

SUPREME COURT OF THE UNITED STATES

No. 92-641

LEONARD NOBELMAN, ET UX., PETITIONERS v.  
AMERICAN SAVINGS BANK ET AL.  
ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE FIFTH CIRCUIT  
[June 1, 1993]

JUSTICE STEVENS, concurring.

At first blush it seems somewhat strange that the Bankruptcy Code should provide less protection to an individual's interest in retaining possession of his or her home than of other assets. The anomaly is, however, explained by the legislative history indicating that favorable treatment of residential mortgagees was intended to encourage the flow of capital into the home lending market. See *Grubbs v. Houston First American Savings Assn.*, 730 F. 2d 236, 245-246 (CA5 1984) (canvassing legislative history of Chapter 13 home mortgage provisions). It therefore seems quite clear that the Court's literal reading of the text of the statute is faithful to the intent of Congress. Accordingly, I join its opinion and judgment.