

BACHMANN 010

AMENDMENT TO H.R. 1728
OFFERED BY Ms. Bachmann of Minnesota

Page 27, strike line 24 and insert the following:

“with respect to such loan, if—

“(A) no later than 90 days”.

Page 28, line 3, strike the period and insert “; or”.

Page 28, after line 3, insert the following:

- 1 “(B) each of the following conditions are
- 2 met:
- 3 “(i) The assignee or securitizer—
- 4 “(I) has a policy against buying
- 5 residential mortgage loans other than
- 6 qualified mortgages or qualified safe
- 7 harbor mortgages (as defined in sub-
- 8 section (c));
- 9 “(II) the policy is intended to
- 10 verify seller or assignor compliance
- 11 with the representations and warran-
- 12 ties required under clause (ii); and
- 13 “(III) in accordance with regula-
- 14 tions which the Federal banking agen-
- 15 cies and the Securities and Exchange

1 Commission shall jointly prescribe, ex-
 2 ercises reasonable due diligence to ad-
 3 here to such policy in purchasing resi-
 4 dential mortgage loans, including
 5 through adequate, thorough, and con-
 6 sistently applied sampling procedures.

7 “(ii) The contract under which such
 8 assignee or securitizer acquired the resi-
 9 dential mortgage loan from a seller or as-
 10 signor of the loan contains representations
 11 and warranties that the seller or as-
 12 signor—

13 “(I) is not selling or assigning
 14 any residential mortgage loan which is
 15 not a qualified mortgage or a qualified
 16 safe harbor mortgage; or

17 “(II) is a beneficiary of a rep-
 18 resentation and warranty from a pre-
 19 vious seller or assignor to that effect,
 20 and the assignee or securitizer in good
 21 faith takes reasonable steps to obtain the
 22 benefit of such representation or war-
 23 ranty.”.

☒