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In 1914, he was elected as a member of the Chamber of Delegates for the city of Ponce by the Puerto Rican Republican Party. In 1920, he was chosen by the same party to serve in the Senate and was re-elected in the next five general elections. When the alliance of the Union of Puerto Rico Party and the Puerto Rican Republican Party formed in 1924, Nadal left the Republican Party and initiated a political movement called the Pure Republican Party, which registered officially as the Historical Constitutional Party.

Later, he founded the Republican Union, working to advance the ideal of statehood for Puerto Rico. In coalition with the Socialist Party, the Republican Union triumphed in the general elections of 1932 and 1936. In both terms, Nadal presided over the Senate. Before the election of 1940, because of a serious illness, he returned to his Guaynabo residence. He died there on July 6, 1941.

In honor of Rafael Martinez Nadal's outstanding contributions to the Commonwealth of Puerto Rico and his exemplary professional writing career, it is both fitting and proper to designate the courthouse located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building."

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

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

Mr. Speaker, H.R. 1019, introduced by my friend and colleague, Congressman FORTUÑO of Puerto Rico, designates the United States Customhouse Building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building." This bill honors Rafael Martinez Nadal's contributions to the Commonwealth of Puerto Rico.

Rafael Martinez Nadal was born in the city of Mayaguez on April 22, 1877. In 1912, he became a lawyer and entered the Puerto Rican political arena. He was considered one of the most famous criminal lawyers in Puerto Rico at that time.

In 1914, Rafael Martinez Nadal was elected to Puerto Rico's House of Representatives for the District of Ponce. In 1920, he was elected to Puerto Rico's Senate, where he served as its President from 1932 to 1940.

Rafael Martinez Nadal was a strong defender of statehood in Puerto Rico and has been described as a political leader, a writer, a successful businessman, a brilliant orator and a distinguished lawyer. He passed away in July of 1941.

I support this legislation, congratulate my friend Congressman FORTUÑO, and urge our colleagues to do the same.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 1019, a bill to des-

ignate the United States customhouse building located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".

Don Rafael Martinez Nadal was born in the city of Mayaguez on April 22, 1877. He received his college degree in Philosophy and Letters from the Provincial Institute of Secondary Education in San Juan.

He pursued studies in Barcelona, Spain, and Paris, France. He returned to Mayaguez in 1904 and began studying the cultivation of coffee. Simultaneously, he pursued his interest in media and politics and joined the Puerto Rican Republican Party. In 1908, he founded the political newspaper *El Combate*. In 1912, he obtained his law degree, and became one of the most prominent men of the Puerto Rican political arena. He was considered one of the most famous criminal lawyers in Puerto Rico of his time.

In 1914, he was elected as a member of the Chamber of Delegates for the city of Ponce by the Puerto Rican Republican Party. In 1920, he was chosen by the same party to serve in the Senate and was re-elected in the next five general elections. Nadal left the Puerto Rican Republican Party and launched a political movement that became known as the Historical Constitutional Party. Later, he founded the Republican Union, working to advance the cause of Puerto Rican statehood. In coalition with the Socialist Party, the Republican Union triumphed in the general elections of 1932 and 1936. In both terms, Martinez Nadal presided over the Senate. Before the election of 1940, because of a serious illness, he returned to his Guaynabo residence. He died on July 6, 1941.

In honor of Rafael Martinez Nadal's outstanding contributions to the Commonwealth of Puerto Rico, it is both fitting and proper to designate the courthouse located at 31 Gonzalez Clemente Avenue in Mayaguez, Puerto Rico, as the "Rafael Martinez Nadal United States Customhouse Building".

I urge my colleagues to support this bill.

Mr. LATOURETTE. Mr. Speaker, if the majority has no additional speakers, I yield back the balance of my time.

Mr. COHEN. Mr. Speaker, I am proud to be here on this bipartisan Federal customs building, and I yield back my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 1019.

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.

#### J. HERBERT W. SMALL FEDERAL BUILDING AND UNITED STATES COURTHOUSE

Mr. COHEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1138) to designate the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the "J.

Herbert W. Small Federal Building and United States Courthouse".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1138

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

#### SECTION 1. DESIGNATION.

The Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, shall be known and designated as the "J. Herbert W. Small Federal Building and United States Courthouse".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse referred to in section 1 shall be deemed to be a reference to the "J. Herbert W. Small Federal Building and United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. COHEN) and the gentleman from Ohio (Mr. LATOURETTE) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. COHEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1138.

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

There was no objection.

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

Mr. Speaker, H.R. 1138 is a bill to designate the Federal building and United States courthouse located at 306 East Main Street, Elizabeth City, North Carolina, as the J. Herbert W. Small Federal Building and United States Courthouse.

J. Herbert W. Small, a lifelong resident of Elizabeth City, North Carolina, is a graduate of the University of Virginia Engineering School and the University of North Carolina Law School. He began the practice of law in 1949 and continued in his chosen field for over five decades. During his professional career, he was a member of the First Judicial District Bar Association, the American Bar Association and the North Carolina Bar Association.

In 1974, Judge Small was elected judge of Superior Court of the First Judicial District and served as Senior Resident Judge for 17 years. Judge Small is an active volunteer, serving on the Board of Directors of the Albenmarle Hospital and the American Red Cross. He has received numerous awards and honors from the Jaycees, Boy Scouts, Volunteer Firemen, Chamber of Commerce, and the Rotary and Elks clubs. Further, Judge Small, a World War II veteran, served in the United States Navy for 3 years.

Judge Small is an outstanding jurist, civic leader, mentor and volunteer. I support this bill and urge its passage.

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

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

Mr. Speaker, H.R. 1138 designates the Federal building and United States courthouse located at 306 East Main Street in Elizabeth City, North Carolina, as the J. Herbert W. Small Federal Building and United States Courthouse. The bill honors Judge Small's service to the legal profession.

Judge Small served in the United States Navy during the Second World War and received a law degree from the University of North Carolina Law School at Chapel Hill. He began the practice of law in 1949 and practiced for over five decades.

His career included serving on the Congressional Committee on Intergovernmental Relations, as county attorney for Pasquotank County, and as judge of the Superior Court of the First Judicial District. Judge Small served as Senior Resident Judge for 17 years.

I support this legislation and encourage my colleagues to do the same.

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

Mr. COHEN. Mr. Speaker, I yield such time as he may consume to the honorable gentleman from North Carolina (Mr. BUTTERFIELD), the sponsor of the bill.

Mr. BUTTERFIELD. Mr. Speaker, let me first thank the gentleman from Tennessee for yielding the time to me to speak to this very important piece of legislation.

Mr. Speaker, I rise today to honor an outstanding jurist and community leader by seeking to name the Federal building in Elizabeth City, North Carolina, as the J. Herbert Small Federal Building and United States Courthouse.

I want to thank my good friend, Chairman OBERSTAR, and Ranking Member MICA for their outstanding leadership in quickly moving this legislation through their committee. I would also like to thank each member of the entire North Carolina delegation, Democrat and Republican, for their collective support of this important bill.

Mr. Speaker, J. Herbert Small is a lifelong resident of Elizabeth City, North Carolina. He has devoted 52 long years of his professional life to the practice of law and to the administration of justice in eastern North Carolina.

Herb Small began his law practice in Elizabeth City in 1949 after graduating from the School of Law at the University of North Carolina at Chapel Hill. He served as Special Counsel to the Congressional Committee on Intergovernmental Relations and later served 8 years as county attorney for the County of Pasquotank.

He was elected as district attorney for the First Judicial District of North Carolina for three consecutive terms. During his tenure, he served as chairman of the District Attorneys Advisory Committee, was President of the Dis-

trict Attorneys Association and was appointed by the Governor to the Jail Study Commission.

It was when Mr. Small was a district attorney that our paths first met. As a young lawyer, I opposed him in the courtroom on several occasions. He was a strong and effective district attorney.

In 1979, Herb Small was elected as Resident Superior Court Judge for the First Judicial District of North Carolina. He served in this capacity for 17 years. He was honored by his peers when he was elected President of the North Carolina Conference of Superior Court Judges. During this time, he represented the conference on the North Carolina Policy and Sentencing Commission.

In the early days of Judge Small's service as a trial judge, I appeared before him as a lawyer, representing both civil and criminal clients. He was a firm but fair judge, treating everyone who came before his court with respect.

And then Mr. Speaker, I had the privilege of being able to call Judge Small my judicial colleague. When I was elected as a Superior Court Judge in 1988, Judge Small had preceded me to the bench by several years. He welcomed me among the ranks of Superior Court Judges, and our friendship continued to evolve.

Mr. Speaker, Herb Small is a legal scholar; and our courts benefited in so many ways because of his intellect.

Now, I am very proud to call Judge Small a constituent. He is retired. He is happily retired, living in Elizabeth City, North Carolina, which is one of my 23 communities in my congressional district. Herb Small is a trusted friend and a good adviser.

Judge Small served as chairman of the Albemarle Hospital Board of Directors and as Chairman of the American Red Cross Chapter. He has been actively engaged in other civic and charitable and service organizations, including the Jaycees and the Boy Scouts and Volunteer Firemen, Chamber of Commerce and the Rotary Club and the Elks Club and the Red Men and so on. He was given the Distinguished Service Award by the Jaycees, the Volunteer of the Year Award by the Chamber of Commerce, and the Order of the Long Leaf Pine by the State of North Carolina for outstanding community involvement.

Very importantly, Mr. Speaker, during World War II, Judge Small served 3 years in the United States Navy; and our country is proud of and thanks him for his service.

Judge Small has been married to a wonderful individual, Mrs. Annette Ward Small, for many years. They have four children, Elizabeth, John Herbert, Fran and Carol; and they have nine grandchildren, Rachel, Matthew, John, Mary, Margaret, Ruth, Allison Katie, and Chris.

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Mr. Speaker, I can think of no finer individual and no person who is more

deserving of this high honor than Judge J. Herbert Small. I can assure you that Judge Small is humbled and honored by this recognition. The people of Elizabeth City and the First Congressional District of North Carolina are grateful for his community service, for his dedication, and his great and extraordinary leadership.

I thank the gentleman from Maryland for yielding me time, and I thank the gentleman from Ohio for his work on this matter.

I urge my colleagues today to vote "yes" on H.R. 1138.

Mr. LATOURETTE. Mr. Speaker, I yield myself as much time as I might consume to congratulate the gentleman from North Carolina (Mr. BUTTERFIELD) for his legislation today and also to advise my friend from Tennessee I have no further speakers and if he is in the same position, I yield back the balance of my time.

Mr. COHEN. I join in congratulating the gentleman from North Carolina.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 1138, a bill to designate the Federal building and United States courthouse located at 306 East Main Street, in Elizabeth City, North Carolina, as the "J. Herbert W. Small Federal Building and United States Courthouse".

J. Herbert W. Small is a life-long resident of Elizabeth City, North Carolina. He is a graduate of the University of Virginia Engineering School, and the University of North Carolina Law School at Chapel Hill. He began practicing law in 1949 and continued in his chosen field for more than five decades. During his professional career, he was a member of the First Judicial District Bar Association, the American Bar Association, and the North Carolina Bar Association.

He began his career as Special Counsel to the Congressional Committee on Intergovernmental Relations. Judge Small later served as County Attorney for Pasquotank County. In 1979, Judge Small was elected Judge of Superior Court of the First Judicial District and served as senior resident judge for 17 years. Judge Small is an active volunteer, serving on the Board of Director of the Albemarle Hospital and the American Red Cross. He has received numerous awards and honors from the Jaycees, the Boy Scouts, the Volunteer Fireman, the Chamber of Commerce, and the Rotary and Elks clubs. Further, Judge Small was a World War II veteran and served in the U.S. Navy for three years.

Judge Small is an outstanding mentor and volunteer. For more than five decades, he has been an exceptional jurist and civic leader. It is fitting and proper to honor his outstanding contributions with this designation.

I urge my colleagues to support the bill.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. COHEN) that the House suspend the rules and pass the bill, H.R. 1138.

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.

MARITIME POLLUTION  
PREVENTION ACT OF 2007

Mr. CUMMINGS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 802) to amend the Act to Prevent Pollution from ships to implement MARPOL Annex VI, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 802

*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 "Maritime Pollution Prevention Act of 2007".

**SEC. 2. REFERENCES.**

Wherever in this Act an amendment or repeal is expressed in terms of an amendment to or a repeal of a section or other provision, the reference shall be considered to be made to a section or other provision of the Act to Prevent Pollution from Ships (33 U.S.C. 1901 et seq.).

**SEC. 3. DEFINITIONS.**

Section 2(a) (33 U.S.C. 1901(a)) is amended—

(1) by redesignating the paragraphs (1) through (12) as paragraphs (2) through (13), respectively;

(2) by inserting before paragraph (2) (as so redesignated) the following:

"(1) 'Administrator' means the Administrator of the Environmental Protection Agency.;"

(3) in paragraph (5) (as so redesignated) by striking "and V" and inserting "V, and VI";

(4) in paragraph (6) (as so redesignated) by striking "discharge" and "garbage" and "harmful substance" and "incident" and inserting "discharge", "emission", "garbage", "harmful substance", and "incident"; and

(5) by redesignating paragraphs (7) through (13) (as redesignated) as paragraphs (8) through (14), respectively, and inserting after paragraph (6) (as redesignated) the following:

"(7) 'navigable waters' includes the territorial sea of the United States (as defined in Presidential Proclamation 5928 of December 27, 1988) and the internal waters of the United States.;"

**SEC. 4. APPLICABILITY.**

Section 3 (33 U.S.C. 1902) is amended—

(1) in subsection (a)—

(A) by striking "and" at the end of paragraph (3);

(B) by striking the period at the end of paragraph (4) and inserting "; and"; and

(C) by adding at the end the following:

"(5) with respect to Annex VI to the Convention, and other than with respect to a ship referred to in paragraph (1)—

"(A) to a ship that is in a port, shipyard, offshore terminal, or the internal waters of the United States;

"(B) to a ship that is bound for, or departing from, a port, shipyard, offshore terminal, or the internal waters of the United States, and is in—

"(i) the navigable waters of the United States;

"(ii) an emission control area designated pursuant to section 4; or

"(iii) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment;

"(C) to a ship that is entitled to fly the flag of, or operating under the authority of, a party to Annex VI, and is in—

"(i) the navigable waters of the United States;

"(ii) an emission control area designated under section 4; or

"(iii) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment; and

"(D) to the extent consistent with international law, to any other ship that is in—

"(i) the exclusive economic zone of the United States;

"(ii) the navigable waters of the United States;

"(iii) an emission control area designated under section 4; or

"(iv) any other area that the Administrator, in consultation with the Secretary and each State in which any part of the area is located, has designated by order as being an area from which emissions from ships are of concern with respect to protection of public health, welfare, or the environment.;"

(2) in subsection (b)—

(A) in paragraph (1) by striking "paragraph (2)" and inserting "paragraphs (2) and (3)"; and

(B) by adding at the end the following:

"(3) With respect to Annex VI the Administrator, or the Secretary, as relevant to their authorities pursuant to this Act, may determine that some or all of the requirements under this Act shall apply to one or more classes of public vessels, except that such a determination by the Administrator shall have no effect unless the head of the Department or agency under which the vessels operate concurs in the determination. This paragraph does not apply during time of war or during a declared national emergency.;"

(3) by redesignating subsections (c) through (g) as subsections (d) through (h), respectively, and inserting after subsection (b) the following:

"(c) APPLICATION TO OTHER PERSONS.—This Act shall apply to all persons to the extent necessary to ensure compliance with Annex VI to the Convention.;" and

(4) in subsection (e), as redesignated—

(A) by inserting "or the Administrator, consistent with section 4 of this Act," after "Secretary";

(B) by striking "of section (3)" and inserting "of this section"; and

(C) by striking "Protocol, including regulations conforming to and giving effect to the requirements of Annex V" and inserting "Protocol (or the applicable Annex), including regulations conforming to and giving effect to the requirements of Annex V and Annex VI".

**SEC. 5. ADMINISTRATION AND ENFORCEMENT.**

Section 4 (33 U.S.C. 1903) is amended—

(1) by redesignating subsections (b) and (c) as subsections (c) and (d), respectively, and inserting after subsection (a) the following:

"(b) DUTY OF THE ADMINISTRATOR.—In addition to other duties specified in this Act, the Administrator and the Secretary, respectively, shall have the following duties and authorities:

"(1) The Administrator shall, and no other person may, issue Engine International Air Pollution Prevention certificates in accordance with Annex VI and the International Maritime Organization's Technical Code on Control of Emissions of Nitrogen Oxides from Marine Diesel Engines, on behalf of the United States for a vessel of the United States as that term is defined in section 116 of title 46, United States Code. The issuance of Engine International Air Pollution Prevention certificates shall be consistent with any applicable requirements of the Clean Air Act or regulations prescribed under that Act.

"(2) The Administrator shall have authority to administer regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

"(3) The Administrator shall, only as specified in section 8(f), have authority to enforce Annex VI of the Convention.;"

(2) in subsection (c), as redesignated, by redesignating paragraph (2) as paragraph (4), and inserting after paragraph (1) the following:

"(2) In addition to the authority the Secretary has to prescribe regulations under this Act, the Administrator shall also prescribe any necessary or desired regulations to carry out the provisions of regulations 12, 13, 14, 15, 16, 17, 18, and 19 of Annex VI to the Convention.

"(3) In prescribing any regulations under this section, the Secretary and the Administrator shall consult with each other, and with respect to regulation 19, with the Secretary of the Interior.;" and

(3) by adding at the end of subsection (c), as redesignated, the following:

"(5) No standard issued by any person or Federal authority, with respect to emissions from tank vessels subject to regulation 15 of Annex VI to the Convention, shall be effective until 6 months after the required notification to the International Maritime Organization by the Secretary.;"

**SEC. 6. CERTIFICATES.**

Section 5 (33 U.S.C. 1904) is amended—

(1) in subsection (a) by striking "The Secretary" and inserting "Except as provided in section 4(b)(1), the Secretary";

(2) in subsection (b) by striking "Secretary under the authority of the MARPOL protocol" and inserting "Secretary or the Administrator under the authority of this Act.;" and

(3) in subsection (e) by striking "environment" and inserting "environment or the public health and welfare.;"

**SEC. 7. RECEPTION FACILITIES.**

Section 6 (33 U.S.C. 1905) is amended—

(1) in subsection (a) by adding at the end the following:

"(3) The Secretary and the Administrator, after consulting with appropriate Federal agencies, shall jointly prescribe regulations setting criteria for determining the adequacy of reception facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues at a port or terminal, and stating any additional measures and requirements as are appropriate to ensure such adequacy. Persons in charge of ports and terminals shall provide reception facilities, or ensure that reception facilities are available, in accordance with those regulations. The Secretary and the Administrator may jointly prescribe regulations to certify, and may issue certificates to the effect, that a port's or terminal's facilities for receiving ozone depleting substances, equipment containing such substances, and exhaust gas cleaning residues from ships are adequate.;"

(2) in subsection (b) by inserting "or the Administrator" after "Secretary";

(3) in subsection (e) by striking paragraph (2) and inserting the following:

"(2) The Secretary may deny the entry of a ship to a port or terminal required by the MARPOL Protocol, this Act, or regulations prescribed under this section relating to the provision of adequate reception facilities for garbage, ozone depleting substances, equipment containing those substances, or exhaust gas cleaning residues, if the port or terminal is not in compliance with the MARPOL Protocol, this Act, or those regulations.;"

(4) in subsection (f)(1) by striking "Secretary is" and inserting "Secretary and the Administrator are"; and