


2007

Legislative Updates

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LEGISLATIVE UPDATES

H.R. 526 “WHEREAS HOME OWNERSHIP IS AN IMPORTANT PART OF THE AMERICAN DREAM”

This resolution finds that home ownership levels were at a near-record high in 2006, although still lower among minorities. The House recognizes that the sub-prime market created home ownership opportunities for lower income families and that sub-prime mortgages are most prevalent in neighborhoods with high concentrations of minorities. In recent months the sub-prime mortgage crisis has caused a sharp increase in home foreclosures and has had a disparate impact on minority communities. The resolution was proposed by Representative Elijah E. Cummings (MD) and was passed in the House on July 11, 2007.

The House recognizes a need to protect borrowers from unscrupulous practices by lenders and mortgage brokers. This resolution calls for rules to eliminate unfair practices, to encourage lenders to evaluate a borrower's ability to repay a mortgage, to require lenders to clearly communicate information about mortgage loans, to reduce or eliminate prepayment penalties, and to increase opportunities for loan counseling, among other things.

The House and the Senate have proposed many bills in response to the current crisis. The Foreclosure Protection and Home Ownership Protection Act (H. R. 3666) was introduced in the House on September 25, 2007 by Representative Betty Sutton (OH). The bill recognizes the great effect this crisis has had on the world economy and that the number of foreclosures will likely increase. The purpose of this bill is to establish a commission to examine the crisis, its causes, and legislative changes that could prevent such a problem in the future.

The Fair Mortgage Practices Act of 2007 (H.R. 3012) would require loan originators to obtain a mortgage license or registration in order to engage in the business of loan origination. This bill was introduced by Representative Spencer Bachus (AL) and was referred to house committee on July 12, 2007.

The Fairness for Homeowners Act of 2007 (H.R. 3081) would require lenders to verify borrowers' ability to repay loans secured by a principal dwelling. This bill was introduced by Representative Keith Ellison (MN) and was referred to a House committee on July 18, 2007.

Other bills call for transparency in lending (H.R. 3296), leniency in bankruptcy proceedings (S 2136), and a requirement of mitigation activities as an alternative to foreclosure (S. AMDT. 2832 to H.R. 3074).

H.R. 3685 “EMPLOYMENT NON-DISCRIMINATION ACT OF 2007”

This bill would prohibit employment discrimination based on sexual orientation and create meaningful remedies for victims of such discrimination. The bill is sponsored by Representative Barney Frank (MA) and has nine co-sponsors. It was referred to House committee and to the Committee on Education and Labor on September 27, 2007.

The bill resembles the Title VII protections that currently prohibit employment discrimination on the basis of race and

gender. The bill would prohibit failing or refusing to hire, discharging, and discriminating in wages, terms, conditions, or privileges of employment based on sexual orientation or perceived sexual orientation. It would also prohibit segregating or classifying applicants or employees in a way that would deprive, tend to deprive, or otherwise adversely affect an individual based on sexual orientation or perceived sexual orientation. The bill would not apply to members of the military or religious organizations.

Representative Barney Frank introduced another bill, H.R. 2015, in April 2007. That bill would have prohibited employment discrimination based on sexual orientation and gender identification. H.R. 2015 had 171 co-sponsors. The current bill has been criticized for failing to extend protection against employment discrimination to transsexuals.

H.R. 2965 “GROWTH ACT OF 2007”

This bill would direct the Secretary of State to establish the Global Resources and Opportunities for Women to Thrive (GROWTH) Fund by amending the Foreign Assistance Act of 1961. First introduced in 2006, the amendments target underprivileged women in developing nations and focus on “(1) increasing women-owned enterprise development; (2) increasing property rights for women; (3) increasing women's access to financial services; (4) increasing women in leadership in implementing organizations, such as indigenous non-governmental organizations, community-based organizations, and regulated financial intermediaries; (5) improving women's employment benefits and conditions; and (6) increasing women's ability to benefit from global trade.”

The bill recognizes that women are more vulnerable to economic instability than men in developing nations. The bill also finds that because women often invest extra income in their families, supporting underprivileged women in enterprises would have a positive impact on child nutrition, health, and education.

The bill was introduced in the House in July by Representative Nita M. Lowley (NY) and has fourteen co-sponsors. The bill was also introduced in the Senate in September by Senator Richard Durban (IL) and currently has one co-sponsor.

H.R. 535 “COMMENDING DAVID RAY RITCHESON, A SURVIVOR OF ONE OF THE MOST HORRIFIC HATE CRIMES IN THE HISTORY OF TEXAS, AND RECOGNIZING HIS EFFORTS IN PROMOTING FEDERAL LEGISLATION TO COMBAT HATE CRIMES”

With this resolution Congress mourns the passing of David Ray Ritcheson and commends his activism against hate crimes. Ritcheson was a Mexican-American high school student in Spring, Texas. On April 23, 2006 he was brutally assaulted because of his race. The former high school running back and Homecoming Prince spent several months in the hospital, where he underwent thirty surgeries. Ritcheson became an advocate

against hate crimes because of his personal experience.

Ritcheson testified in front of a committee of the House of Representatives and urged the Federal Government to take action to prevent hate crimes. The David Ray Hate Crimes Prevention Act of 2007 – “David’s Law” – was incorporated into the Local Law Enforcement Hate Crimes Prevention Act of 2007. The legislation provides Federal grants to state and local programs to combat hate crimes committed by juveniles.

David Ray Ritcheson died on July 1, 2007. He was eighteen years old.

H.R. 3014 “HEALTH EQUITY AND ACCOUNTABILITY ACT OF 2007”

This bill would amend the Public Health Services Act to provide “culturally and linguistically appropriate health care.” The amendments include provisions that would improve access to federally funded medical care for patients with limited English proficiency. The bill would also require non-discrimination in healthcare, create national standards in health care, and establish the Robert T. Matsui Center for Cultural and Linguistic Competence in Health Care.

Representative Hilda L. Solis (CA) introduced this bill on July 12, 2007. It is co-sponsored by eighty-three Representatives.

On September 11, 2007, it was referred to a House subcommittee.

H.R. 2221 “UNITING AMERICAN FAMILIES ACT OF 2007”

The purpose of this bill is to amend the Immigration and Nationality Act (INA) to permit permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents obtain that status. This bill would eliminate discrimination based on sexual orientation in the INA by extending privileges to permanent partners. The limitations imposed by the INA on married couples would also apply to permanent partners. Children of citizens or lawful permanent residents that have permanent partners would not be eligible for lawful permanent resident status.

The bill was introduced in May 2007 by Representative Jerrold Nadler (NY) and is co-sponsored by eighty-seven Representatives. The bill was referred to the Sub-Committee on Immigration, Citizenship, Refugees, Border Security, and International Law on June 25, 2007. Senator Patrick J. Leahy (VT), with nine co-sponsors, introduced a companion bill (S.1328) in the Senate in May.

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