

Mr. Speaker, I am absolutely convinced that as a result of the record that the chairman and ranking member have compiled before our subcommittee, as a result of the hard work that has been done throughout the Congress and frankly in the outside world with our friends, not just in the environmental community, I have had these conversations with General Flowers since soon after his appointment, he too wants to change the way that business is done; he wants to make sure that we are respectful of the tax dollar and of the environmental concerns to bring forward a new era of water resources activities with the Corps of Engineers and with the Federal Government. But in order for that to happen, we have got to bring these issues to the floor, and we need to re-align what Congress is doing.

I reject the notion that problems with water resources lie solely at the feet of the Corps of Engineers. There is over a 200-year history of that agency performing admirably. There have been problems. Some of the problems on the floor we are dealing with. Again we did this with our committee last session, dealing with the problems in the Everglades. But frankly we are putting \$8.5 billion in the Everglades as a down payment to change some of what we did to it in the first place. We need to have this discussion. We need to bring the product of our subcommittee to the floor and be able to deal with these issues meaningfully and honestly.

It is time for Congress to get its act together, because frankly some of what people feel in some instances are scandals and problems with the Corps of Engineers I think are a result of past practices and the traditional cross-currents they face. In no small measure it is pressure from individual Members of Congress. We need to have this discussion here; we need to help the Corps of Engineers; we need to be part of the solution, not continuing to be part of the problem.

I conclude, Mr. Speaker, by expressing again my appreciation to the subcommittee chair and ranking member. I pledge my efforts to continue to work with them, with a group of Members of Congress who have organized the Corps Reform Caucus, to be able to make sure that this Congress does not adjourn without considering the fruits of their hard work. It is time to allow that on the floor. I look forward to working with them so that we can have other successes like we have here with H.R. 5169.

Mr. DEFAZIO. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

To conclude this, let me first of all just say that I would like to thank the gentleman from Oregon for his kind comments in regard to this legislation and the WRDA bill. Most of his concerns relate to the WRDA bill, the Water Resources Development Act,

which was pulled; and it is still my hope that we can reach some type of consensus agreement on that bill before this session ends. There are very serious and heartfelt concerns that Chairman YOUNG has concerning that bill and we will have to see if those can be addressed. But certainly the gentleman from Oregon has been one of the most hardworking and dedicated members of our subcommittee, and I appreciate that very much.

Also, I want to thank Chairman YOUNG, ranking member OBERSTAR, and also the gentleman from Oregon (Mr. DEFAZIO) for their work on this legislation. This is an example of the bipartisan legislation of which our full committee is so proud. We have worked together to produce a very good bill, a very necessary bill that will help wastewater treatment facilities and municipalities and local governments all over this country. I think this is legislation that all of us can support.

Mr. Speaker, I urge the passage of this bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. UPTON). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 5169.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. DUNCAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 5169.

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

There was no objection.

MORTGAGE SERVICING CLARIFICATION ACT

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 163) to amend the Fair Debt Collection Practices Act to exempt mortgage servicers from certain requirements of the Act with respect to federally related mortgage loans secured by a first lien, and for other purposes, as amended.

The Clerk read as follows:

H.R. 163

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 "Mortgage Servicing Clarification Act".

SEC. 2. MORTGAGE SERVICING CLARIFICATION.

(a) IN GENERAL.—The Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) is amended—

(1) by redesignating section 818 as section 819; and

(2) by inserting after section 817 the following new section:

"§ 818. Mortgage servicer exemption

"(a) EXEMPTION.—A covered mortgage servicer who, whether by assignment, sale or transfer, becomes the person responsible for servicing federally related mortgage loans secured by first liens that include loans that were in default at the time such person became responsible for the servicing of such federally related mortgage loans shall be exempt from the requirements of section 807(11) in connection with the collection of any debt arising from such defaulted federally related mortgage loans.

"(b) DEFINITIONS.—For purposes of this section, the following definitions shall apply:

"(1) COVERED MORTGAGE SERVICER.—The term 'covered mortgage servicer' means any servicer of federally related mortgage loans—secured by first liens—

"(A) who is also debt collector; and

"(B) for whom the collection of delinquent debts is incidental to—the servicer's primary function of servicing current federally related—mortgage loans.

"(2) FEDERALLY RELATED MORTGAGE LOAN.—The term 'federally related mortgage loan' has the meaning given to such term in section 3(1) of the Real Estate Settlement Procedures Act of 1974, except that, for purposes of this section, such term includes only loans secured by first liens.

"(3) PERSON.—The term 'person' has the meaning given to such term in section 3(5) of the Real Estate Settlement Procedures Act of 1974.

"(4) SERVICER; SERVICING.—The terms 'servicer' and 'servicing' have the meanings given to such terms in section 6(i) of the Real Estate Settlement Procedures Act of 1974."

(b) CLERICAL AMENDMENT.—The table of sections for the Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.) is amended—

(1) by redesignating the item relating to section 818 as section 819; and

(2) by inserting after the item relating to section 817 the following new item:

"818. Mortgage servicer exemption."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. ROYCE) and the gentleman from Texas (Mr. BENTSEN) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. ROYCE).

GENERAL LEAVE

Mr. ROYCE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD on this legislation.

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

There was no objection.

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

I rise today in strong support of my bipartisan legislation, H.R. 163, the Mortgage Servicing Clarification Act. This carefully written legislation addresses a specific problem for consumers and businesses involved in the mortgage servicing industry by simply clarifying the existing law governing mortgage servicing. This uncontroversial bill enjoys the support