caused by divorce. While resorting to bankruptcy provides some relief from financial distress, current law permits utility companies to force these debtors to pay security deposits for continued service even if they were current on their bills before filing for bankruptcy or if they promise to be current on their bills after bankruptcy. Utility companies typically insist that debtors pay at least two months or more of their average bills as a deposit—in addition to requiring that they remain current on their utility bills after bankruptcy—in exchange for the utility continuing to supply service.

The ''Preventing Termination of Utility Service in Bankruptcy Act of 2015'' corrects this injustice. It provides that if the debtor remains current on his or her utility bills after filing for bankruptcy relief, the debtor should not have to pay a deposit to the utility to continue service.

In Detroit, for example, families across the city have seen their water rates increase by 119% over the past decade. During the same period, the Nation generally and Detroit in particular suffered in the aftermath of a global financial crisis that left one-in-five local residences in foreclosure and sent local unemployment rates skyrocketing.

Fortunately, we are incrementally recovering from the Great Recession of 2008. For those individuals who must seek bankruptcy relief, however, we should ensure that their ability to pay their utility bills going forward is not hindered by unnecessary demands for deposits if these debtors remain current on their payments to these companies.

Terminating a family's access to such lifesaving services that keeps the lights on, warms our homes, and ensures that they can bathe, hydrate, and prepare meals is simply wrong if these utility bills are being paid on time.

This legislation is part of a range of solutions that are needed to address the still pervasive adverse impacts of the Great Recession of 2008. I continue to work with my colleagues in Congress, state and federal officials, and my constituents to defend the right to water and protect public health. I will not tolerate the notion that—in the 21st Century, in the wealthiest nation on earth—families should go without access to affordable public water and sanitation services.

COMMEMORATING THE CLOSING OF THE ICE CREAM PALACE IN SILVIS, ILLINOIS AFTER 50 YEARS IN BUSINESS

HON. CHERI BUSTOS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mrs. BUSTOS. Mr. Speaker, I rise today to recognize the Ice Cream Palace in Silvis, Illinois, owned by Mr. Umberto ''Red'' Ponce, which closed on December 27th after 50 years of business and service to our community.

The Ice Cream Palace has been a staple for the community of Silvis for the past five decades. Despite its name, Ice Cream Palace is known for serving favorite traditional Mexican cuisine dishes like the popular carne-de-res burritos since 1965. The dishes served come from authentic recipes from Mr. Ponce's mother, Celia Ponce, who was initially a partner in the business and worked there for the restaurants' first 25 years.

Locals who began frequenting the restaurant as children now bring their own families to enjoy both the food and the close-knit relationships between staff and regulars. Some can even remember the days that the Ice Cream Palace served up chilly treats and say that the great tasting food has not changed a bit over 50 years thanks to Mr. Ponce's loyalty to his mother's original recipes. Locals young and old alike have all expressed sadness for the end of such a long-lasting part of their community. Mr. Ponce is looking forward to spending more time with his children and grandchildren during his retirement and says he will miss the friends he has made over the years in his staff and customers.

Mr. Speaker, I again want to recognize the Ice Cream Palace, and am glad that places like this exist, helping to create traditions and bonds within our communities and families.

APPRECIATION OF GOVERNOR JAMES B. EDWARDS

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. WILSON of South Carolina. Mr. Speaker, the State newspaper of Columbia, South Carolina, on December 27, 2014, published an article of statements issued upon learning of Governor Edwards' death.

WHAT THEY ARE SAYING ABOUT GOV. EDWARDS

A COLLECTION OF REMARKS AND REMEMBRANCES ABOUT FORMER S.C. GOV. JAMES EDWARDS, WHO PASSED AWAY FRIDAY AT AGE 87:

Glenn McConnell, president of College of Charleston and former S.C. Senate president pro tempore: ''As an alumnus of our institution, Gov. Edwards represents the best traits of a College of Charleston education: leadership and a passion for lifelong learning. On a personal note, Gov. Edwards was a mentor and a dear friend to me. He helped launch my career in public service and inspired me, through his tireless and selfless efforts, on how to best serve the people of South Carolina. In every facet of his life, he believed in making things better for others.''

U.S. Sen. Lindsey Graham, R–Seneca: ''He was truly one of the most decent men to have ever served as governor of South Carolina. He was a pioneer for the Republican Party and continued to stay involved in party building activities throughout his life.''

U.S. Sen. Tim Scott, R–North Charleston: ''Jim was an early mentor of mine as I entered public service, and I am forever thankful for his advice and encouragement. From the dedication of Patriot's Point during his time as governor to his efforts expanding MUSC while serving as president, Gov. Edwards has left an important legacy in our state.''

U.S. Rep. Joe Wilson, R–Springdale: ''Dr. Edwards was a tireless stalwart for conservative limited government to expand freedom. In high school, I would visit his dental office for Goldwater materials, in his capacity as Charleston County Republican Chairman. . . . Dr. Edwards' vision of an inclusive Republican Party came to fulfillment this month with the U.S. Senate victory in Louisiana, from his start with no elected statewide Republican officials in the five-state Deep South, and now all statewide officials are Republicans.''

Medical University of South Carolina President David Cole: ''With his leadership and vision MUSC started to transform and grow in scope, scale, and quality. As an individual he was universally liked and respected—he had a personality that filled the room—truly he never met anyone that he did not like. I had the privilege of joining the faculty as an assistant professor of surgery in 1994, and from day one he made me feel respected, included, and at times like I quite possibly was his long lost younger brother.''

S.C. Senate President Pro Tempore Hugh Leatherman, R-Florence: ''A Palmetto gentleman who sought only the best solutions for his community, state, and nation. I know that the entire Senate of South Carolina joins me in sending our deepest condolences to the Edwards family. The Medical University of South Carolina, South Carolina, and the United States are a better place because of his leadership.''

S.C. Republican Party Chairman Matt Moore: ''Gov. Edwards made an incredible mark on South Carolina history. His legacy will live on through the countless lives he touched as governor, dentist and particularly as a man of faith.''

Former congressman and federal judge John Napier: ''Jim Edwards was a giant force for good in everything he ever did. A mentor and creator of the modern Republican Party. Pam and I express our deepest sympathy to Anne and the family.''

Rusty DePass, campaign manager of Edwards' 1974 gubernatorial win: ''He was laid back, easygoing. He was opinionated, but he did not have a hard edge to him and didn't have a mean bone in his body. And he was the same person in private as he was in public.''

IN RECOGNITION OF ROBERT ROSS

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Ms. SPEIER. Mr. Speaker, I rise to honor Robert Ross, a successful business owner, exceptional law enforcement officer and dedicated public servant who is retiring from the San Mateo City Council after five years of service. He was the Mayor in 2014 and Deputy Mayor in 2013. Robert is a genuine, hard-working and deeply committed city council member and will truly be missed.

Robert was first elected to the council in 2009 after a 27-year-career as a police officer in San Mateo. His experience in law enforcement made security and sustainability one of his priorities for the city. As a real estate agent for 25 years, Robert also brought substantial business experience to the Council, guiding the city toward financial stability.

While on the Council, Robert served on the City Council Audit and Budget Committee, the City Council Legislative Committee, the Community Development Department Audit Committee, the Grand Boulevard Task Force, the North B Street Improvement Initiative and the Planning Commission. In addition, he was very active in the Association of Bay Area Governments, the League of California Cities, San Mateo County Council of Cities, the San Mateo-Foster City Elementary School Board, the San Mateo Oversight Board, the San

Mateo Union High School District Board, the Sister City Association and the South Bayside Waste Management Authority.

Robert received his Police Officers Standard & Training at the Modesto College Police Academy and his BSBA in Business Administration from the University of Phoenix. He started his law enforcement career as a police officer in Hayward in 1979 and transferred to the San Mateo Police Department in 1981 where he rose through the ranks to Police Lieutenant in 2003. His professionalism and proactive approach have been recognized and he has been commended on numerous occasions. For example, in the late 1980s, then Corporal Ross was in charge of setting up a task force to fight drug crimes in San Mateo. The group became known as ''Ross' Raiders'' and their effective anti-drug campaign was lauded by the City Council, San Mateo County Board of Supervisors, the District Attorney, the San Mateo County Trial Lawyers Association and the late Congressman Tom Lantos.

Among the many awards Robert received was a Lieutenant's Commendation for proactive policing, the San Carlos/Belmont Exchange Club Officer of the Year Award, Employee of the Quarter by past Police Chief Don Phipps for ongoing leadership and proactive policing, the Trial Lawyers Association's Police Officer of the Year Award, the Peninsula Lions Club's Police Award for outstanding service to the community, the Gordon Joinville Special Merit Award for day-to-day excellence in policing, and the Medal of Honor, the Police Department's highest award for saving a life during a fire.

Whether in his capacity as a city council member, a peace officer, a small business owner or a San Mateo resident, Robert has always seized opportunities to help his community. He has given countless presentations at our schools to help troubled and underprivileged youths find a positive direction in their lives. He has visited homes of at-risk youth gang members during the holidays handing out presents. He has worked with the Peninsula Conflict Resolution Center and the Tongan Interfaith Council to prevent and solve conflicts. He has worked with Samaritan House to assist needy families. He is a member of the San Mateo Lion's Club which supports local and international charities.

It is obvious from this long list of accomplishments and engagements that Robert Ross has a heart of gold and an inexhaustible drive to help others. Because of his vision and commitment, San Mateo is a better place. I feel privileged to count Robert as a friend and colleague and wish him well as he shifts his focus to his personal and family life.

Mr. Speaker, I ask the House of Representatives to rise with me to recognize the lasting contributions Robert Ross has made while serving as Mayor, City Councilmember and law enforcement officer. He will always be a role model and inspiration to his fellow San Mateo residents.

THE HOME FORECLOSURE REDUCTION ACT OF 2015

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, January 6, 2015

Mr. CONYERS. Mr. Speaker, I submit the following:

SUMMARY

The ''Home Foreclosure Reduction Act of 2015'' would permit a bankruptcy judge, with respect to certain home mortgages, to reduce the principal amount of such mortgages to the fair market value of the homes securing such indebtedness. My legislation will encourage homeowners to make their mortgage payments and help stem the endless cycle of foreclosures that further depresses home values. It also would authorize the mortgage's repayment period to be extended so that monthly mortgage payments are more affordable. In addition, the bill would allow exorbitant mortgage interest rates to be reduced to a level that will keep the mortgage affordable over the long-term. And, it would authorize the waiver of prepayment penalties and excessive fees. Further, the bill would eliminate hidden fees and unauthorized costs.

This bill addresses a fundamental problem: homeowners in financial distress simply lack the leverage to make mortgage lenders and servicers engage in meaningful settlement negotiations, even when in the interest of all parties. My legislation would empower a homeowner, under certain circumstances, to *force* his or her lender to modify the terms of the mortgage by allowing the principal amount of the mortgage to be reduced to the home's fair market value. And, the implementation of this measure will not cost taxpayers a *single penny*.

The ''Home Foreclosure Reduction Act of 2015'' is identical to H.R. 101 (introduced in the 113th Congress) and H.R. 1587 (introduced in the 112th Congress). It contains similar provisions included in H.R. 1106, which the House passed nearly six years ago. Unfortunately, those provisions were removed in the Senate and not included in the final version of the bill that was subsequently enacted into law.

SECTION-BY-SECTION EXPLANATION OF PROVISIONS

Section 1. Short Title. Section 1 sets forth the short title of this Act as the ''Home Foreclosure Reduction Act of 2015.''

Section 2. Definition. Bankruptcy Code section 101 defines various terms. Section 2 amends this provision to add a definition of ''qualified loan modification,'' which is defined as a loan modification agreement made in accordance with the guidelines of the Obama Administration's Homeowner Affordability and Stability Plan, as implemented on March 4, 2009 with respect to a loan secured by a senior security interest in the debtor's principal residence. To qualify as such, the agreement must reduce the debtor's mortgage payment (including principal and interest) and payments for various other specified expenses (i.e., real estate taxes, hazard insurance, mortgage insurance premium, homeowners' association dues, ground rent, and special assessments) to a percentage of the debtor's income in accordance with such guidelines. The payment may not include any period of negative amortization and it must fully amortize the outstanding mortgage principal. In addition, the agreement must not require the debtor to pay any fees or charges to obtain the modification. Further, the agreement must permit the debtor to continue to make these payments as if he or she had not filed for bankruptcy relief.

Section 3. Eligibility for Relief. Section 3 amends Bankruptcy Code section 109, which specifies the eligibility criteria for filing for bankruptcy relief, in two respects. First, it amends Bankruptcy Code section 109(e), which sets forth secured and unsecured debt limits to establish a debtor's eligibility for relief under chapter 13. Section 3 amends this provision to provide that the computation of debts does not include the secured or unsecured portions of debts secured by the debtor's principal residence, under certain circumstances. The exception applies if the value of the debtor's principal residence as of the date of the order for relief under chapter 13 is less than the applicable maximum amount of the secured debt limit specified in section 109(e). Alternatively, the exception applies if the debtor's principal residence was sold in foreclosure or the debtor surrendered such residence to the creditor and the value of such residence as of the date of the order for relief under chapter 13 is less than the secured debt limit specified in section 109(e). This amendment is not intended to create personal liability on a debt if there would not otherwise be personal liability on such debt.

Second, section 3 amends Bankruptcy Code section 109(h), which requires a debtor to receive credit counseling within the 180-day period prior to filing for bankruptcy relief, with limited exception. Section 3 amends this provision to allow a chapter 13 debtor to satisfy this requirement within 30 days *after* filing for bankruptcy relief if he or she submits to the court a certification that the debtor has received notice that the holder of a claim secured by the debtor's principal residence may commence a foreclosure proceeding.

Section 4. Prohibiting Claims Arising from Violations of the Truth in Lending Act. Under the Truth in Lending Act, a mortgagor has a right of rescission with respect to a mortgage secured by his or her residence, under certain circumstances. Bankruptcy Code section 502(b) enumerates various claims of creditors that are not entitled to payment in a bankruptcy case, subject to certain exceptions. Section 4 amends Bankruptcy Code section 502(b) to provide that a claim for a loan secured by a security interest in the debtor's principal residence is not entitled to payment in a bankruptcy case to the extent that such claim is subject to a remedy for rescission under the Truth in Lending Act, notwithstanding the prior entry of a foreclosure judgment. In addition, section 4 specifies that nothing in this provision may be construed to modify, impair, or supersede any other right of the debtor.

Section 5. Authority to Modify Certain Mortgages. Under Bankruptcy Code section 1322(b)(2), a chapter 13 plan may not modify the terms of a mortgage secured solely by real property that is the debtor's principal residence. Section 5 amends Bankruptcy Code section 1322(b) to create a limited exception to this prohibition. As amended, the exception only applies to a mortgage that: (1) originated before the effective date of this amendment; and (2) is the subject of a notice that a foreclosure may be (or has been) commenced with respect to such mortgage.

In addition, the debtor must certify pursuant to new section 1322(h) that he or she contacted—not less than 30 days before filing for bankruptcy relief—the mortgagee (or the entity collecting payments on behalf of such mortgagee) regarding modification of the mortgage. The debtor must also certify that he or she provided the mortgagee (or the entity collecting payments on behalf of such mortgagee) a written statement of the debtor's current income, expenses, and debt in a format that substantially conforms with the schedules required under Bankruptcy Code section 521 or with such other form as promulgated by the Judicial Conference of the United States. Further, the certification must include a statement that the debtor considered any qualified loan modification offered to the debtor by the mortgagee (or the entity collecting payments on behalf of such holder). This requirement does not apply if the foreclosure sale is scheduled to