

Borrowers with loans insured by FHA or securitized by Fannie Mae or Freddie Mac have strong foreclosure protections because mortgage servicers must offer specific loss mitigation options to eligible borrowers before they can begin foreclosure proceedings. These robust protections help many delinquent homeowners catch up on mortgage payments and avoid foreclosure, but they drastically shrink when a mortgage is included in a note sale.

It is not surprising that over 80 percent of homeowners whose nonperforming loans were sold by FHA ultimately lost their homes after their new servicers reached a final loan resolution. Moreover, the U.S. Government Accountability Office has found that nonperforming loans sold by FHA are more likely to face foreclosure than comparable loans that FHA keeps on its balance sheet. The majority of homeowners with nonperforming loans sold by Fannie Mae and Freddie Mac have also lost their homes after servicers reached a final resolution. The data is overwhelming: note sales do not help most borrowers remain in their homes.

Compounding matters, note sale purchasers, which again are predominately private equity firms and institutional investors, often move foreclosed properties out of the owner-occupied market. In fact, Pretium, one of the Nation's largest owners of single-family rental homes, is the third largest purchaser of Fannie Mae and Freddie Mac nonperforming loans in note sales. As a result, approximately one-third of properties foreclosed upon after a Fannie Mae or Freddie Mac nonperforming loan note sale are sold to an investor, held by the purchaser for rental, or become real estate owned—leaving fewer affordable owner-occupied homes in the market and shifting property ownership away from local control.

The Preserving Homes and Communities Act tackles these problems. First, it would require mortgage servicers to complete FHA or Federal Housing Finance Agency-required loss mitigation actions before FHA, Fannie Mae, or Freddie Mac includes a nonperforming mortgage in a note sale. Second, it would extend protections to these mortgages after they are acquired by purchasers in a note sale. Third, it would require FHA, Fannie Mae, and Freddie Mac to give local entities with public missions, including States, municipalities, and nonprofits, the first opportunity to purchase nonperforming mortgages—ahead of private equity and institutional investors. Finally, it would require purchasers that foreclose on nonperforming note sale properties to make at least 75 percent these properties available to owner-occupants or low- and moderate-income renters. In sum, our legislation seeks to keep homeowners in their homes, keep home ownership within local communities, and preserve the

supply of available and affordable homes for families.

I thank the National Consumer Law Center, on behalf of its low-income client, and the National Community Stabilization Trust for their support. I urge my colleagues to cosponsor this legislation and support its passage.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 876—COMMEMORATING THE 50TH ANNIVERSARY OF THE COASTAL ZONE MANAGEMENT ACT OF 1972, COMMONLY KNOWN AS THE “COASTAL ZONE MANAGEMENT ACT”

Mr. MARKEY submitted the following resolution; which was considered and agreed to:

S. RES. 876

Whereas the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.) (commonly known, and referred to in this preamble, as the “Coastal Zone Management Act”) has empowered the coastal States and territories of the United States to effectively manage the coasts of those States and territories by balancing often competing demands, including population growth, development, industry, energy siting, public access, recreation, tourism, protection, and conservation;

Whereas the Coastal Zone Management Act establishes an effective State-Federal cooperative structure through which States and territories lead implementation and the National Oceanic and Atmospheric Administration provides funding and technical support;

Whereas 34 States and territories have established coastal zone management programs to implement the Coastal Zone Management Act;

Whereas 30 National Estuarine Research Reserves have been established for the purpose of protecting and studying estuarine systems and educating the public about the important and unique role of those systems;

Whereas the State and territory coastal zone management programs and the Estuarine Research Reserves have successfully managed the coasts of the United States by—

(1) providing critical research on coastal and estuarine environments to inform decision-making;

(2) monitoring changes in water quality and weather processes;

(3) ensuring that development in coastal areas is wise;

(4) serving as living laboratories that provide solution-oriented collaborative science;

(5) protecting and enhancing public access to coastal areas;

(6) protecting, restoring, and enhancing critical coastal habitats;

(7) educating the public about the importance of coastal and estuarine areas;

(8) collaborating with the National Oceanic and Atmospheric Administration to educate and train the next generation of coastal and estuarine managers through programs including—

(A) the Margaret A. Davidson Graduate Research Fellowship;

(B) the Coastal Management Fellowship; and

(C) the Digital Coast Fellowship;

(9) training and educating local decision-makers; and

(10) leading planning and projects to ensure the resiliency of coastal communities; and

Whereas the Coastal Zone Management Act has proven to be a robust framework that empowers States and territories to meaningfully shape the future of the coasts of those States and territories while providing flexibility to adapt to emerging challenges: Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates the 50th anniversary of the enactment of the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.);

(2) applauds the significant achievements in balancing competing demands for development, beneficial use, and protection and conservation of the coastal zone of the United States through implementation of the Coastal Zone Management Act of 1972;

(3) commends the National Oceanic and Atmospheric Administration and the coastal States, territories, and Estuarine Research Reserves of the United States for their collaborative efforts and commitment to the effective management of the coasts of the United States for present and future generations;

(4) recognizes the critical role of the Coastal Zone Management Act of 1972 in addressing current and emerging coastal issues; and

(5) recognizes that, while the Coastal Zone Management Act of 1972 affords flexibility in implementation, modernization could provide increased authority to—

(A) ensure equitable benefits from coastal management;

(B) expand access to coastal management tools for Tribal communities in a manner that values Indigenous knowledge; and

(C) use land acquisition and stewardship, along with new tools and strategies, to address coastal community resilience.

##### SENATE RESOLUTION 877—DESIGNATING THE WEEK OF SEPTEMBER 18 THROUGH SEPTEMBER 24, 2022, AS “COMMUNITY SCHOOL COORDINATORS APPRECIATION WEEK”

Mr. BROWN submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 877

Whereas community schools marshal, align, and unite the assets, resources, and capacity of schools and communities for the success of students, families, and communities;

Whereas community schools are an effective, evidence-based, and equity-driven strategy for school improvement included under section 4625 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7275), as added by section 4601 of the Every Student Succeeds Act (Public Law 114-95; 129 Stat. 2029);

Whereas community schools that provide integrated student supports, well-designed and expanded learning opportunities, and active family and community engagement and that use collaborative leadership and practices have positive academic and non-academic outcomes, including—

(1) improvements in—

(A) student attendance;

(B) behavior;

(C) academic achievement;

(D) school readiness;

(E) mental and physical health;

(F) high school graduation rates; and

(G) school climate; and

(2) reduced racial and economic achievement gaps;

Whereas community schools have the potential for closing racial and economic achievement gaps, as indicated in a 2021 report;

Whereas a 2021 study found that mental health care provided through community schools improved academic performance and student conduct, including reducing the number of school suspensions and disciplinary referrals;

Whereas a 2020 study found that community schools in New York City had a positive impact on student attendance, on-time grade progression, and credit accumulation for high school students;

Whereas community schools provide a strong social return on investment, with one study citing a social return of \$10 to \$15 for every dollar invested over a 3-year period;

Whereas Congress has recognized community schools as an effective use of funds for school districts;

Whereas community school coordinators are essential to building successful community schools and creating, strengthening, and maintaining partnerships between community schools and their communities;

Whereas community school coordinators facilitate and provide leadership for the collaborative process and development of a system of supports and opportunities for children, families, and others within the community of a school that allow all students to learn and the community to thrive;

Whereas the community school coordinator role delivers a strong monetary return on investment for community schools and their communities, with one study citing a return of \$7.11 for every dollar invested in the salary of a community school coordinator; and

Whereas Community School Coordinators Appreciation Week, celebrated from September 18 through September 24, 2022, recognizes, raises awareness of, and celebrates the thousands of community school coordinators across the country and the critical role of community school coordinators in the success of students: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 18 through September 24, 2022, as “Community School Coordinators Appreciation Week”;

(2) thanks community school coordinators for the work they do to serve students, families, and communities, especially as communities continue to respond to the Coronavirus Disease 2019 pandemic; and

(3) encourages students, parents, school administrators, and public officials to participate in events that celebrate Community School Coordinators Appreciation Week.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 6590. Mr. DURBIN proposed an amendment to the bill S. 4240, to amend section 2441 of title 18, United States Code, to broaden the scope of individuals subject to prosecution for war crimes.

SA 6591. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes; which was ordered to lie on the table.

SA 6592. Ms. CANTWELL submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6593. Mr. SCOTT of South Carolina (for himself and Mr. GRAHAM) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6594. Ms. KLOBUCHAR (for herself, Mr. MORAN, Mr. COONS, Ms. MURKOWSKI, Mr.

BLUMENTHAL, Mr. GRAHAM, Mr. BLUNT, Mr. LEAHY, and Mrs. SHAHEEN) submitted an amendment intended to be proposed by her to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6595. Mr. MERKLEY (for himself and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6596. Mr. GRAHAM (for himself, Mr. WHITEHOUSE, and Mr. BENNET) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6597. Ms. KLOBUCHAR (for herself and Mr. LEE) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6598. Mrs. CAPITO submitted an amendment intended to be proposed by her to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6599. Mr. MANCHIN (for himself, Mr. TESTER, Mr. PADILLA, Mr. BROWN, Ms. HASSAN, and Ms. SINEMA) submitted an amendment intended to be proposed by him to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6600. Mr. KAINE (for himself and Mr. YOUNG) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6601. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6602. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6603. Mr. PETERS submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6604. Mr. GRASSLEY (for himself and Mr. CORNYN) submitted an amendment intended to be proposed by him to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6605. Mr. HAGERTY submitted an amendment intended to be proposed by him to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6606. Mr. RISCH (for himself, Mr. ROMNEY, Mr. CORNYN, Mr. HAGERTY, and Mr. SULLIVAN) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6607. Mrs. GILLIBRAND submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6608. Mr. BOOKER submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6609. Ms. MURKOWSKI (for herself and Ms. KLOBUCHAR) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6610. Mr. TOOMEY submitted an amendment intended to be proposed by him to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6611. Mr. YOUNG submitted an amendment intended to be proposed by him to the

bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6612. Mr. YOUNG submitted an amendment intended to be proposed by him to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6613. Mr. COONS submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6614. Mr. DURBIN (for Mr. MENENDEZ) proposed an amendment to the resolution S. Res. 472, reaffirming the partnership between the United States and the Dominican Republic and advancing opportunities to deepen diplomatic, economic, and security cooperation between the two nations.

SA 6615. Mr. COONS submitted an amendment intended to be proposed by him to the bill H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes; which was ordered to lie on the table.

SA 6616. Ms. KLOBUCHAR (for herself, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. PADILLA, and Mr. LUJAN) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6617. Mr. MENENDEZ (for himself, Mr. COTTON, Mr. SULLIVAN, Mr. GRASSLEY, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mr. KAINE, Mrs. GILLIBRAND, Mr. BOOKER, Mr. CORNYN, Mrs. CAPITO, Mr. SCOTT of Florida, and Mr. WARNOCK) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6618. Mr. CARPER submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

SA 6619. Ms. BALDWIN (for Mr. HICKENLOOPER) proposed an amendment to the bill S. 4814, to establish a demonstration program for the active remediation of orbital debris and to require the development of uniform orbital debris standard practices in order to support a safe and sustainable orbital environment, and for other purposes.

SA 6620. Ms. MURKOWSKI (for herself, Mrs. MURRAY, Mr. BURR, and Mr. CASEY) submitted an amendment intended to be proposed by her to the bill H.R. 2617, to amend section 1115 of title 31, United States Code, to amend the description of how performance goals are achieved, and for other purposes; which was ordered to lie on the table.

SA 6621. Ms. SINEMA (for herself and Mr. TESTER) submitted an amendment intended to be proposed to amendment SA 6552 proposed by Mr. LEAHY to the bill H.R. 2617, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

**SA 6590.** Mr. DURBIN proposed an amendment to the bill S. 4240, to amend section 2441 of title 18, United States Code, to broaden the scope of individuals subject to prosecution for war crimes; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Justice for Victims of War Crimes Act”.

##### SEC. 2. WAR CRIMES.

Section 2441 of title 18, United States Code, is amended—

(1) by striking subsection (b) and inserting the following:

“(b) JURISDICTION.—There is jurisdiction over an offense described in subsection (a) if—