

PISGAH NATIONAL FOREST  
BOUNDARY ADJUSTMENT ACT  
OF 2009

Mr. HOLDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1002) to adjust the boundaries of Pisgah National Forest in McDowell County, North Carolina.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1002

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Pisgah National Forest Boundary Adjustment Act of 2009”.

**SEC. 2. BOUNDARY ADJUSTMENT, PISGAH NATIONAL FOREST, NORTH CAROLINA.**

(a) **BOUNDARY ADJUSTMENT.**—The boundaries of Pisgah National Forest in McDowell County, North Carolina, are hereby modified to include a parcel of land consisting of approximately 301 acres, of which approximately 213 acres are owned by the United States and administered by the Forest Service, as generally depicted on the map entitled “Proposed Proclamation Boundary Change, Grandfather Ranger District, Pisgah National Forest” and more particularly delineated and described according to the final boundary adjustment map and boundary description prepared by the Forest Service.

(b) **AVAILABILITY AND CORRECTION.**—The maps referred to in subsection (a) shall be on file and available for public inspection in the Office of the Regional Forester, Atlanta, Georgia. The Secretary of Agriculture may make minor corrections to the maps.

(c) **LAND ACQUISITION.**—Subject to the appropriation of funds to carry out this subsection and the consent of the owner of the private land included within the boundaries of Pisgah National Forest by subsection (a), the Secretary of Agriculture may acquire the private land.

(d) **MANAGEMENT OF ACQUIRED LAND.**—Any federally owned lands that have been or hereafter may be acquired for National Forest System purposes within the boundaries of Pisgah National Forest, as modified by subsection (a), shall be managed as lands acquired under the Act of March 1, 1911 (commonly known as the Weeks Act), and in accordance with the other laws and regulations pertaining to the National Forest System. Nothing in this subsection shall limit the authority of the Secretary of Agriculture to adjust the boundaries of Pisgah National Forest pursuant to sections 10 and 11 of such Act (16 U.S.C. 519, 521).

(e) **RELATION TO LAND AND WATER CONSERVATION FUND ACT.**—For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 4601–9), the boundaries of Pisgah National Forest, as modified by subsection (a), shall be considered to be boundaries of Pisgah National Forest as of January 1, 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. HOLDEN) and the gentleman from Oklahoma (Mr. LUCAS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

**GENERAL LEAVE**

Mr. HOLDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on this bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. HOLDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1002 was introduced by Congressman HEATH SHULER of North Carolina. This bill would authorize the Forest Service to purchase privately held land and modify the boundaries of the Pisgah National Forest in McDowell County, North Carolina. This will improve access to Catawba Falls, a prime recreational and tourist site in the region. The Forest Service has already purchased adjacent land for preservation, and this purchase would allow for parking and trailhead expansion in the falls area. A fiscal year 2010 appropriations request was made for the funds needed to purchase this land, and the money was included in the Interior appropriations bill that passed the House on July 7.

H.R. 1002 has the bipartisan support of the entire North Carolina congressional delegation, as well as the support of the U.S. Forest Service, and I support its passage today.

Mr. Speaker, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

I rise in support of H.R. 1002. This bill expands the boundary of the National Forest in North Carolina. The expanded boundary will make it possible for the Forest Service to purchase a privately owned parcel of land for the purpose of creating a parking area and trail access. As my colleague has noted, the Forest Service supports this bill and funding is included in the fiscal year 2010 Interior appropriations bill to purchase the land. The bill passed out of committee unanimously. I urge my colleagues to support the bill.

Mr. Speaker, I reserve the balance of my time.

Mr. HOLDEN. Mr. Speaker, I yield such time as he may consume to the author of the legislation from North Carolina, Mr. SHULER.

Mr. SHULER. Mr. Speaker, I thank my colleague from Pennsylvania for yielding.

Mr. Speaker, I rise today in strong support of H.R. 1002, the Pisgah National Forest Boundary Adjustment Act of 2009. I would like to thank the chairman and the ranking member for their hard work and their support.

This bill would simply extend the current boundary of the Forest Service to include 213 acres of land that is already owned and maintained by the U.S. Forest Service, as well as 88 acres currently owned by a regional non-profit land trust.

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This bill has bipartisan support from the entire North Carolina delegation, for which I am very grateful.

This bill will help the Federal Government meet several objectives. First,

it will clarify the boundary that identifies parcels of land that are already owned by the Forest Service. Secondly, it will help to guarantee the conservation of pristine acreage that promotes water quality as well as tourism in the region of western North Carolina. Third, it will help thousands of visitors each year access Catawba Falls, a uniquely beautiful cascade that is already on Forest Service property.

H.R. 1002 explicitly protects the rights of private property owners. This bill will preserve the natural treasures and make sure that the public has adequate access to publicly owned land. In addition to being cosponsored by the entire North Carolina delegation, this bill has received unanimous and bipartisan support in the House Committee on Agriculture.

I am grateful to all of my colleagues for their support, as well as to the staff of the Committee on Agriculture for all of their hard work.

Mr. LUCAS. Mr. Speaker, I yield 4 minutes to the gentleman from Pennsylvania (Mr. THOMPSON).

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I thank my colleague for yielding me this time, and I offer my support to my colleague from North Carolina for the bill he has put forward.

I rise today to speak on issues of forestry, and specifically to House Resolution 81 which recognizes the importance and sustainability of the U.S. hardwoods industry.

My rural district in Pennsylvania is comprised of sprawling forest lands and the Allegheny National Forest. For generations, the economic engine of this region has been oil and gas production and the harvesting of some of the finest hardwoods in the country.

American hardwoods are valued here and around the world for their natural beauty, long life, sustainability, and many applications from furniture to flooring to musical instruments.

There are more than 100 privately owned businesses in my district. Most are family owned, whose well-being and the well-being of their employees are dependent upon the American hardwoods. More than a billion dollars in hardwoods and hardwood products are exported from the United States each year. Even with this growing market demand, the supply of hardwood resources has continued to grow as forests, both public and private, are managed for growth and harvest.

In addition to the enormous economic benefits which the timber industry has on our rural economy, timber harvesting in Pennsylvania is an essential part of forest health and management efforts. For example, when decaying timber or wood waste is removed from the forest floor, it creates a much fuller and more vibrant forest in the long run. Forest management helps to create a stronger carbon sink than an unmanaged forest.

In addition, the U.S. Forest Service spends \$2 billion per year, half their

budget, fighting wildfires. I believe that better and increased management will help to reduce the regularity and severity of these all-too-frequent disasters. In short, the timber industry is an important component in forest management and health.

As a cosponsor of the legislation, House Resolution 81, I ask my colleagues to join me in voting "yes" on that piece of legislation and honor an industry which benefits our economy and our forest health.

Mr. HOLDEN. Mr. Speaker, I reserve the balance of my time.

Mr. LUCAS. Mr. Speaker, having no additional speakers, I yield back the balance of my time.

Mr. HOLDEN. Mr. Speaker, I urge adoption, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. HOLDEN) that the House suspend the rules and pass the bill, H.R. 1002.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## 21ST CENTURY FHA HOUSING ACT OF 2009

Mr. ADLER of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3146) to make improvements to the FHA mortgage insurance programs of the Department of Housing and Urban Development, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3146

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the "21st Century FHA Housing Act of 2009".

### SEC. 2. MORTGAGE INSURANCE FOR CONDOMINIUMS.

Section 203 of the National Housing Act (12 U.S.C. 1709) is amended by adding at the end the following new subsection:

"(y) INAPPLICABILITY OF ENVIRONMENTAL REVIEW PROVISIONS.—In insuring, under this section, any mortgage described in section 201(a)(C), the Secretary shall not be subject to the conditions of, or review under, the National Environmental Policy Act of 1969 or any other provision of law that furthers the purposes of such Act."

### SEC. 3. ENERGY EFFICIENT MORTGAGES.

Section 106(a)(2)(C) of the Energy Policy Act of 1992 (42 U.S.C. 12712 note) is amended—

(1) in clause (i), by inserting "(i)" after "(A)" each place such term appears; and

(2) in clause (ii), by striking "203(b)(2)(B)" and inserting "203(b)(2)(A)(ii)".

### SEC. 4. MODERNIZATION OF WORKFORCE AND RESOURCES.

Section 202 of the National Housing Act (12 U.S.C. 1708) is amended by adding at the end the following new subsections:

"(g) PERSONNEL.—

"(1) IN GENERAL.—Notwithstanding section 502(a) of the Housing Act of 1948 (12 U.S.C. 1701c(a)), the Secretary may appoint and fix

the compensation of such officers and employees of the Department as the Secretary considers necessary to carry out the functions of the Secretary under this Act and any other functions of the Federal Housing Administration. Such officers and employees may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification and General Schedule pay rates.

"(2) COMPARABILITY OF COMPENSATION WITH FEDERAL FINANCIAL REGULATORY AGENCIES.—In fixing and directing compensation under paragraph (1), the Secretary shall consult with, and maintain comparability with compensation of officers and employees of the Federal Housing Finance Agency, the Board of Governors of the Federal Reserve System, and the Federal Deposit Insurance Corporation.

"(3) PERSONNEL OF OTHER FEDERAL AGENCIES.—In carrying out the functions referred to in paragraph (1), the Secretary may use information, services, staff, and facilities of any executive agency, independent agency, or department on a reimbursable basis, with the consent of such agency or department.

"(4) OUTSIDE EXPERTS AND CONSULTANTS.—The Secretary may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, to assist the work of the Department in carrying out the functions referred to in paragraph (1).

"(h) INFORMATION TECHNOLOGY.—

"(1) IN GENERAL.—In carrying out any program under this Act or any other program of the Federal Housing Administration, the Secretary may utilize any amounts as may be made available for such programs to ensure that an appropriate level of investment in information technology is maintained in order for the Secretary to upgrade the technology systems of the Department used in carrying out the functions referred to in subsection (g)(1).

"(2) USE OF PREMIUM-GENERATED INCOME.—To the extent that income derived in any fiscal year from premium fees charged under section 203(c) is in excess of the level of income estimated for that such year for such premium fees and assumed in the baseline projection prepared by the Director of the Office of Management and Budget for inclusion in the President's annual budget request and subject to approval in advance in an appropriation Act, not more than \$72,000,000 of such excess amounts may be used from such amounts for the purpose of carrying out this subsection.

"(i) TRAINING AND EDUCATION PROGRAM.—

"(1) ESTABLISHMENT.—The Secretary of Housing and Urban Development shall carry out a comprehensive training and education program to improve the service provided by personnel of the Department carrying out functions referred to in subsection (g)(1) to users of the mortgage insurance programs under this Act and any other FHA mortgage insurance programs.

"(2) TOPICS.—The training and education program under this subsection shall—

"(A) have as its primary goal improving the quality and consistency of responses provided by such personnel of the Department headquarters and other offices and centers of the Department regarding regulations, handbooks, mortgagee letters, and other guidance; and

"(B) be designed to—

"(i) ensure that lenders participating in the FHA programs may rely on information provided by one office or center of the Department when doing business with a different office or center; and

"(ii) prevent such lenders from soliciting answers to the same question from different offices or centers of the Department in an at-

tempt to obtain an answer that is satisfactory to the lender, by ensuring consistent responses from different offices and centers."

### SEC. 5. RISK MANAGEMENT IMPROVEMENTS.

(a) REVIEW OF DELINQUENCIES AND LENDER MONITORING.—Section 202 of the National Housing Act (12 U.S.C. 1708), as amended by the preceding provisions of this Act, is further amended by adding at the end the following new subsection:

"(j) RISK MANAGEMENT IMPROVEMENT.—

"(1) REVIEW OF DELINQUENCIES AMONG RECENT ORIGINATIONS.—

"(A) IN GENERAL.—The Secretary shall conduct an ongoing review of mortgages on single family housing originated during the preceding 12 months and insured pursuant to this Act under which the mortgagor has become 60 or more days delinquent with respect to payment under the mortgage during the first 90 days of the term of the mortgage to determine which mortgages should not have been originated or insured and the characteristics of such mortgages, and which lenders have relatively high incidences of such delinquent mortgages;

"(B) REPORTING TO CONGRESS.—Not later than 90 days after the date of enactment of the 21st Century FHA Housing Act of 2009, the Secretary shall make available to the Committee on Financial Services of the House of Representatives and the Committee on Banking, Housing, and Urban Affairs of the Senate any information and conclusions pursuant to the review required under subparagraph (A).

"(C) SUFFICIENT RESOURCES.—There is authorized to be appropriated to the Secretary for each of fiscal years 2010 through 2014 the amount necessary to provide 90 additional full-time equivalent positions for the Department, or for entering into such contracts as are necessary, to conduct reviews in accordance with the requirements of this section.

"(2) LENDER MONITORING.—In conducting monitoring and analysis of the performance of lenders for mortgages on single family housing insured under this Act, the Secretary shall utilize a one-year period for such monitoring and analysis, to promote earlier identification of problem lenders and allow earlier intervention and sanctions."

(b) ANALYSIS OF MORTGAGE PERFORMANCE.—Section 203(g)(2) of the Helping Families Save Their Homes Act of 2009 (12 U.S.C. 1708 note) is amended—

(1) in paragraph (1), by striking "and" at the end;

(2) in paragraph (2)(B), by striking the period at the end and inserting "; and"; and

(3) by adding at the end the following new paragraph:

"(3) analyze the portion of mortgages randomly reviewed pursuant to subparagraph (B) on the basis of performance."

### SEC. 6. SENSE OF CONGRESS REGARDING ADEQUATE CAPITAL FLOW FOR MORTGAGE LOANS.

(a) CONGRESSIONAL FINDINGS.—The Congress finds that—

(1) warehouse lending, which provides short-term lines of credit to non-depository lenders for mortgage loans that are eventually sold into the secondary market to Fannie Mae, Freddie Mac and Ginny Mae, is a critical link in the housing finance chain;

(2) according to data obtained pursuant to the Home Mortgage Disclosure Act of 1975, nondepository lenders that utilize warehouse lines of credit account for as much as 40 percent of all residential mortgage loans in the United States, and nearly 55 percent of FHA loans, which are increasingly popular;

(3) it is estimated that since 2006 warehouse lending capacity available to the mortgage lending industry has declined by