwealth of the Northern Mariana Islands,” after “Puerto Rico,”;

(3) in section 602(23) (12 U.S.C. 4001(23)) by inserting “American Samoa, the Commonwealth of the Northern Mariana Islands,” after “Puerto Rico,”; and

(4) in section 603(d)(2)(A) (12 U.S.C. 4002(d)(2)(A)), by inserting “American Samoa, the Commonwealth of the Northern Mariana Islands,” after “Puerto Rico,”.

(b) EFFECTIVE DATE.—This Act shall take effect on January 1, 2016.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. HUIZENGA) and the gentleman from Georgia (Mr. DAVID SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. HUIZENGA of Michigan. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and submit extraneous materials in the RECORD on H.R. 1679, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I would like to also thank my colleague, Delegate FALDOMAVAEGA, for introducing this bill. This bill makes a technical change to clarify that the Expedited Funds Availability Act applies to banks located in American Samoa and the Northern Mariana Islands, as well as the other 50 States and contiguous States. It was an inadvertent error that these territories were not included in this act. This legislation remedies this error.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I yield myself such time as I may consume.

Our Financial Services Committee simply amends the Expedited Funds Availability Act to apply it to American Samoa. Essentially, it does just these few things. It extends by 2 business days for American Samoa any time periods established for large or re-deposited checks, repeated overdraft, reasonable cause, or other emergency exceptions to the 30-day funds availability requirements for deposits in a depository institution account by a new depositor.

It also applies this 2-day extension to any deposit in an account at a depository institution located in American

Samoa by a check drawn on an originating depository institution which is not located in the same State as the receiving depository institution.

With that, Mr. Speaker, I would like to yield to the distinguished gentleman from American Samoa (Mr. FALEOMAVAEGA) who has worked tirelessly on this effort and deserves so much credit for his sterling leadership.

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

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in strong support of H.R. 1679, as amended, a bill to amend the Expedited Funds Availability Act to clarify the application of that act to American Samoa and to the Commonwealth of the Northern Mariana Islands.

Mr. Speaker, this has been a bipartisan effort, and I want to thank Chairman JEB HENSARLING and Ranking Member MAXINE WATERS of the Committee on Financial Services for bringing this legislation on the floor today. I also want to thank my good friend, Congressman KILLI SABLAN, for his support of this bill. And I would be remiss if I did not also express my appreciation to the subcommittee chairman of our Financial Services Committee, Congresswoman SHELLEY CAPITO, and Ranking Member GREGORY MEEKS for their efforts in supporting this bill.

Mr. Speaker, this legislation is important because it will not only improve the current banking system in both territories, but it will also allow our constituents quicker access to their funds.

I introduced this legislation last year because one of our only two banks in the territory was scheduled to close all of its branches for good. In working together with Governor Lolo and many stakeholders in delaying the bank's departure, we learned that there was a systematic delay in access to funds for bank customers in American Samoa.

H.R. 1679 will fix this delay and will put American Samoa and the Commonwealth of the Northern Mariana Islands in line with the schedule of availability of funds that are already required of banks in all States and other territories under regulation CC.

Under regulation CC, banks in the U.S. mainland and certain territories are required to make funds available for consumer use for in-State checks no later than the second business day after the check is deposited. Out-of-State checks can be held up to 5 business days before funds can be released. Banks in Hawaii, Alaska, the U.S. Virgin Islands, and Puerto Rico may, at their discretion, hold out-of-State checks for an extra day.

This is not the same for American Samoa. Checks can be held for an intermittent and undetermined amount of time, even up to 21 days, before funds are available for the consumer to have access. This is unfair for my constituents and has a direct and indirect impact on our local economy.

For the record, I do not hold the banks at fault, but given the trend of electronic banking and quicker access to mailing services, I feel that they are able to provide quicker and better services for their customers.

Again, I thank Chairman HENSARLING, Ranking Member WATERS, and their staff for their work on this legislation, and I urge my colleagues to support this bill.

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

Mr. HUIZENGA of Michigan. Mr. Speaker, with that, I would just like, again, to congratulate Delegate FALEOMAVAEGA for his leadership on this, and I am glad that we could get this done. With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, H.R. 1679, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa and the Northern Mariana Islands".

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. HUIZENGA) that the House suspend the rules and pass the bill, H.R. 1679, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to amend the Expedited Funds Availability Act to clarify the application of that Act to American Samoa and the Northern Mariana Islands".

A motion to reconsider was laid on the table.

□ 1815

**DHS ACQUISITION ACCOUNTABILITY AND EFFICIENCY ACT**

Mr. DUNCAN of South Carolina. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4228) to require the Department of Homeland Security to improve discipline, accountability, and transparency in acquisition program management, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4228

*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 "DHS Acquisition Accountability and Efficiency Act".

**SEC. 2. TABLE OF CONTENTS.**

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings.
- Sec. 4. Definitions.
- Sec. 5. Prohibition on additional authorization of appropriations.

**TITLE I—ACQUISITION AUTHORITIES**

- Sec. 101. Acquisition authorities for Under Secretary for Management.
- Sec. 102. Acquisition authorities for Chief Financial Officer.
- Sec. 103. Acquisition authorities for Chief Information Officer.
- Sec. 104. Chief Procurement Officer.
- Sec. 105. Requirements to ensure greater accountability for acquisition programs.

**TITLE II—ACQUISITION PROGRAM MANAGEMENT DISCIPLINE**

- Sec. 201. Acquisition Review Board.
- Sec. 202. Requirements to reduce duplication in acquisition programs.
- Sec. 203. Government Accountability Office review of Board and of requirements to reduce duplication in acquisition programs.
- Sec. 204. Excluded Party List System waivers.
- Sec. 205. Inspector General oversight of suspension and debarment.

**TITLE III—ACQUISITION PROGRAM MANAGEMENT ACCOUNTABILITY AND TRANSPARENCY**

- Sec. 301. Congressional notification and other requirements for major acquisition program breach.
- Sec. 302. Multiyear acquisition strategy.
- Sec. 303. Acquisition reports.
- Sec. 304. Government Accountability Office review of multiyear acquisition strategy.
- Sec. 305. Office of Inspector General report.

**SEC. 3. FINDINGS.**

Congress finds the following:

(1) The Department of Homeland Security does not consistently implement its policies and Government and private sector best practices for acquisitions and procurement.

(2) It is difficult to determine the cost of the Department's major acquisition programs because the Department has not provided consistent, comparable updates on an annual basis. As of January 2014, the Department identified over 80 major acquisition programs costing over \$300,000,000, and, based on 2011, estimates it plans to spend about \$170,000,000,000 in the future on major acquisition programs.

(3) Since 2005, the Government Accountability Office has placed Department acquisition management activities on its "High-Risk List", which identifies Government operations that have greater susceptibility to fraud, waste, abuse, and mismanagement or greater need for transformation to address economy, efficiency, or effectiveness challenges.

(4) While the Department has taken actions to address some high-risk acquisition program management issues, many programs continue to experience challenges with funding instability, workforce shortfalls, reliable cost estimates, realistic schedules, agreed-upon baseline objectives, and consistent and reliable data needed to accurately measure program performance.

(5) Of the 77 Department major acquisition programs in 2011, the Government Accountability Office identified 42 programs that experienced cost growth, schedule slips, or both. The Department reported that the magnitude of the cost growth for 16 of the 42 programs, which increased from almost \$20,000,000,000 to over \$50,000,000,000 in 2011, had an aggregate increase of 166 percent.

(6) In 2012, the Government Accountability Office found that only 20 of 63 programs had