

Notre Dame. I think it is fitting that the Congressional Gold Medal be awarded to this great American.

I want to commend the gentleman from Indiana (Mr. ROEMER) and I know the gentleman from Indiana (Mr. VISCLOSKEY) is not here, a great Notre Dame fan as well, but I think as we think about the Congressional Gold Medal, the world will always think about Father Hesburgh every time they see that golden dome on the television screen and the tenacity and the spirit of Notre Dame, much of it has been imbued, developed by Father Hesburgh. I think his fingerprints rest on the university of such great acclaim. It is known throughout the world.

Mr. Speaker, I say to the gentleman from Indiana (Mr. ROEMER), this is very fitting, so I want to thank the Republican leadership, the gentleman from California (Mr. THOMAS), the gentleman from Maryland (Mr. HOYER), our ranking member, I believe this is most fitting. I am just honored to be a part, to be able to say that I had a vote in this Congressional Gold Medal award.

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

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

Mr. Speaker, lest anyone think that although this is being presented in a bipartisan way, that it is purely a partisan interest in Notre Dame. I really would be remiss if I did not mention that there are a number of Republicans who have attended and indeed graduated from Notre Dame, and one that I know is no greater Irish hunk than our former colleague Dan Lungren from California, who not only bleeds green and gold, but would occasionally wear green and gold on the floor of the House, especially after a much-needed win over the University of Southern California in the annual football contest.

Having heard these words about Father Hesburgh, this is simply an introduction and an invitation to join in the Rotunda in the presentation of that Congressional Gold Medal.

Mr. GILMAN. Mr. Speaker, I am pleased to support this legislation, which authorizes the use of the Capitol rotunda on July 13, 2000 for a ceremony to present the Congressional Gold Medal to Father Theodore M. Hesburgh.

We look forward to honoring Father Hesburgh for his many achievements in such areas as education and international and peace studies. This remarkable leader has not only served our nation's presidents but has also served a 35 year tenure as President of the University of Notre Dame and has demonstrated his leadership in a number of international organizations. The list of his accomplishments reflects his devotion to many noteworthy and noble causes.

Father Hesburgh was born in Syracuse, N.Y. on May 25, 1917, the son of Anne Murphy Hesburgh and Theodore Bernard Hesburgh.

Educated at Notre Dame and the Gregorian University in Rome, Father Hesburgh received

a bachelor of philosophy degree in 1939. In 1943 he was ordained a priest of the Congregation of Holy Cross. He received his doctorate at the Catholic University of America in Washington, DC, and he joined the Notre Dame Department of Religion in 1945. In 1948, he was appointed head of the department and also served as chaplain to World War II veterans on campus. When he was 35, in 1952, Notre Dame named him their 15th president, and he retired on June 1, 1987.

In addition to his accomplishments at Notre Dame, Father Hesburgh's list of appointments and public service demonstrates a life-time of promoting peace, justice, civil and human rights, and education. He has held 15 Presidential appointments in such fields as civil rights, peaceful uses of atomic energy, and Third World development. He chaired the U.S. Commission on Civil Rights from 1969–1972. Between 1979–1981, he chaired the Select Commission on Immigration and Refugee Policy, and its recommendations became the groundwork for Congressional reform legislation 5 years later.

He has also served four Popes, and from 1956–1970 he was Vatican City's representative to the International Atomic Energy Agency in Vienna. In 1968, Pope Paul IV appointed him head of the Vatican representatives attending the 20th anniversary of the UN's human rights declaration in Teheran, Iran.

In the field of education, Father Hesburgh has served on a number of commissions and study groups that have analyzed issues such as public funding of independent colleges and universities and the purpose of foreign languages and international studies in higher education. His dedication has earned him 135 honorary degrees.

After retiring as president of Notre Dame, Father Hesburgh has continued to promote important causes and, as President Emeritus, to work for his university's future. He has continued to participate in international organizations; he has traveled the world as a distinguished speaker; written numerous articles, books as well as his autobiography, "God, Country, Notre Dame;" and furthered the interest of several Notre Dame academic institutes. Moreover, Father Hesburgh chairs the advisory committee for the Kellogg Institute for International Studies and the Hesburgh Center for International Studies, which was named in his honor.

Numerous awards reflect all of these achievements. In 1964, President Lyndon Johnson awarded him the Medal of Freedom. Other awards include the Franklin D. Roosevelt Four Freedoms Medal for Worship, the Distinguished Peace Leader Award, and the National Service Lifetime Achievement Award.

Mr. Speaker I urge our colleagues to join in supporting this legislation to recognize Father Hesburgh's many accomplishments as well as his honorable life dedicated to noble causes.

Mr. SOUDER. Mr. Speaker, I rise today to express my strong support for the resolution authorizing the use of the Capitol rotunda for a ceremony to present the Congressional Gold Medal to Father Theodore Hesburgh, President Emeritus of the University of Notre Dame. I also want to thank my colleague from Indiana, TIM ROEMER, for his leadership in the effort to bestow this honor on Fr. Hesburgh.

As a graduate of the University of Notre Dame, I have long admired Father Hesburgh's commitment to excellence in higher education

and his extraordinary leadership in the cause of civil rights. I was happy to cosponsor the legislation last fall to present him with this distinguished award.

Under Father Hesburgh's stewardship as Notre Dame's president from 1952 to 1987, Notre Dame established itself as a top academic institution while maintaining its standing as a leading Catholic university. Fr. Hesburgh's greatest challenge was to demonstrate that it was possible to achieve prominence in both arenas and he succeeded, creating a model for other Catholic institutions of higher learning across the country.

One of Father Hesburgh's most enduring contributions to the Nation as a whole is his commitment to the pursuit of civil rights for all Americans. As a member of the U.S. Commission on Civil Rights for 15 years, three of them as its chairman, Fr. Hesburgh was instrumental in the movement that culminated in the enactment of the Civil Rights Act of 1964. His legacy of leadership in the cause of civil rights and other issues of moral imperative has served as an example for America and, indeed, the world.

Mr. Speaker, in light of these and all of Father Hesburgh's many contributions in service to our Nation, I wholeheartedly support this resolution.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 344, as amended.

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

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 344, as amended, the concurrent resolution just agreed to.

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

There was no objection.

SENSE OF CONGRESS THAT STATES SHOULD MORE CLOSELY REGULATE TITLE PAWN TRANSACTIONS AND OUTLAW IMPOSITION OF USURIOUS INTEREST RATES ON TITLE LOANS TO CONSUMERS

Mrs. ROUKEMA. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 312) expressing the sense of the Congress that the States should more closely regulate title pawn transactions and outlaw the imposition of usurious interest rates on title loans to consumers, as amended.

The Clerk read as follows:

H. CON. RES. 312

Whereas title loan lenders make title loans and title pawns to consumers by attaining the consumer's automobile title as collateral;

Whereas these loans and pawns are often offered at unscrupulously high rates of interest;

Whereas in many cases borrowers are forced to pay interest rates of up to 300 percent per year;

Whereas many of these borrowers are unaware of applicable rates and are forced into deeper and deeper debt to pay the initial lien;

Whereas this industry takes advantage of uneducated and poor consumers through usurious and exploitive lending practices;

Whereas title loans and title pawns threaten the ability of consumers to hold a job since default on the loan or pawn will result in repossession and sale of their car, which is often their only means of transportation to and from work;

Whereas this industry is expanding rapidly throughout the United States;

Whereas both the Federal Government and States have traditionally acted within their respective jurisdictions to protect citizens from usurious lending and abusive credit practices;

Whereas the spread of abusive lending practices, including those often characteristic of title loan and title pawn transactions, have recently resulted in heightened Federal interest, at the congressional, executive, and regulatory levels, in curbing predatory lending practices;

Whereas, as the result of extensive field hearings, a task force established by the Secretary of the Treasury and the Secretary of Housing and Urban Development has just underscored the need for Federal legislation to curb predatory lending;

Whereas the title loan and title pawn transaction problem is particularly acute in Alabama, Georgia, Idaho, Illinois, Minnesota, Mississippi, Missouri, Montana, Nevada, New Hampshire, New Mexico, Oregon, South Carolina, South Dakota, Tennessee, and Utah; and

Whereas this problem has the potential to spread to other States that currently do not closely regulate the title loan and title pawn industry: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress that the Federal Government and the States should—

(1) engage in greater oversight of title loan and title pawn transactions;

(2) work cooperatively to address the problem of abuses in title loan and title pawn transactions through effective legislation at both the Federal and State level, as necessary, including by prohibiting title pawn transactions and prohibiting usurious interest rates in title loan transactions; and

(3) ensure that any Federal legislative effort preserves the ability of the States to enact stronger protections for consumers with respect to such transactions.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New Jersey (Mrs. ROUKEMA) and the gentleman from Pennsylvania (Mr. MASCARA) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Jersey (Mrs. ROUKEMA).

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

(Mrs. ROUKEMA asked and was given permission to revise and extend her remarks.)

Mrs. ROUKEMA. Mr. Speaker, as chair of the Subcommittee on Financial Institutions and Consumer Credit of the Committee on Banking and Financial Services, I bring this to the floor, but I want to expressly thank and recognize the gentleman from Florida (Mr. SHAW), who is the original author of this concurrent resolution, and has brought before us the increasing awareness of the usury problems associated with title pawn and title loan industry.

□ 1100

The resolution expresses the sense of Congress that the Federal Government and the States should work together cooperatively to outlaw title pawn transactions and the imposition of excessive interest rates.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. SHAW), the author of the resolution.

Mr. SHAW. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, House Concurrent Resolution 312 puts this Congress on record as opposing the predatory and unscrupulous lending practices of the title loan industry. As many of my colleagues are aware, abuse by the title loan industry is an ever-increasing problem all across America. These fringe banking services offer short-term loans to people unable to borrow from traditional lending institutions, taking the consumer's car, title and spare keys as collateral.

The interest rate on these loans which are usually not adequately disclosed to the borrower are so exorbitant that debtors frequently must take out additional loans just to pay the interest on the initial lien, sending them deeper and deeper into debt. These rates can often be as much as 300 percent, and, in some cases, even higher.

Take, for example, the plight of a Miami, Florida, resident whom I will simply call John. As reported in the Miami Herald, John, in need of cash to pay bills, borrowed \$1,000, using the spare keys of his car as collateral. Not fully aware of the terms of the loan, he was quickly incapable of making the monthly interest-only payments of \$220 and subsequently took out additional loans just to pay the interest on the initial loan. This amounts to an annual rate of nearly 350 percent. Now knee-deep in debt and fearful that any day his car would be repossessed, which would likely cost him his job, John struggled to pay back what amounted to three times his initial loan. He eventually ended up destitute and in a homeless shelter. Unfortunately, this one example is not uncommon and reflects the cases of far too many Americans who have found themselves trapped in an ever-worsening cycle of debt because of the title loan industry.

As this industry spreads across this country, more and more States are taking action to eliminate this type of institutional usury. Just last month, in

my home State, Florida, Governor Jeb Bush signed into law legislation limiting the outrageous rates that loan companies in Florida had been charging and limited it to 30 percent.

Nationwide recognition of this problem is needed. However, title loan companies can circumvent prohibitions imposed by individual States by crossing State lines and filing the proper paperwork in a State that has yet to regulate this industry. The result is that loan companies continue to spread like wildfire in States which are unregulated, and more and more people find themselves swimming in outrageous debt. This problem will persist until elected officials make the protection of their constituents a priority and rein in this fringe industry.

Mr. Speaker, passage of this resolution will put those who engage in this type of legal loan-sharking on notice that such predatory lending practices will no longer be tolerated. Although a number of States like Florida have stopped the title loan industry in its tracks, much remains to be done and Congress may need to play a role. While respecting the rights of the States to improve upon existing consumer protection laws, H. Con. Res. 312 makes it clear that, if necessary, Congress will take appropriate action to combat predatory lending practices.

Mr. Speaker, H. Con. Res. 312 puts Congress on record as condemning the practice of legal loan-sharking and opposing usury and unfair lending practices. I urge my colleagues to take this opportunity to express their concern for the consumer rights of their constituents and support this resolution. This resolution goes to protect the most vulnerable in our society from some of the most unscrupulous practices in our society.

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

Mr. Speaker, today, the House takes up a bipartisan resolution, H. Con. Res. 312, that, with the cooperation of its sponsor, the gentleman from Florida (Mr. SHAW), we amend it in a way that I can support. This resolution, as amended, expresses the sense of Congress that the Federal Government and the States should work together to better oversee abuses and unscrupulous practices of title loan and title pawn lenders and that both levels of government should address the problem with effective legislation, where necessary.

The resolution also urges that any Federal effort in this area should preserve the ability of the States to enact stronger consumer protection in this area. In fact, the State of Florida recently enacted legislation sponsored by State Assemblyman Kendrick Meek of Miami whose mother, the gentlewoman from Florida (Mrs. MEEK), represents the 17th District of Florida and is a cosponsor of this resolution.

Mr. Speaker, I am pleased to support this resolution which puts the Congress on record as urging State and Federal

action to address the devastating consequences to consumers of the predatory practices of title loan and title pawn lenders.

Our Nation is progressively being segmented into two separate, unequal, financial service systems: one serving middle- and upper-income individuals through mainstream financial institutions, and another serving lower-income households through check-cashers and pawnshops. This resolution sends the right message that Congress and the States, as appropriate, must take action to protect the vulnerable segment of the population who are preyed upon by unscrupulous lenders.

In many parts of our country, we are seeing the growth of title loan and title pawn lenders as yet another class of fringe lenders who take advantage of the lower-income consumers strapped for cash. Through deceptive practices, title pawnshops and other title lenders too often lure unwary consumers into using the title to their automobile and trucks as security for loans equal to a fraction of the value of the vehicle. Such loans typically carry interest rates in triple digits, often around 300 percent on an annual basis. At such a high interest rate, many of these borrowers are unable to pay off their loan and their vehicles are repossessed. When these loans are structured as a title pawn transaction, the title pawn broker sells the automobile and retains transfer to the pawn broker. The consumer loses all of his or her equity in the automobile and typically has little or no recourse to regain the automobile.

As is the case for most Americans, these consumers depend on their automobiles and trucks for transportation to their jobs, vital medical appointments, and school for their children. So the loss of a vehicle through an unfair foreclosure often results in the loss of a job or other serious consequences.

Mr. Speaker, it is incumbent upon both Congress and the States to act cooperatively with their respective jurisdictions to curb predatory lending practices. The abuses in the title pawn and title loan industry are just one of the areas which merit immediate and aggressive legislative action. The Congress must take action to curb the abuses in the title pawn and title loan industry. As the Clinton administration's Task Force on Predatory Lending recently urged in its report, Congress should enact new legislation in the title pawn and title loan industry. Congress should begin to do that forthwith.

The joint HUD-Treasury Task Force also urged Congress to amend existing laws to give borrowers more timely and more precise information regarding the cost and terms of loans. I am hopeful that we can work in a bipartisan fashion to enact legislation that will wipe out predatory lending practices, regardless of where and how they occur.

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

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

This resolution expresses the sense of the Congress that the Federal government and the States should work together cooperatively to outlaw title pawn transactions and the imposition of excessive interest rates on title loans. In these types of transactions, the business takes the consumer's automobile title as collateral, often as part of a very small pawn transaction or title loan. Abuses in title loans and title pawn transactions often include excessively high interest rates and other exploitive lending practices.

I want to note, in light of what the gentleman from Pennsylvania (Mr. MASCARA) has stated and certainly what the author of this amendment has stated, I want to note that as the chairwoman of the Subcommittee on Financial Institutions and Consumer Credit, I want to make the point that we, on the committee, are continuing to study predatory lending. The Committee on Banking and Financial Services recently held a hearing on this very subject, and while title loan and title pawn transactions are certainly a component of the practices that are considered predatory, we are also considering what regulatory or legislative changes might be needed on a broader scale; and I think our colleague from Pennsylvania has referenced that possibility.

Clearly, cooperation among the Federal and State governments and Federal and State regulators and the financial services industry is critical and key. With respect to the abuses in the title pawn transactions and the title loans and the lack of meaningful regulation of this area in some States, the cooperation, as outlined and required in this concurrent resolution, H. Con. Res. 312, is absolutely necessary. A consistent set of rules must be applied and consumers should not be taken advantage of because of weak laws or regulations in a particular State.

Mr. Speaker, again, I want to thank the gentleman from Florida (Mr. SHAW) for his leadership on this issue.

Mr. MCCOLLUM. Mr. Speaker, I support H. Con. Res. 312, expressing the sense of the Congress that the States should more closely regulate title pawn transactions and outlaw the imposition of usurious interest rates on title loans to consumers.

As a Floridian, I am acutely aware of the struggles in which the citizens of Florida have engaged in order to rein in unscrupulous practices and usurious interest rates on title loans. I am pleased that the culmination of these efforts has led to wise and judicious legislation. I praise the Floridian approach of title lending because it weighs both the importance of curbing the abuses that too often surround title loan transactions against the importance of providing otherwise "un-lendable" borrowers with access to credit. This emergency credit can keep a small businessman from going under, or cover immediate needs at the end of the month.

Starting October 1, 2000, the Florida Department of Banking and Finance will begin to license and regulate title lenders in the state of Florida. Among initial changes will be an

annual interest rate cap of 30%. Other improvements include empowering the Department of Banking and Finance to impose fines and promulgate rules. For worst case offenders, the Florida legislation establishes criminal penalties.

Furthermore, the Florida legislation does not preclude local governments in the state of Florida from enacting more stringent restriction. I firmly believe that democracy is best served when state and local governments can exercise their informed judgement to serve their citizens. This Sense of the Congress reiterates my concern both for the abuses that have dogged title lending throughout several states across the nation, but also my sincere wish that states will take up this issue in their home legislative chambers.

I look forward to casting my vote for this excellent legislation, sponsored by fellow Floridian, CLAY SHAW, and I encourage my colleagues from all 50 states to do the same.

Mr. SMITH of Michigan. Mr. Speaker, H. Con. Res. 312 calls on states to more closely regulate certain types of loans and establish ceilings on the rates of interest that can be charged for them. I oppose H. Con., Res. 312 for two reasons.

The first is that regulation of lending markets, especially the establishment of ceilings on interest rates, can harm those who most need access to them. None of us can help but be appalled by unscrupulous lenders who take advantage of needy borrowers. However, the regulations encouraged by this resolution would most likely reduce the number and availability of lenders.

As a member of the Michigan legislature, I remember that we attempted to "help" people in a similar manner by restricting lending practices and interest rates to what we consider a "fair" rate. The result wasn't that interest rates were lowered. Instead, the borrowers came to us and asked us to remove the restrictions because they couldn't get loans any more. Mr. Speaker where there is competition, rates of interest are best left to the marketplace rather than to the notions of politicians.

Second, I find it odd that we in Washington need to tell the states how they should handle what are traditionally local measures. We certainly have no greater understanding of these issues than our counterparts at the state level.

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

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentlewoman from New Jersey (Mrs. ROUKEMA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 312, as amended.

The question was taken.

Mrs. ROUKEMA. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mrs. ROUKEMA. Mr. Speaker, I ask unanimous consent that all Members