

Miller 006

AMENDMENT TO H.R. 1224
OFFERED BY MR. MILLER OF NORTH CAROLINA

Page 2, after line 21, insert the following new subsection (and redesignate the succeeding subsection accordingly):

1 “(b) REVIEW OF MORTGAGE ASSETS BEFORE DI-
2 VESTMENT.—

3 “(1) REQUIREMENTS.—The Director shall re-
4 quire each enterprise, before sale or other divest-
5 ment of any mortgage asset of the enterprise—

6 “(A) to conduct a review of the mortgage
7 asset to determine whether—

8 “(i) such mortgage asset fails to com-
9 ply with any representations or warranties
10 made in connection with such mortgage
11 asset; and

12 “(ii) any such mortgage asset is sub-
13 ject to claims providing for repurchase,
14 put-back, or buy-back;

15 “(B) to pursue any such repurchase, put-
16 back, or buy-back claims found pursuant to
17 such review; and

1 “(C) to report to the Director regarding
2 the findings of the review conducted pursuant
3 to subparagraph (A) and on any activities pur-
4 suant to subparagraph (B).

5 “(2) DEFINITION.—For purposes of this sub-
6 section, the term ‘mortgage asset’ means, with re-
7 spect to an enterprise, an asset of such enterprise
8 consisting of a mortgage, mortgage loan, mortgage-
9 related security, participation certificate, mortgage-
10 backed commercial paper, obligation of real estate
11 mortgage investment conduit or a similar asset, in
12 each case to the extent such asset would appear on
13 the balance sheet of such enterprise in accordance
14 with generally accepted accounting principles in ef-
15 fect in the United States as of September 7, 2008
16 (as set forth in the opinions and pronouncements of
17 the Accounting Principles Board and the American
18 Institute of Certified Public Accountants and state-
19 ments and pronouncements of the Financial Ac-
20 counting Standards Board from time to time; and
21 without giving any effect to any change that may be
22 made after September 7, 2008, in respect of State-
23 ment of Financial Accounting Standards No. 140 or
24 any similar accounting standard).”

