

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