

The SPEAKER pro tempore (Mr. SERRANO). Is there objection to the request of the gentlewoman from Texas? There was no objection.

BEACH PROTECTION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 1083 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2537.

□ 1723

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes, with Ms. JACKSON-LEE of Texas (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 4 printed in the CONGRESSIONAL RECORD offered by the gentleman from New York (Mr. FOSSELLA) had been disposed of.

AMENDMENT NO. 2 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 2, line 5, strike "2007" and insert "2008".

Page 2, line 8, strike "1346" and insert "1346(b)".

Page 4, line 1, strike "304(a)(9)" and insert "304(a)(9)(A)".

Page 4, line 2, strike "1314(a)(9)" and insert "1314(a)(9)(A)".

Page 4, strike lines 4 through 16 and insert the following:

(c) VALIDATION AND USE OF RAPID TESTING METHODS.—

(1) VALIDATION OF RAPID TESTING METHODS.—Not later than October 1, 2010, the Administrator of the Environmental Protection Agency shall complete an evaluation and validation of a rapid testing method for the water quality criteria and standards for pathogens and pathogen indicators described in section 303(i)(1)(A).

(2) GUIDANCE FOR USE OF RAPID TESTING METHODS.—

(A) IN GENERAL.—Not later than 180 days after completion of the validation under paragraph (1), and after providing notice and an opportunity for public comment, the Administrator shall publish guidance for the use at coastal recreation waters adjacent to beaches or similar points of access that are used by the public of rapid testing methods that will enhance the protection of public health and safety through rapid public notification of any exceeding of applicable water quality standards for pathogens and pathogen indicators.

(B) PRIORITIZATION.—In developing such guidance, the Administrator shall prioritize the use of rapid testing methods at those beaches or similar points of access that are the most used by the public.

Page 6, strike lines 13 through 19 and insert the following:

"(9) the availability of a geographic information system database that such State or local government program shall use to inform the public about coastal recreation waters and that—

"(A) is publicly accessible and searchable on the Internet;

"(B) is organized by beach or similar point of access;

"(C) identifies applicable water quality standards, monitoring protocols, sampling plans and results, and the number and cause of coastal recreation water closures and advisory days; and

"(D) is updated within 24 hours of the availability of revised information;

Page 7, line 6, strike "meeting" and insert "meeting or are not expected to meet".

Page 8, line 8, strike "on" and insert "on the Internet on".

Page 8, strike lines 10 through 24 and insert the following:

"(3) CORRECTIVE ACTION.—If a State or local government that the Administrator notifies under paragraph (2) is not in compliance with any requirement or grant condition described in paragraph (2) fails to take such action as may be necessary to comply with such requirement or condition within one year of the date of notification, any grants made under subsection (b) to the State or local government, after the last day of such one-year period and while the State or local government is not in compliance with all requirements and grant conditions described in paragraph (2), shall have a Federal share of not to exceed 50 percent."

At the end of the bill, add the following:

SEC. 11. ADOPTION OF NEW OR REVISED CRITERIA AND STANDARDS.

Section 303(i)(2)(A) of the Federal Water Pollution Control Act (33 U.S.C. 1313(i)(2)(A)) is amended by striking "paragraph (1)(A)" each place it appears and inserting "paragraph (1)".

The Acting CHAIRMAN. The gentlewoman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, my amendment makes a few technical and clarifying changes to H.R. 2537, as reported by the Committee on Transportation and Infrastructure on December 12, 2007.

First, it makes a technical change to section 5(c)(2) of the bill, substituting the word "criteria" for "guidance" to remove any potential confusion on the intent of this language.

Second, it makes a technical change to section 8 to address potential constitutional concerns raised by the administration on requiring States and local governments to perform certain actions.

The manager's amendment shifts the focus from requiring States and local governments to take certain compliance actions to conditioning a percentage of their annual BEACH grant should they choose not to take such actions.

And, third, it puts in a statutory deadline of October 1, 2010, for the Environmental Protection Agency to complete its evaluation and validation of "rapid testing methods" for the existing coastal recreation water quality criteria. This significant improvement to the bill will ensure that same-day monitoring data will be available before the end of the decade.

Finally, the amendment changes the requirement of section 303(i)(2)(A) of the Clean Water Act to ensure uniformity among States in the implementation of water quality criteria and standards.

This amendment will ensure that should a State choose not to incorporate potentially new or revised coastal recreational water quality criteria into their own programs, the burden falls on the Environmental Protection Agency to propose regulations for such State setting forth the revised or new water quality standards. This was the structure of the original BEACH Act with respect to the first round of water quality criteria that should be carried forward to subsequent revisions to coastal recreational water quality criteria.

The manager's amendment was developed jointly by the majority and minority staffs of the Subcommittee on Water Resources and Environment. I am unaware of any opposition to this amendment, and I urge its adoption.

Mr. BOOZMAN. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Arkansas is recognized for 5 minutes.

Mr. BOOZMAN. Madam Chairman, I want to thank my colleague from Texas for offering this amendment.

While this amendment makes some technical and clarifying changes to H.R. 2537, the Beach Protection Act of 2007, it also makes some improvements to the bill since the Committee on Transportation and Infrastructure favorably reported the legislation in December.

This amendment will require the Environmental Protection Agency to validate and prioritize rapid testing methods by October, 2010; encourage local officials to make publicly available within 24 hours the results of water quality samples; reduces the amount a community may receive if it does not take corrective action when waters are out of compliance with water quality standards; and encourages State and local officials to adopt appropriate coastal and beach water quality standards.

I urge all Members to support the Johnson amendment.

Madam Chairman, I yield back the balance of my time.

Mr. GARRETT of New Jersey. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Chairman, I come to the floor in appreciation of the underlying intent of both the amendment and the underlying bill as well.

But I am mindful of the fact, as I come from the great State of New Jersey and as we think about the issue at hand, and that is our beaches and the shores generally, I was just talking with someone recently that due to the high cost of energy and the high cost of

gasoline, a lot of my constituents, quite honestly, won't be able to even enjoy the Jersey shore this summer, to "go down below," as we call it, down to the Jersey shore to enjoy it and enjoy whatever improvements that this amendment, which I support, and the underlying bill, which I support, would bring to us.

So the point I just want to spend a moment on is the fact that while we debate these tertiary issues, the fundamental issue that folks back in my district are concerned about is how are we going to afford in the first place to get about our State of New Jersey, to get to the shore, to enjoy our vacation, to enjoy the beaches if Congress is not doing anything whatsoever to address the high cost of gasoline and to address the high cost of energy in the State of New Jersey and the rest of the country as well.

□ 1730

Here we are now in the ides of April, the middle of April. This is about, let's see, 12, 13, 14, 15, the 16th month now into this, the 110th Congress under the Democrat leadership. And we have to ask ourselves one seminal question, one basic question: What has the 16th month of Democrat leadership brought us in a whole host of areas? And I will get to the energy issue in a minute.

Well, we see in the area of food prices, my constituents also tell me that the price of food, when they go to the A&P or the grocery stores every day, whatever the store is, are going through the roof. The housing crisis. We will go to any committee here. I serve on the Financial Services Committee. We know we are in a terrible housing crisis right now, a subprime crisis affecting credit markets across the country. Fuel costs I have already mentioned. A recession. You know, for the first time in years, we're talking about an economic recession. For all the time that the Republicans were in control of this House and in control of this government, we saw that they were in booming economic times. Sixteen months now into the 110th Congress in a Democrat leadership, off the map on food costs, housing costs, into recession. If that has happened in 16 months, we wonder what will happen if they have another 16 months.

So I would ask whether this Congress could do what my constituents are asking us to do. Maybe address these issues such as beach issues and where we can go on vacation, but can we do those after we get to the more seminal issues, the more fundamental issues, issues that strike at the heart of where America is living right now, issues that strike at, well, their pocketbook and where their money is really going to right now, and that is energy costs.

The other day I just drove out in my driveway of my house. I went down to the main road. And there at the gas station, the price of a gallon of diesel fuel was \$4 a gallon. Amazing. \$4 a gallon. That means that truckers—those

same truckers who have to get down to the Jersey Shore to bring supplies and what have you for vacationers who want to enjoy the beaches and what have you—truckers, I am told, have to spend upwards of \$1,000 to fill up their diesel tanks in their trucks to get about our State.

New Jersey is a commuter State. New Jersey is a hub State, a transportation State. Unless Congress is ready to commit itself to really fundamentally look at the underlying causes of the high cost of energy, of the high cost of gasoline, of the high cost of diesel fuel, unless we are ready to work across both sides of the aisle on these issues, these other issues will come to naught, will be of little importance to my constituents if they are stranded at home, if their husbands or their wives don't have jobs because they can't afford to put gas into the car or diesel into the trucks.

So I just come to the floor to raise these issues now and ask that, as important as these beach issues are, can we not really begin to address what the constituents are addressing?

Later on in the evening, I would like to say that there are some solutions, there are some solutions that the American public would like us to begin to address. There are some answers to the fundamental reasons of why the price of gasoline and diesel fuel is going through the roof. There are some basic changes that Congress, this Congress, could be making right now to the energy supply in this country that would help to drive down the cost of energy in this country so that Americans, families in my district and in yours, will be able to address this problem and not have a problem of high energy cost anymore.

Mr. BILBRAY. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. BILBRAY. Madam Chairman, I would like to thank and congratulate the gentlelady from the great State of Texas for this amendment. As she knows, it really reflects a strategy that has worked since 2000 when we did the original bill. And I want to thank her as the original author of this bill.

And with this amendment, it brings in that cooperative effort between the local government and the Federal Government. Both the gentlelady from Texas and my background show that that kind of cooperative effort has been essential for the success of the BEACH bill for these last 7 years, 8 years now.

The bill really does, with the amendment, talk about the fact that the best people to take care of the local environment are the local people, that Washington needs to be here supporting and encouraging local people to take control of their own environment.

I think of the old statement that we used back in the sixties and seventies of "acting locally." It was essential for any success that we're going to have

with environmental activities. This bill actually builds on that success that we have had in the past.

A note of personal interest, Madam Chairman, is that you never know when and how your own legislation may affect you. And as the author of this bill from 2000, it was interesting to see that when my children were on the computer, they were not just checking out the water quality and if the beaches were open. They were also looking at real-time cameras to see how the surf was that day. How we would have loved to have had that in the sixties when we were growing up that you could actually look out on the water to see not only how good the surf was, but to also see how clean the water was. And with this bill, that is possible.

And so I appreciate the amendment by the gentlelady from Texas. I strongly support it. And hopefully we will be able to get this bill back to the President and get it signed as soon as possible.

Mr. WESTMORELAND. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. I too want to thank the gentlelady for this commonsense amendment. I think it does put the responsibility, at least partially, back on those local governments to control themselves. But it is for the same reason that the gentleman from New Jersey got up. My constituents also are concerned about the ability to go to the beaches. No matter how clean we can make them, if they can't get there, then they can't enjoy them.

And we had demonstrations the other day, Madam Chairman. We saw truckers driving around the Capitol, at least along the highway here, protesting the price of diesel fuel. And diesel is over \$4 a gallon. And it's costing some of these truckers, independent businesspeople, over \$1,000 to fill their trucks up.

And we've had some promises. And those seem to be empty promises that we've had. And I wanted to come today because, as you know, the average price of gas today is about \$3.44 a gallon. The price of a barrel of oil is \$114 a barrel. And I wanted to just kind of remind some people, maybe we have forgotten that we have had some promises made to the American people to really bring about some change in our government.

I want to read a press release that was dated September 21, 2005 by Speaker PELOSI. "This is of the highest priority to our House Democratic Caucus because it is a high priority for America's working families. Some people have to work 2 more hours a day to cover the cost of gas that takes them to work, if they are making minimum wage."

Well, we raised the minimum wage, but gas has gone up well over \$1 a gallon since the Democrats took control and since Ms. PELOSI became Speaker.

September 28, 2005, another press release by the then-Minority Leader Pelosi, "Democrats have been working for months to bring down the price of gas at the pump and home heating oil."

Well, you've been in charge for 16 months, and I don't see what we have done to bring down the price of gas or the price of oil, except we have had some hearings where we question the heads of the oil companies about the profits they are making.

The point is, is that gas has gotten so high that the average person is now having to look at exactly where and what meets the best needs of their family, if they can go to the grocery store or not. That is a consideration that it seems like the Democratic leadership wanted to have for the working family. So why are we doing that? We are spending a lot of time on other issues. But we need to be working on this, something that affects the everyday person.

April 18, 2006, in another press release, Ms. PELOSI said: "But the Republican bills clearly have done nothing to lower gas prices, as the price of a barrel of oil today has settled above \$70 a barrel." Man, don't we wish for those days again? At the time it was the highest price in history.

Here is the quote that I think that we really need to get an answer to. "Democrats have a plan to lower gas prices, taking America in a new direction."

There is a new direction. And there is a song that goes with that direction. But I don't see a new direction. Or if we were going in a new direction, it's the wrong direction. Where is the Democratic plan for lower gas prices? Is it on the shelf somewhere? Are we saving it for a time when gas gets above \$4 a gallon? Five dollars a gallon? What are we saving the plan for?

Let's bring the plan out tomorrow. Let's vote on it tomorrow. You can waive the rules. As we have seen in this Congress, we can change the rules at any time that it's convenient when we need it, and we really don't have to pay attention to the rules we adopted when you became the majority.

So why don't we bring out this plan? Why don't we have a plan that tomorrow we can tell the American people that the Democrats are going to finally unveil the plan?

Now the plan that we have heard so far from the Energy and Commerce chairman, Mr. DINGELL, is to raise the price of the motor fuel tax 50 cents a gallon. That just doesn't sound like a good plan. One of the other plans that we had was to buy 30 bicycles at a cost of \$30,000. I don't know that that's the plan that the American hardworking family is looking for. I mean, I live in Grantville, Georgia, and I would love to ride a bicycle to work, but that would take me quite a bit of time. I don't know. It might take 24 hours for me to ride a bicycle to work. But I don't know how families are going to ride bicycles to work to get groceries,

or to go to the store, or whatever they have to do. Riding bicycles to me is just not that new plan.

Now if that is the Democrats' plan, then let's go ahead and unveil it and let the American people see it. I think they want to know what it is.

Mr. OBERSTAR. Mr. Chairman, I support the amendment offered by the Chairwoman of the Subcommittee on Water Resources and Environment.

This amendment makes several technical and clarifying changes to the Beach Protection Act, as reported by the Committee on Transportation and Infrastructure.

These changes further improve the underlying bill, and will greatly assist in providing the public with clearer, quicker, and hopefully, more accurate information on the quality of our Nation's coastal recreational waters.

Mr. Chairman, I am pleased that we were able to reach agreement within the Committee on establishing a hard deadline for the Environmental Protection Agency to complete its evaluation and validation of a rapid testing methodology for testing coastal recreation waters.

As recognized by the sponsors of this legislation, we need to move away from two-to-three day delays in obtaining information on the quality of our waters, and towards real-time, same-day information. It does no one any good to know that the waters were unsafe for swimming yesterday—yesterday is too late.

We want to know what the conditions of waters are today—before we decide to take ourselves and our families to the beach for the day. This amendment will move us in the direction of providing same-day information on the condition of our recreational waters, and give our citizens the option of avoiding contact with waters that could be potentially harmful to their health.

The Manager's amendment was developed jointly by the majority and minority staffs of the Subcommittee on Water Resources and Environment.

I am unaware of any opposition to this amendment, and urge its adoption.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. BILBRAY

Mr. BILBRAY. Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 offered by Mr. BILBRAY:
At the end of the bill, add the following:

SEC. 11. USE OF MOLECULAR DIAGNOSTICS FOR MONITORING AND ASSESSING COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency shall conduct a study to assess the benefits of using molecular diagnostics for monitoring and assessing the quality of coastal recreation waters adjacent to beaches and similar points of access that are used by the public.

(b) CONTENTS.—In conducting the study, the Administrator shall—

(1) to the extent practicable, evaluate the full range of available rapid testing methods, as defined by section 502 of the Federal Water Pollution Control Act (33 U.S.C. 1362), and methods that meet prescribed performance standards, including—

(A) the amplified nucleic acid assay method; and

(B) the indicator organisms enterococci and E. coli; and

(2) compare the use of molecular diagnostics to culture testing of same source water, including the time for obtaining results, accuracy of results, and future applicability.

(c) PARTNERSHIPS.—Notwithstanding chapter 63 of title 31, United States Code, the Administrator may award a grant or cooperative agreement to a public or private organization to assist the Administrator in carrying out the study.

(d) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Administrator shall transmit to Congress a report on the results of the study.

(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this section.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. BILBRAY. Madam Chairman, this is an amendment that we've worked out with Chairman OBERSTAR and the gentlelady from Texas. It is really an implementation for the new step for the BEACH bill, and that is to go beyond the existing system we used in the last 7 years where public health officials have to wait 3 days to be able to know if a beach has a water quality problem or does not.

Scientists all over the world have been working on what is very close to a real-time response to this concern and be able to empower our local health officials to be able to know, within a few hours, rather than a few days, if it is safe for water contact activity along our beaches.

My amendment just simply allows the administration to do a study within the next 2 years to be able to develop the system that local governments can use to implement the BEACH bill so we don't have to wait 3 days in New Jersey or 3 days in California to know if our beaches are polluted or if they are clean.

With this study, with cooperation between the Federal Government, the local governments and the private sector, we can actually make this system effective so our children and our families know if it is safe to go in that day and not have to wait 3 days to find out if there is a problem.

So, Madam Chairman, my amendment 13 stands. I would ask for support for it. And I think in the spirit of bipartisan cooperation that this bill has carried since the year 2000, I think we can move forward with a system that keeps our families safe and our waters clean.

I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. I support this amendment offered by the gentleman from California.

First let me commend my colleague from California for working with us to address some of our concerns with the initial draft of this amendment.

□ 1745

The amendment calls for the Administrator of EPA to conduct a short-term study to assess the benefits of using molecular testing for monitoring and assessing the quality of coastal recreation waters.

This amendment is consistent with other changes made by this legislation to encourage EPA to quickly move on the adoption of rapid testing methodologies for pathogens and pathogen indicators. These studies and changes are essential for shortening the time period between when a water quality sample is taken and when the results of that testing can be made available to the public. As I have stated before, the goal of these changes is to move as close to the same day realtime information on the condition of the Nation's coastal recreation waters as possible. This amendment helps move us closer to our goal.

Again, I appreciate the willingness of the gentleman to work with us in crafting this amendment, and I urge its adoption.

Madam Chairman, I yield back the balance of my time.

Mr. GARRETT of New Jersey. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Chairman, I appreciate the comments by the sponsor, and I support the commonsense approach to this amendment as well.

Coming from the great State of New Jersey, who has had when it comes to beach issues over the last 20-some odd years, during which time I had the privilege of serving in the State legislature and had to deal with some of the same issues that are being dealt with right here and now, I appreciate what is being done this evening with regard to realtime recovering and realtime information coming in. New Jersey, I think, is literally on the cutting edge of this information right now. New Jersey is on the cutting edge, having addressed these issues over the last decade, and I appreciate what is being attempted to be done for the rest of the country as well.

That being said, I just want to reiterate my point that I made earlier this evening that here we are back in Congress again this week, and a lot of people are asking me back in the district, what are some of the major issues that you will be working on when you return to Washington this week?

At a town hall meeting and discussions back over the weekend, I gave them a breakdown, this being one of them. And they asked me, wait, you are going to be talking about beach issues? You are going to be talking about some of these other suspension

in the last 16 months under Democrat control we have seen the price of fuel oil spike and go through the roof.

But each time, no matter where I was, my constituents asked me the same question: Well, when is Congress going to begin the debate, when is Congress going to begin the discussion, whether it is in committees or on the floor or elsewhere, to try to address the problem that is really hitting us the hardest here back at home in the Fifth Congressional District, that is the top of the State of New Jersey, the issue that is hitting us the most in the pocketbook here in the great State of New Jersey? And, of course, what they were referring to is the price of energy.

We have just gone through a little bit of a cold snap in the State of New Jersey, as other parts of the country have as well, so for that reason we have seen the use of home fuel oil go up, naturally. It is a scary thing now when you see the delivery truck come to your house to deliver oil to fill up your oil tank, because you know as soon as that man is done delivering that 100 gallons or 250 gallons to your tank in your basement or in the ground or what have you, he is going to hand you a bill at the end of that delivery, and that bill can wipe out your savings for the week, wipe out the dollars that you may have planned to set aside to buy food, to buy medicine, to pay other expenses you were looking forward to have to spend that week.

So the people are asking, when are we going to be doing something? Unfortunately, we are still not doing it right now. Here we are, 16 months into a Democrat-controlled Congress, and still nothing has been done about it.

I refer back, just to give a little element of time to all this, to the chart I have right up here in front of us, to the fact that we do not have a Democrat energy policy to try to address these seminal issues, major issues that are affecting us. Take a look at what the prices are and the result of not having an energy policy to address this.

As this chart shows, the price of a barrel of crude oil when the Democrats came to power just 16 months ago was \$58.31 cents a barrel. Fifty-eight bucks a barrel. Here we are less than 2 years later, a year-and-a-half later, and the price of a barrel of crude oil today is \$113 a barrel. It is because of that huge increase in the price of the barrel that you and I have to pay so much when that man comes to deliver the fuel oil for our house or when we go down to the gas station as well.

Fifty-three cents on the dollar when you buy gas at the gas station or are buying fuel oil for your house is the price of crude oil. So when you wonder why it is that you are paying so much at the pump or you are paying so much for delivery to your house, it is because it has gone from 58 bucks to 113 bucks. Not over the last 10 years. Not over the last 6 years, or something like that. Not over the period of time when the Republicans were in control. No, not over that entire span of time. But just

in the last 16 months under Democrat control we have seen the price of fuel oil spike and go through the roof.

The result of that has been what? The result has been, besides the fact that you now have to spend most of your money going to your fuel costs, the price also has translated into a ripple effect on the price of food, so when you go to the food store, those are through the roof. It has a ripple effect with regard to the overall economy, and so that is why Alan Greenspan was on TV just about 2 weeks ago now saying that he too is agreeing with other economists in this country saying we have entered into a recession.

So if you remember back how strong the economy was, how strong Wall Street was just about 18 months ago, now we see under the Pelosi premium of no energy policy, the result is what you see today.

Mr. WESTMORELAND. I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Madam Chairman, I need to continue with some of these quotes, because I think they are pretty interesting as to our energy policy that we have, I guess, or the lack of an energy policy that we have right now.

July 25, 2006, Mr. HOYER, then the Democratic whip, says: "Republicans' failure to craft a forward-looking strategy to deal with the rising costs of fuel over the last 5 years has helped ensure that my constituents would pay a very high price at the gasoline pump today and for at least the next several years."

Well, I guess he is trying to make that statement come true, because it is continuing to rise over the next years. But it is not under our watch. So, Mr. Leader, I want to tell you that the ball is in your court. You didn't think that we could do a very good job with it. And I am reading these quotes. Evidently the now-Speaker didn't think we could do a very good job with it. So the ball is in your court, and I don't see the ball going anywhere except in the wrong direction. The price continues to go up, and I just think we need to see that secret plan that the Democrats have for bringing down our gas prices.

August 16, 2005, a press release by Ms. WASSERMAN SCHULTZ: "The unacceptable rise that we have seen in gasoline prices over the past year can be linked in part to the lack of consumer-oriented energy policy in this country. Gas prices have remained at record levels for about 4 months at \$2.25 per gallon nationwide."

Well, I don't know if I am the one that is going to break the news, but right now gas is at \$3.44. And this lack of policy that evidently was in effect when gas was only \$2.55 a gallon, where is your policy? I challenge you, where is the policy that you had that was supposed to bring these gas prices down that you continually talk about. If you

could just get a chance to get your hands on the ball, that you could score. You could score for the American people and you could get gas prices down. You have got your opportunity. You have had your opportunity for 16 months.

September 29, 2005, in a letter to the Energy and Commerce Committee, Mr. TANNER said, "Gas prices in Tennessee and the rest of the country have literally skyrocketed. Our ever-growing dependence on foreign oil only guarantees that we will have to continue dealing with potentially unfriendly countries."

News flash, Mr. TANNER and Madam Chairman: I would like to say that there they are still skyrocketing, and we are still more dependent now on foreign oil than ever before, because the majority does not want us having domestic production. They don't want us drilling in our own territory, on our own Outer Shelf or in Alaska, anywhere, really, to get more dependent on our own oil and our own energy. They decided that riding bicycles was the way to go.

September 9, 2005, a press release, MARION BERRY: "We can barely afford to fill our gas tanks to get to and from work each day, and our farmers are spending everything they have on diesel fuel just to keep their crops alive. These people deserve some answers and a fair price for their gasoline."

You know, Mr. BERRY, I couldn't agree with you more. You made that statement not quite 3 years ago. Where is your answer? You have been in the majority party for the last 16 months, and I don't see any answers to the questions and the comments and the concerns that you brought up for your constituents or these farmers that were spending way too much money then when gas was \$2.50 a gallon.

May 22, 2005, in a press release by Mr. PALLONE: "Republicans chose to commemorate the 35th anniversary of Earth Day by approving an energy bill yesterday that raises gas prices. The average price of a gallon of regular gas in New Jersey has increased 40 cents, from \$1.66 to \$2.06."

I wish we were back to those \$2.06 days, don't you? And I don't know what we are going to do to celebrate Earth Day today, but gas, Mr. PALLONE, is at \$3.44. So the celebration won't be near as sweet because of the promises that you made to the American people that you were going to bring gas prices down, and they continue to go up.

Mr. OBERSTAR, Madam Chairman, I rise in support of the amendment offered by the gentleman from California, Mr. BILBRAY.

This amendment builds upon the ongoing work of the Environmental Protection Agency to develop the next generation of testing methodologies for coastal recreation waters. These new standards, already well behind schedule, should represent significant improvement over the existing standards for pathogens and pathogen indicators both in terms of accuracy and delivery time.

The amendment of our colleague, Mr. BILBRAY, calls the Administrator of the Environ-

mental Protection Agency to study the benefits of using a "molecular diagnostic for monitoring and assessing the quality of coastal recreation waters." This shift from culture-based testing to molecular diagnostics should significantly reduce the period of time necessary to produce accurate results on the condition of the nation's swimming beaches.

By some estimates, the amount of time that would be necessary under this new testing methodology could fall from 24–36 hours to 1–2 hours. This would represent a significant breakthrough in providing almost instantaneous information to the public on any potential human health risks that might result from coming into contact with contaminated waters.

I congratulate the gentleman for offering this amendment, today, and express my appreciation for his willingness to work with us to address some concerns raised with his initial amendment.

I urge adoption of the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. BILBRAY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. KUCINICH

Mr. KUCINICH, Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. KUCINICH: Page 3, line 3, strike "indicators" and insert "indicators. If, in carrying out such source identification and tracking program, a source of pathogenic contamination is identified by such State or local government, such State or local government shall make information on the existence of such source available to the public on the Internet within 24 hours of the identification of such source."

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. KUCINICH, Madam Chairman, my amendment will allow the public to know if a State or local government receiving funds from this act has been successful in its efforts to identify the source of the pathogenic pollution.

The problems created by contaminated surface waters are real. The health risks of swimming in water contaminated with biological pathogens are now well studied. Several studies on surfers, for example, show that the closer the swimming spot is to a sewer or storm water outfall, the higher the risk for walking away with gastroenteritis, respiratory infection, ear infection, salmonellosis, dysentery, skin rashes and pink eye.

The risks are economic as well. Many coastal communities rely heavily on tourism for their local economies. Swimming, boating and fishing all generate significant revenues. Great Lakes boaters spend more than \$2 billion per year. Fishing brought in \$4.5 billion in 2002. Lake Erie alone generates \$2.5 billion annually in tourism revenue.

With the discharges that cause elevated pathogen levels come more than just pathogens. Raw sewage also contains a host of other chemicals, like

lead and unmetabolized prescription drugs.

When sewage makes its way into our waterways, it can affect us directly. Lake Erie provides drinking water for approximately 11 million people. According to the Natural Resources Defense Council, the samples taken at Cuyahoga County beaches on Lake Erie in 2006 exceeded standards between 7 percent and 50 percent of the time.

When the Government Accountability Office examined the implementation of the Beach Act of 2000 last year, they identified an important weakness. They found that the causes for the contamination are usually unidentified. The GAO said, "Local officials at 67 percent of Great Lakes beaches reported that when results of water quality testing indicated contamination, they did not know the source of the contamination. Only 14 percent reported that they had taken actions to address the source of contamination."

□ 1800

Worse, they also found that State and local governments, as BEACH Act grantees, were not able to use their funds to get to the source of the problem. They weren't able to allow the funds to track down the source of the pathogenic contamination.

The Beach Protection Act under consideration today corrects that omission but stops when the pollution source is found. My amendment would spur action by letting the public know when a State or local government is able to identify the polluter. Since grantees are already required to notify the public when contamination is detected, the relevant infrastructure is already in place.

Communities deserve to know about the health risks that exist in their own backyard. With this information they not only avoid exposure to the hazard, but they can also bring pressure to bear to prevent the pollution from occurring.

Citizens should know where and when the contamination occurs so they can avoid it. They should also know where it is coming from so they can work to prevent it.

I urge my colleagues to vote "yes" on the Kucinich amendment.

Mr. SHIMKUS, Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS, Madam Chairman, it's great to be down here to talk about healthy beaches again.

I spoke on the rule. The first colleague on the other side talked about oil wells and how they endanger healthy beaches, so it gave me an opportunity to continue to talk about the failed Democratic policies on energy and the continued increase in the cost of energy in this country and the continued future plan for energy increases in the decades to come.

It's a simple economic debate, supply and demand. We need more supply. The failed Democrat policies will not bring more supply to this debate.

How does it relate to healthy beaches? I will tell you how it relates to healthy beaches. What is the most damaging thing to a beach, an oil spill.

How do oil spills occur? They occur when we have these big super tankers traveling all around the world trying to feed the demand. We want to stop oil spills, and the best way to stop oil spills is to develop our own resources, redevelop our own oil wells. In southern Illinois, in Texas, on the Outer Continental Shelf, a lot of the places we have oil, the Democrat majority continues to put them off-limits.

What happens? Prices go up. Here is an example. We have seen this chart before, and I imagine we are going to see it a lot the rest of this year, except there is going to be a change. Every time we see it, the price of a barrel of crude oil is going to continue to go up.

When this majority, Speaker PELOSI, took the oath of office, swore us all in, the price of a barrel of crude oil was \$58.31.

What is it today? Actually, this is wrong, they didn't update it. This was from a couple of days ago. I think it raised, got to \$114, \$114 a barrel. When you do not plan, you plan to fail. The Democrats have no plan. They said they had a plan, Speaker PELOSI is quoted, in a quote on April 24, 2006, "Democrats have a commonsense plan to help bring down skyrocketing gas prices."

I have a plan. The only plan was to increase gas prices, not lower them.

Here is a quote from Majority Leader STENY HOYER on October 4, 2005: "Democrats believe that we can do more for the American people who are struggling to deal with high gas prices." You are doing more for the people who are struggling with high gas prices, you are making it more difficult.

We have, as I have used the term before, bitter change. Why are folks bitter in America? Why are folks bitter in rural America? Because we are paying high gas prices because we can't get supply.

You bet we are bitter, because in rural America we drive the long distances to get to work. We are the folks who don't have buses, we don't have light rail. We have got a lot of rural Members here, and we need big vehicles to haul our beef and our pork and our corn to the refineries. We need trucks.

I brought down pictures yesterday of independent truckers going on strike. Why? Diesel oil is up over \$4 a gallon.

When you don't have a plan, you plan to fail. What's the solution? Coal-to-liquid technologies. It's not imported. Coal field, U.S. refineries, U.S. jobs, lower price fuel. That's a solution.

What's another solution? These are all the areas Democrats have put off-limits for exploration. Look at it. You know what is even worse, what you all

tried to do in the last energy bill, you tried to take a big chunk out of Colorado and say we are not going to explore there either.

Supply and demand, the simple basic economics. We have higher demand, you don't allow a supply, we get higher prices, over \$1.02 a gallon for gas since the Democrats went into the majority. You know what?

It's going to continue to go up. You have no plan. How are we going to get these prices lower? "Oh, let's tax the oil companies." That's really going to bring prices down. You know what that's going to do? It's going to raise prices and you are hurting the people you say you support.

You are hurting the middle class, you are hurting the lower middle class. This also translates into electricity, translates here into your great debate on climate change. JOHN DINGELL said let's address climate change by adding an additional 50 cents a gallon for gas.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. The gentleman is reminded that his remarks should be addressed to the Chair.

Mr. SHIMKUS. Madam Chairman, the Speaker of the House, NANCY PELOSI said, "Democrats have a commonsense plan to help bring down skyrocketing gas prices." We are calling it the Pelosi premium.

The Acting CHAIRMAN. The time of the gentleman from Illinois has expired.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chairman, I rise in support of the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Ms. EDDIE BERNICE JOHNSON of Texas. This amendment offers a significant improvement to the underlying bill by assuring that the public is made aware of identified sources of contamination to our Nation's coastal recreation waters. I support those efforts of the gentleman in offering this amendment, and I urge its adoption.

Mr. GARRETT of New Jersey. I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. Madam Chairman, the previous gentleman was most accurate in his portrayal of what the problem is. Let me just dig into it a little bit more.

Again, as I said before, I support the ideas of the amendment that we are discussing right now in the underlying legislation. My heart just goes out for my constituents at home who may not be able to enjoy the benefits of such, the beaches of the great State of New Jersey and others along the eastern seaboard, simply because, a very practical matter with the high price of energy, the high price of gas, they simply may not be able to afford to get there.

I think I saw it in some news report the other day, how it was characterized, the point that I made earlier and the previous gentleman just made, as

the chart just shows, the lack of a plan to deal with the energy problem in this country by the Democrat majority has brought us in this 110th Congress, this huge spike, this huge increase in the price of oil.

As the gentleman explained, it went from \$58 per barrel of oil now up to \$113, almost \$114 per barrel of oil. The paper I think I was reading the other day, I heard it someplace, was this can most appropriately be called, not a Democrat problem, a premium that we are paying for the price of oil. Perhaps, appropriately, the paper called it the Pelosi premium because it comes during the time of this Congress headed by the Democrats.

The previous gentleman from Georgia was saying that, and he laid out very eloquently, that the other side of the aisle had campaigned on, and the Speaker said frequently they had a plan. Well, would that it be that they actually had a plan and began to implement that was beneficial, that would be beneficial, but they have had some sort of a plan.

I have to point this out to the gentleman from Georgia. They have had some suggestions as to what we can be doing with the price of gasoline. Let me just run through a couple of them. One of their suggestions to deal with the price of gasoline was a 50-cent increase per gallon Federal gas tax, which was proposed by the Energy and Commerce chairman.

So we are already paying \$3.50 or so for a gallon of gasoline at the pump. The Energy and Commerce chairman said how do we deal with that issue? Let's add a 50-cent increase per gallon Federal gas tax on top of that. That's one part of their plan.

The second plan the other side of the aisle, the Democrat majority proposed to deal with the high price of energy, was a \$150 million war surtax. That was under a plan proposed by the Appropriations chairman, DAVID OBEY. We are already paying a high price for gasoline, we are already paying a high price for diesel, home heating fuel. Let's add insult to injury and add a \$150 billion war surtax on top of that that you and I would have to pay.

Was that the end of their plan? No, they had a couple of other ideas. Defense Appropriations Chairman JOHN MURTHA and Representative JIM MCGOVERN said low- and middle-income taxpayers should have to pay 2 percent added to their tax bill while higher income taxpayers would take an additional 12 to 15 percent added tax as well. There again, how do you deal with this problem, higher taxes.

Finally, a final proposal to deal with this situation from the Democrat majority, a 5-cent increase per gallon gasoline gas tax was proposed by Representative JAMES OBERSTAR to pay for infrastructure. This proposal, as you may recall, would raise the Federal gas tax to 23.4 cents a gallon from the current 18.4 cents. This was made last summer.

So every proposal that they have had suggested, every proposal that we have heard from the Democrat side of the aisle to deal with the energy crisis in this country, to deal with the fact that energy costs for a barrel of oil going \$58 up to \$114, their solution to the fact that we are paying \$3.25, \$3.50, \$4 for diesel, their solution so far has done nothing to lower the price. It has done everything to raise the price.

To add insult to injury, their proposal is to add even more by adding additional taxes and surtaxes on top of that.

Madam Chairman, I yield back the balance of my time.

Mr. WESTMORELAND. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Georgia is recognized for 5 minutes.

Mr. WESTMORELAND. Madam Chairman, I wanted to continue on to read some of these quotes about the outrage that the majority party had about the prices of gas and oil, and now, as to the outrage of the American people because evidently they felt like there could be a change and that there could be some solution to the price of higher fuel.

On September 9 of 2005 there was a press release sent out by Mr. DOYLE that said, "Supply and demand can't account for the spike in gas prices we've seen." "Americans want and deserve stable, affordable gas prices."

I agree, they do. There have been some broken promises given to the American people about who could produce, because at the time this press release was written, gas was about \$2.25 a gallon. It's \$3.44 a gallon now.

The party of Mr. DOYLE has been in charge for 16 months. Where is that accountability? Where is the stable, affordable gas prices that Mr. DOYLE said the American people deserved?

We haven't seen them. They are in that secret plan that we are waiting to see unveiled.

June 7, 2006, press release by Mr. DEFAZIO, "Americans deserve an effective, comprehensive solution to the problem of high gas prices and growing dependence on foreign oil. Unfortunately, all they get out of this Republican Congress is a lot of hot air."

Well, Mr. DEFAZIO, I think there's enough hot air to go around because evidently this press release was a lot of hot air.

Gas prices have done nothing but go up. The majority has changed. There is a new sheriff in town, so to speak, that I have heard when this takeover took place, but what is the sheriff doing?

□ 1815

The sheriff must have lost his gun or something, because, Madam Chairman, there has been no action. There has been nothing. We have discussed a lot of things on this floor, but I don't think there has been anything about higher gas prices.

July 13, 2006, a press release by ROSA DELAURIO: "The Bush administration and congressional Republicans have failed to bring up comprehensive energy reform, or any piece of legislation, for that matter, that would lower gas prices."

Well, here it is 2 years later, and I haven't seen anything from the new majority that does anything to lower gas prices or, to quote her, "or anything else."

It goes on, "Addressing these gas prices should be a priority for the congressional Republicans. I urge the Republican leadership to take action to reduce gas prices for consumers."

I want to do the same thing. I want to encourage the congressional Democrats, Madam Chairman, to do something about gas prices and oil prices. I want to see the magic plan.

April 8, 2005, a press release by Ms. DEGETTE: "Thanks to the shortsighted policies of the Republican Congress, our economy and the budgets of all Coloradans are being hurt by skyrocketing gas prices. In Colorado, gas is up to \$2.15 a gallon." Man, don't we wish we had those days when Republicans were in charge and gas was \$2.15. Democrats have been in charge for 16 months, and it is \$3.44 a gallon.

May 14, 2004, a press release by Mr. ETHERIDGE: "Gas prices in North Carolina and throughout the Nation are at record high levels.

"A major reason for these prices is the high price of crude oil, which has reached \$40 a barrel."

Man, don't we wish we had \$40 a barrel back.

"We need immediate action to lower gas prices."

Where is the outrage from these people that I am reading quotes from today demanding lower gas prices? I can't hear them. I haven't heard them. I haven't even seen them.

April 27, 2006, a press release from Ms. HERSETH: "We have heard strong words this week about rising gas prices, but words are not enough. Families across America are struggling to fill their gas tanks. They deserve answers and concrete actions, not just lip service."

Lip service, that's what we've got.

Mr. LINCOLN DAVIS of Tennessee. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. LINCOLN DAVIS of Tennessee. Madam Chairman, I have listened to the debate on the floor, and I am somewhat puzzled. I have listened to the Republicans accuse Democrats of increasing gasoline prices. It reminds me of the fellow who said it would be like Roho the Rooster going to dinner with Colonel Sanders to imply that we are the ones that have caused this situation to occur this way.

I am looking at places like Dubai, United Arab Emirates, in the Middle East, who are being protected by our young men and women, our brave men

and women in the Middle East, in the Middle Eastern war that we have with Iraq. And I watched them build these huge mansions and ski slopes, going out in the ocean and building whatever you would like to have, I guess. Are they selling sand?

I wonder if our President when he went over there realized that the most folks he was going to be protecting were the oil tycoons who are over there in the Middle East.

I wonder why Saudi Arabia is not spending more money to held rebuild Iraq. I wonder why United Arab Emirates and Dubai are building these palatial estates for their folks to have ski slopes in the desert. I wonder why they aren't helping Iraq rebuild. We are there protecting them.

And why isn't Kuwait, who is producing all of the oil, is not helping America, at least helping to defuse the situation in the Middle East?

Why is this President not calling on Saudi Arabia to increase their production so at least we can put maybe a glut of oil on the market that will be threatening and intimidating to the stock markets that choose to drive the price of oil the way that it is. There is no reason it should be inflated the way it is.

Why is this administration not doing something about this? Don't blame Democrats who came on this floor 16 months ago. How in the world can you in all honesty try to imply that it is the Democrats' fault that we are paying \$3-plus a gallon for gas today. Look at the circumstances and the situations. Have the Democrats, who in the last few months have tried to say let's find some way to resolve the issue in Iraq, are we the ones who said we ought to stay forever over there, and to disrupt the oil markets, to make people throughout the world, including those in places like India and in China, who are using an increased amount of oil that we can't control in this country, but we can at least control our foreign policy that we have established.

So let's think about what we are being told here. The poorest countries in the world are paying \$100-some for oil, just like we are in this country, considered to be one of the richest nations of the world.

India and China are paying the same price that we are paying in this country. I guess the Democrats forced the price up also in China and India. Maybe I'm missing something, but let's be honest in this debate and let's be honest with the American public and let's stop blaming folks for what is happening.

The turmoil and instability in the Middle East has brought about most of the situation that we have, and the economic growth, that may recede dramatically, may also drop it down. That might please you if that happens.

But I can tell you this much, the folks that I represent in my district came to the open meetings, and their concern was gasoline prices just like you're saying about your district.

They are also worried about health care costs and whether or not they will be able to survive. Small business folks are literally losing their business because they cannot afford to keep up the cost both of fuel and of health care costs.

We have a lot of problems we need to address, but blaming someone and saying the last 16 months we have brought to this Nation the high gasoline prices, Democrat leaders have, to me stretches the truth a little bit to where that rubber band breaks.

Mr. OBERSTAR. Madam Chairman, I rise in support of the amendment offered by the gentleman from Ohio, Mr. KUCINICH.

This amendment furthers the overall goals of the BEACH Act in providing the public with greater amounts of information on the quality of their favorite beach locations, including any potential sources of contamination that may make these beaches unsafe for swimming.

The gentleman's amendment would require States and local governments that choose to implement contaminant source identification and tracking programs to ensure that any information gathered on potential sources of contamination be made public. Since, I would surmise, that many potential sources of contamination of coastal recreation waters come from failing wastewater or stormwater infrastructure systems, this increased public awareness on their location and relevance in protecting water quality is important.

I have often heard it said that "out of sight" means "out of mind." This is especially true of the deplorable condition of our Nation's wastewater treatment infrastructure. By providing the public with direct links between the source of the contamination, and the real world implications of potential infrastructure failure, I only hope that we will rekindle interest in reinvesting in our Nation's infrastructure.

This amendment provides yet another avenue for increasing public awareness and pressure on improving our infrastructure, and in turn, improving our overall environment and safeguards for human health.

I urge adoption of the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. KUCINICH).

The amendment was agreed to.

AMENDMENT NO. 7, AS MODIFIED, OFFERED BY MR. KIRK

Mr. KIRK. Madam Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KIRK: Redesignate sections 9 and 10 of the bill as sections 10 and 11, respectively.

After section 8 of the bill, insert the following:

SEC. 9. TREATMENT OF MERCURY AS PATHOGEN INDICATOR.

Section 406 of the Federal Water Pollution Control Act (33 U.S.C. 1346) is amended by adding at the end the following:

"(j) TREATMENT OF MERCURY AS PATHOGEN INDICATOR.—For purposes of monitoring and notification programs under this section, mercury shall be treated as a pathogen indicator."

Mr. KIRK. Madam Chairman, in conjunction with the majority and minor-

ity, I ask unanimous consent that we consider the modified amendment that I have at the desk.

The Acting CHAIRMAN. The Clerk will report the modification.

The Clerk read as follows:

Modification to amendment No. 7 offered by Mr. KIRK:

Strike the text of the amendment and insert the following:

SEC. 11. MONITORING PROTOCOL FOR MERCURY.

(a) REVIEW AND UPDATE OF EXISTING MONITORING PROTOCOLS.—The Administrator of the Environmental Protection Agency shall review and update existing monitoring protocols as necessary for mercury affecting the coastal recreation waters of the Great Lakes.

(b) RECOMMENDATIONS ON TESTING.—In carrying out subsection (a), the Administrator shall develop updated recommendations on testing for the presence of mercury affecting the coastal recreation waters of the Great Lakes, including the presence of mercury in Great Lakes sediment and fish tissue.

(c) PUBLICATION OF WATER QUALITY CRITERIA.—Nothing in this section shall delay the schedule for publication of new or revised water quality criteria as required by section 304(a)(9) of the Federal Water Pollution Control Act (33 U.S.C. 1314(a)(9)).

(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.

Mr. KIRK (during the reading). Madam Chairman, I ask unanimous consent that the amendment be considered as read.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Acting CHAIRMAN. Without objection, the amendment is modified.

There was no objection.

The Acting CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. KIRK. Madam Chairman, I rise in strong support of the Beach Protection Act because it is critical that we protect millions of Americans who use the public beaches each day, like the ones in my own congressional district. Unfortunately, many beaches go unmonitored or face severe delays and do not receive testing results in time to protect the public health. Without proper monitoring and notification, thousands of citizens risk illness due to growing contamination. This legislation provides authority for funding for rapid testing of recreational waters that can save millions from unnecessary beach closings or even hospital bills.

We must not ignore also far more dangerous toxins which have far-reaching effects on the most vulnerable members of our society—our children. Mercury pollution is a serious problem for my district in Northern Illinois, as well as nationwide.

I would like to present to the House a chart which shows mercury depositions for 2001. What it shows here is a picture of both the West Coast, the Midwest and the East as mercury hot spots where further monitoring should be used to protect the public health.

In my own area, the Chicago region, other data shows we could be one of the hottest mercury hot spots in the country. Today there are more than 700 bodies of water throughout the United States that are impaired by mercury. The Great Lakes are particularly vulnerable to this exposure as 36 percent of mercury emissions are generated in the Great Lakes region. In fact, there are currently no less than 18 separate fish advisories for mercury contamination in our region. And yet the Great Lakes remain a source of food, and especially drinking water, for 30 million Americans. This undoubtedly contributes to the recent estimate by the U.S. Government that more than 300,000 American babies are born each year with a risk of mercury pollution.

I will note in my own State of Illinois, pregnant women test 14 times above the background level for mercury in their blood.

We are just at the beginning of learning what mercury deposited in our waterways are doing from American coal plants and other industrial sources.

Some scientists estimate also that 36 percent of mercury settling into U.S. ground soil and waterways comes from Asia, particularly China. We know that China is home to 20 of the 30 most polluted cities on the planet, and their extensive use of coal affects their water and their air in their mercury pollution.

In light of the newly discovered data on global mercury sources and new atmospheric modeling methods, it is critical that we revise the outdated monitoring and testing procedures for this dangerous toxin.

My amendment would require the administrator of the Environmental Protection Agency to update existing monitoring protocols and develop updated testing recommendations for the existence of mercury in the Great Lakes coastal waters, sediments and fish. Funds for this effort would not come out of scarce resources set aside for beach monitoring and testing.

To the chairman and the ranking member who have helped me out with this, I want to thank you for your leadership on this and helping support this amendment in protecting the Great Lakes.

As we enter the summer months when mercury deposition is the highest, I urge my colleagues to support the amendment to help safeguard the future of our generations and the Midwest's most precious natural resource.

Mr. Chairman, I would seek to break up the partisan tone of this debate and offer this bipartisan amendment because I think looking at increased testing and protocols to monitor mercury pollution, making sure especially in the Great Lakes, the source of drinking water for 30 million Americans is safe, we should adopt this amendment.

I yield back the balance of my time. Ms. RICHARDSON. Mr. Chairman, I move to strike the last word.

The Acting CHAIRMAN (Mr. LINCOLN DAVIS of Tennessee). The gentlewoman

from California is recognized for 5 minutes.

MS. RICHARDSON. Mr. Chairman, I rise in support of the substitute amendment offered by the gentleman from Illinois (Mr. KIRK). The substitute amendment directs the administrator of the Environmental Protection Agency to review existing monitoring protocols for mercury in the recreational waters of the Great Lakes and to make recommendations on their potential revision.

As the Subcommittee on Water Resources and Environment learned at a hearing early last year, mercury is a significant concern in a majority of the United States. For example, according to EPA, 44 States have fish consumption advisories for mercury. More telling, the entirety of the Great Lakes basin is currently under a fish advisory for toxic chemicals, including the presence of mercury.

I applaud the actions of the gentleman from Illinois to bring greater attention to the threat of mercury contamination. Given what we have known about the health impacts of mercury, a mercury advisory in today's day and age is wrong and it needs to be addressed.

This substitute amendment will require the administrator to review and where necessary revise and monitor protocols for detecting the presence of mercury. The amendment directs the administrator to pay particular attention to the presence of mercury in the sediment of the Great Lakes and the fish tissues.

In addition, this amendment provides an additional authorization of appropriations for this review and update. Funding for this study is not authorized from funds made available under section 406(i) for implementation of monitoring and notification programs by State and local governments, nor from EPA funding to implement the BEACH program.

□ 1830

Finally, this amendment includes a savings clause that insures that this additional study will not delay EPA's ongoing efforts to publish new or revised water quality criteria as required by Section 304(a)(9) of the Clean Water Act.

I support the substitute amendment, and urge my colleagues to support this amendment.

I yield back the balance of my time. Mr. GARRETT of New Jersey. I move to strike the last word.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. GARRETT of New Jersey. I thank the Chair. And I appreciate the gentleman from Tennessee having come to the floor a moment ago to address this energy and the like. To be honest, that's the only way that we are going to be able to find solutions to these major issues that we need to address, whether it is the Iraq war situation, or this major issue of energy costs in this country.

Obviously, we have been able to find common ground when it comes to, I would catch it, slightly less significant issues dealing with beach quality and what have you. Now if we can find that same comity when it comes to the Iraq war and energy, then we'll be moving in the right direction.

That being said, the gentleman can't disagree with some of the facts that have been set out here for the last evening, and this will probably be my last comment for the night; and that is that the Democrat majority, prior to becoming the majority, did point out some problems with regard to energy prices prior to coming into the majority.

And the gentleman from Georgia went through a litany of quotes from Democrat leadership citing the problem, and making a promise that the Democrat majority had a solution to those problems. I'm eager to see what those solutions are. I would like to extend a hand across the other side of the aisle to work with them, if those solutions were ever forthcoming.

As I indicated in my last comments, the only proposals that I've seen so far from the other side of the aisle have been restrictive or increasing to the cost of energy. They were the two or three tax increases that I ran through before, the 50 cent increase per gallon gasoline Federal gas hike proposed, the \$150 billion war surtax or the 5 cent increase per gallon tax hike, all proposals from the other side of the aisle. None of those things will lower the cost of energy. All of those things will raise the price that you and I and everyone else have to pay at the pump.

What we may want to do is look to see what other countries are doing with regard to energy costs in general. Let me just run down real quickly some of these.

Over in China, three or four things. One, China has expanded its natural gas infrastructure by constructing pipe lines. Unfortunately, the Democrats have opposed natural gas production in this country and natural gas infrastructure improvements in the country in general. And the chart that we had up previously showed that as far as offshore.

Secondly, China is rapidly expanding its refining capacity. Unfortunately, Democrats have repeatedly voted against expanding America's refinery capacity. I don't think we've had any new refineries built in some several decades.

Thirdly, China is ambitiously developing its nuclear power energy which plans to spend \$50 billion on 30 additional nuclear reactors within the next 15 years. Again, unfortunately, Democrats consider the notion of increasing nuclear power generation in the U.S. basically as off the table.

And finally, China's planning on constructing many new large scale hydro electric projects over the forecasted period, including an 18.2 gigawatt Three Gorges dam project which is expected

to come in in 2009. Again, unfortunately, Democrats have actively opposed new hydro electric power plants here in the United States.

So I will end where I began. The gentleman said that we should be concerned about how much money is going to Saudi Arabia and Dubai and all of the things that they're able to build with that oil. I agree.

I wish all of our American tax dollars and American gasoline dollars that we pay at the pump weren't going overseas. But right now, 63 percent of our energy sources are dependent on foreign sources of energy and growing more every year.

What we need to do is make America more self-reliant when it comes to energy. You do that by what we've talked about all evening. Don't tax it, don't raise the cost of production, don't restrict the production here in the United States, don't restrict the ideas of new efficient energy alternatives and the like, but allow it to grow using ingenuity of Americans insight and entrepreneurs, so that we do not have to be more dependent every day on foreign, unreliable sources that are a threat to this country, are a threat to our national security, and put our young men and women in harm's way on the points with regard to war, as the gentleman from Tennessee was pointing out.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. KIRK), as modified.

The amendment, as modified, was agreed to.

AMENDMENT NO. 11 OFFERED BY MS. RICHARDSON

Ms. RICHARDSON. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Ms. RICHARDSON:

At the end of the bill, add the following:

SEC. 11. NATIONAL LIST OF BEACHES.

Section 406(g)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1346(g)(3)) is amended by striking "The Administrator" and all that follows through the period and inserting "Within 12 months after the date of the enactment of the Beach Protection Act of 2008, and biennially thereafter, the Administrator shall update the list described in paragraph (1)."

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Ms. RICHARDSON. Mr. Chairman, when Congress passed the BEACH Act in 2000, it took an important step towards keeping Americans, of which a large majority are ill-prepared children, away from polluted beaches. As a proud Californian, I understand how critical clean and safe beaches are to

our State's health, identity and economy. As with airplanes or even drinking water, Americans trust our government to alert them in the event of a safety concern.

I thank Chairman OBERSTAR, and also our great subcommittee chairwoman, Ms. JOHNSON from Texas, for shepherding this important public health and safety bill to the House floor.

This is a vital reauthorization that includes an expansion of the BEACH program by increasing the authorization level by \$10 million. This program is most effective when properly administered if the program maintains adequate funding levels and a product result that demonstrates that the resources are well utilized.

The Environmental Protection Agency reported that States significantly increased the number of beaches they monitored from approximately 1,000 in 1997 to more than 3,500 in 2004. There are over 6,099 beaches nationwide.

When the EPA became lenient in the beach monitoring back in 2006, the Natural Resources Defense Council filed a lawsuit against the EPA to protect our public health concerns. Ongoing or periodic monitoring is crucial to maintaining a safe environment.

In my area alone, in Los Angeles County, beach closings due to hazardous bacterial contamination dramatically jumped 15 percent in 2005. During the course of that year, beaches nationwide were closed or posted with health advisories 20,000 times.

Providing sufficient funding to the EPA for testing is only one part of this equation, however. To ensure the American public receives this beach quality information, Congress must compel the EPA to publish comprehensive results that are easily accessible on-line.

This amendment will reinstitute the requirement from the original BEACH Act that would enable the EPA to publish a complete list of every public beach, whether or not it is monitored or not. The EPA's 2004 "National List of Beaches" was an important resource for beachgoers, and this amendment will ensure that the EPA updates and maintains the list every 2 years for the safety of all Americans and visitors alike.

Families, fishermen and sports enthusiasts deserve to know whether the EPA is fulfilling its obligation to protect our community beaches. The Richardson amendment will make sure that this happens.

I urge all of my colleagues to support this nonpartisan amendment.

I yield back the balance of my time. Mr. BOOZMAN. I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Arkansas is recognized for 5 minutes.

Mr. BOOZMAN. I think that the gentelady from California has a very good amendment. We certainly support it.

I think that requiring the EPA to update the national list of beaches program to alert the public to beaches that had occurrences of pollution is an excellent idea. I think it's a good tool in Congress' toolbox, as we exercise oversight over the EPA's BEACH program.

So I would urge Members to support the amendment.

Mr. OBERSTAR. Mr. Chairman, I rise in strong support of the amendment offered by the gentlewoman from California, Ms. RICHARDSON.

The Beaches Environmental Assessment and Coastal Health Act (BEACH Act) was signed into law on October 10, 2000, as a means to reduce the risk of illness to users of the Nation's recreational waters.

The BEACH Act requires states, tribes, and territories to identify their coastal recreation waters and to report on monitoring activities at those beaches. EPA compiled into a single list all of the information submitted by states and territories to EPA as of December 31, 2003.

This National List of Beaches provides the only nationwide assessment of the extent of beach monitoring across the country. The requirements for EPA to create and periodically maintain this list were included as part of the BEACH Act to help EPA determine how to better implement the Act, and minimize the potential human health effects from coming into contact with contaminated waters.

The National List of Beaches also provides information to the public about beaches in their state.

Unfortunately, this important list has only once been published by EPA—in March of 2004. Since that time, we have little information on whether progress is being made towards full implementation of the BEACH Act. No additional nationwide assessments have been conducted to determine whether individual states or local governments are making improvements in the number and quality of local beach monitoring and notification programs.

By requiring EPA to revise this list every two years, we will have a better idea of the progress that is being made to safeguard public health, and ensure that a trip to the beach will not also result in a trip to the emergency room.

I applaud the efforts of our Committee colleague, Ms. RICHARDSON, for offering this amendment, and I strongly support its adoption.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California (Ms. RICHARDSON).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. INSLEE

Mr. INSLEE. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. INSLEE:

At the end of the bill, add the following:

SEC. 11. IMPACT OF CLIMATE CHANGE ON POLLUTION OF COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency shall conduct a study on the long-term impact of climate

change on pollution of coastal recreation waters.

(b) REPORT.—

(1) IN GENERAL.—Not later than one year after the date of enactment of this Act, the Administrator shall submit to Congress a report on the results of the study conducted under subsection (a).

(2) INFORMATION ON POTENTIAL CONTAMINANT IMPACTS.—The report shall include information on potential contaminant impacts on ground and surface water resources as well as ecosystem and public health in coastal communities.

(3) MONITORING.—The report shall address monitoring required to document and assess changing conditions of coastal water resources, recreational waters, and ecosystems and review the current ability to assess and forecast impacts associated with long-term change.

(4) FEDERAL ACTIONS.—The report shall highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate these effects in order to protect public and ecosystem health.

(5) CONSULTATION.—In developing the report, the Administrator shall work in consultation with agencies active in the development of the National Water Quality Monitoring Network and the implementation of the Ocean Research Priorities Plan and Implementation Strategy.

The Acting CHAIRMAN. The gentleman from Washington is recognized for 5 minutes.

Mr. INSLEE. Mr. Chairman, I rise in support of an amendment I'm offering with Mr. VAN HOLLEN. The amendment is quite simple. It will simply direct the EPA to report to Congress on how to mitigate the effects of climate change on recreation at our Nation's beaches.

I'm particularly partial to islands and beaches. I live in one, Bainbridge Island, Washington. It's a great place.

And like others, I'm concerned about the impact of global climate change on rising sea levels that can impact the quality of our beaches. And we need to get to the bottom of what those impacts will be so that we can help local communities respond to rising beaches.

Scientists have agreed that sea level is already rising across our coast. In my neck of the woods, the University of Washington Climate Impacts Group has predicted that sea levels in Puget Sound could rise by as much as 50 inches by 2100. This could have a \$1 billion impact on waterfront investment.

Rising sea levels intensify flooding, we know. They intensify storms and the erosion associated with them. And they can impact the water quality of our Nation's beaches as they impact sewage disposal systems.

Already, under BEACH Act programs, the EPA does collaborate with government agencies to predict where and when this pollution can occur. My amendment simply directs the EPA to report to Congress on how climate change may exacerbate those problems.

We know how important recreation is on our beaches. In fact, beaches are the leading tourist destination. I was surprised to learn 85 percent of all U.S. tourism is associated with beaches.

They contribute over \$700 billion each year to the GDP, and that's not just the Beach Boys.

In 2006, recreation brought in \$948 million, just the Olympic and Kitsap Peninsulas where I live. So knowing about the problems we're going to have with climate change locally is a boost. You don't have to live on an island or near a beach to recognize that.

I want to thank the Chair, Mr. PALLONE, and the Chair for their help in drafting and accepting this amendment. And I hope you'll join me in supporting a very commonsense measure to help respond to these problems we know we're going to have. And I hope we can prevent them. But we're going to have some of them no matter what we do.

I yield back the balance of my time.

Mr. HOLT. I move to strike the requisite number of words.

The Acting CHAIRMAN (Ms. JACKSON-LEE of Texas). The gentleman from New Jersey is recognized for 5 minutes.

Mr. HOLT. Madam Chairman, I rise in support of the amendment offered by my colleague from Washington (Mr. INSLEE) to the Beach Protection Act.

For the last 20 years, my colleagues in the scientific community have issued warnings that the release of greenhouse gases is altering the Earth's climate in ways that are both expensive and deadly. And nowhere is this change more evident than in the changing habitat of our world's oceans.

Science has demonstrated that global change is already causing the sea level to rise. It is predicted that in my home State of New Jersey, the sea level rise will cause a loss of 7 inches to 2 feet of our coastline by the end of the decade.

Of course, changes in the acidity of the ocean from increased carbon is another effect. And as the oceans continue to change, factors that are known to affect water quality along our coastline, such as flooding, storms and erosion, will, of course, occur.

The Inslee amendment simply requires the Environmental Protection Agency to study the effects of the global climate change on our Nation's coastlines. The amendment will help States, local communities and Congress better address the challenges, prepare for the changes, and it will call attention to the steps we need to take to prevent further damage. So I urge my colleagues to support this amendment.

I commend my colleague for preparing and introducing this amendment.

I yield back.

Ms. RICHARDSON. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Ms. RICHARDSON. I rise in support of this amendment. Mr. INSLEE's amendment calls for the Environmental Protection Agency to conduct a study on the long-term impact of climate change on pollution of coastal

recreational waters. The study would include information on the potential contaminant impacts on ground and surface water resources, as well as the impacts on ecosystems and public health in coastal communities like mine.

□ 1845

The amendment also requires the report to highlight necessary Federal actions to help advance the availability of information and tools to assess and mitigate effects in order to protect our public and the ecosystem's health.

Our coastal waters are hubs of recreation and commerce for all of our Nation's individuals. It is with this in mind that the original BEACH Act was passed. We can expect many changes to occur in a warming world. Amongst these there will be, and it should be no surprise, that changes to our temperature and chemistry of our beaches in coastal waters have already gone into effect. Especially because so many children recreate in these waters, it is imperative to determine whether the contamination that already exists will become more hazardous to the health of our beach users.

I encourage my fellow Members to join with me in support of Mr. INSLEE's amendment.

I yield back the balance of my time. Mr. SHIMKUS. Madam Chairman, I move to strike the last word.

The Acting CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. SHIMKUS. Madam Chairman, I'm glad we are talking about healthy beaches. As I said earlier, one of the most damaging aspects about healthy beaches is an oil spill, and one way to limit the risk of oil spills is to become more self-reliant, and I know my colleague would appreciate it because he does a lot of renewal, and it's great work, but renewable alone can't fill the future demand. In fact, it really only nibbles around the edges.

I'm also glad we're opening up the discussion to climate change because the reality is that climate change will cost the American public, and it's going to cost us big bucks. And those of us on our side who are willing to go into debate just hope that there's some honest discussion on the real costs needed.

I'm not a big cap-and-trade guy. I think it's a game by which we're going to play with the consumers hiding the real cost. Chairman DINGELL, intellectually honest, said, let's add 50 cents a gallon to gasoline to help pay for the climate change cost. He's at least being intellectually honest because he's going to go and help the debate saying there is going to be a cost, we're going to have to pay for it, let's add 50 cents to a gallon of gas. Now, a gallon of gas is \$3.50; that would make it \$4. We know it's going to get to \$4 this summer. That means a gallon of gas will be \$4.50. That's the challenge.

The California Public Utility Commission on electricity generation said,

let's add a 20 to 30 percent surcharge on our electricity bill. That's the cost we're going to incur to comply with climate change.

So, again, we're asking that there be a great debate on climate change, and as we're going to bring in money to help address this, that the people who are going to have to pay these costs know that there's going to be costs. And again, Chairman DINGELL is being intellectually honest. The Public Utility Commission of California is being intellectually honest. And we are going to address that.

Because here is the problem. When the Democrats took office, the price of a barrel of crude oil was \$58 a barrel. Now what is it today? I think this is actually wrong. It's \$114 a barrel. \$114.

Now, I came down here on a 1-minute this week, got some clips. Here is a clip from my district, Independent Truckers Join Strike, Independent Truckers Join Strike. You want to know why the aviation industry is going bust, all of these low-cost airlines? High fuel costs.

So if we want healthy beaches, and we don't want oil spills, we have to develop the resources that we have. We have a solution. One that the Democrat majority is unwilling to bring to the floor; although if they did, we would pass it. I could guarantee we would pass it. And that's using great natural resources in the only coal basin, the high plains of Montana, Wyoming, West Virginia, Virginia, Kentucky, Ohio. We know we have coal under the ground, and we know that we can turn that coal into synthetic fuel. Low-cost fuel, abundant supply, and we know that we can refine this coal using biomass and carbon sequestration cleaner than current crude oil refineries.

And where are our crude oil refineries? They're on the coast. Most of them are in the gulf coast. That's a great place to protect our healthy beaches, by having all of these refineries on the coast. And we saw what Katrina did. Katrina caused a disruption in cost. Katrina caused obviously outages in these refineries. This would give us the opportunity to have refineries located in the heartland with the commodity product of coal right there.

Dig the coal, American jobs; build the refinery, American jobs; refine the oil into fuel, American jobs; put it in a pipeline to the aviation industry, American jobs. What is clearer than that? It's a great success. But we can't get that moved to the floor. So what do we have? No supply, \$113 a barrel.

Now I have read the quotes from the Democratic leadership. They had a plan in 2006 to lower gas prices. I have read the quotes. No one has disputed them. And guess what? You have only raised gas prices. And guess what is going to happen this summer? Gas prices are only going to go up higher. When you have no plan, you plan to fail.

Mr. OBERSTAR. Madam Chairman, I rise in support of the Congressman INSLEE's amendment to H.R. 2537, reauthorization of the

BEACH Act. This amendment calls for a study of the long-term impacts of climate change on the pollution of coastal waters.

At its center, the intent of the BEACH Act is to provide information and notification for the public with regard to the safety of the coastal waters they use for recreation. It is well-known that climate change may cause significant changes to ecosystems, hydrology, and water temperature. What we are unsure of, however, is the extent to which these changes will occur, and also—importantly—the effect this will have on public health.

For example, if coastal water temperatures increase and freshwater inflows decrease, does this result in a more hospitable environment for pathogens in our coastal waters? Because the public—including children—are in direct contact with these waters, it is of the utmost importance that we have a better understanding of what a warming environment means for public health.

The Transportation & Infrastructure Committee included a similar provision in last summer's energy bill. This program called for a National Academy of Science study to be conducted on the impacts of climate change on water quality, and subsequent ramifications of these changes on the Clean Water Act. While this provision did not survive conference, I am pleased that Mr. INSLEE's amendment picks up in a similar vein.

I call on other members to join me in supporting passage of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MRS. MCCARTHY OF NEW YORK

Mrs. MCCARTHY of New York. Madam Chairman, I have an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mrs. MCCARTHY of New York:

At the end of the bill, add the following:

SEC. 11. PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN COASTAL RECREATION WATERS.

(a) STUDY.—The Administrator of the Environmental Protection Agency, in consultation with appropriate government agencies (including the National Institute of Environmental Health Sciences), shall conduct a study of the presence of pharmaceuticals and personal care products (in this section referred to as “PPCPs”) in coastal recreation waters.

(b) CONTENTS.—In conducting the study under subsection (a), the Administrator shall—

(1) identify PPCPs that have been detected in the waters of the United States and the levels at which such PPCPs have been detected; and

(2) identify the sources of PPCPs in the waters of the United States.

(c) EXAMINATION OF WASTEWATER EFFLUENT AND RUN-OFF FROM AGRICULTURAL PRODUCTS.—In identifying sources of PPCPs under subsection (b)(2), the Administrator shall examine wastewater effluent and run-off from agricultural products.

(d) REPORT.—Not later than one year after the date of enactment of this Act, in order to provide a better understanding of the effects

of PPCPs in the waters of the United States on human health, aquatic animal health, and aquatic wildlife, the Administrator shall submit to Congress a report on the results of the study conducted under this section.

(e) PHARMACEUTICALS AND PERSONAL CARE PRODUCTS DEFINED.—In this section, the terms “pharmaceuticals and personal care products” and “PPCPs” mean products used by individuals for personal health or cosmetic reasons or used by agribusiness to enhance growth or health of livestock.

The Acting CHAIRMAN. The gentleman is recognized for 5 minutes.

Mrs. MCCARTHY of New York. Madam Chairman, I would first like to congratulate the chairman of the Transportation and Infrastructure Committee, Mr. OBERSTAR; the subcommittee chairwoman, EDDIE BERNICE JOHNSON; and the sponsor of the bill, Mr. PALLONE, for bringing forth such important legislation. The bill will help ensure that our beaches are safe for swimming as we enter the summer months.

Today, I will be offering an amendment to H.R. 2537, the Beach Protection Act of 2007, in order to raise awareness of Congress about the presence of pharmaceuticals in our Nation's drinking water. We must begin to better understand this important issue.

At the end of the debate, I intend to withdraw this amendment.

A recent Associated Press study brought to life the fact that pharmaceutical products have been found in the drinking water supply of at least 41 million Americans. In my State of New York, health officials found heart medicine, infection fighters, estrogen, mood stabilizers and tranquilizers in Upstate water supply. Six pharmaceuticals were found in the drinking water right here in Washington, D.C.

We don't know how the pharmaceutical enters into the water supply. But it's likely that some medications that are not fully absorbed by the body may have passed into the water through human waste. In some other cases, unused pills may have simply been flushed down the toilet.

Additionally, some agricultural products and medications may have run off into the groundwater supply.

In addition to antibiotics and steroids, EPA has identified over 100 individual pharmaceuticals and personal care products in environmental samples and drinking water. Wastewater treatment plants appear to be unable to completely remove pharmaceuticals from the water. The presence of the pharmaceuticals in the water raises serious questions about the effects on human health and wildlife.

My amendment would require EPA to conduct a study on the presence and source of pharmaceuticals and personal care products in coastal recreation waters.

Pharmaceuticals and personal care products include prescription and over-the-counter therapeutic drugs, veterinary drugs, fragrances, lotions, and cosmetics, as well as products used to

enhance growth or health of livestock. The report will be used as part of the government efforts to better understand the effects pharmaceuticals in our waters have on human health and aquatic wildlife.

Unfortunately, I recognize that this bill is not in the proper venue to adequately address safe drinking water. Therefore, I will withdraw the amendment shortly.

Instead, I am drafting a stand-alone legislation on this issue and will call for congressional hearings so that we can better understand the problems associated with pharmaceuticals in our Nation's drinking water supply.

We need to know how the pharmaceuticals are entering the water supply, how much is in the water, what are the effects of human health and adequate plant life, what is the best way to dispose of pharmaceuticals, and how should we treat water that has been contaminated with pharmaceuticals and personal care products.

It is vital that Congress take up and champion the cause of keeping our coastal recreation and drinking water safe. This is a public health issue. And we must act before the presence of pharmaceuticals reaches crisis levels.

Congresswoman RICHARDSON, will the committee work with me on legislation to address the presence of pharmaceuticals and other care products in our Nation's water supply and help further our understanding of the effects on the human health and wildlife?

Ms. RICHARDSON. Madam Chairman, will the gentlewoman yield?

Mrs. MCCARTHY of New York. I yield to the gentlewoman from California.

Ms. RICHARDSON. Madam Chairman, I understand that the gentlewoman from New York (Mrs. MCCARTHY) will be withdrawing this amendment, but I commend her consideration of this very pressing matter. And it is one that I look forward to working with her on in the future.

Since at least 2002, we've known that a wide variety of chemicals, including pharmaceuticals, personal care products, and others such as fire retardants, are ending up in our Nation's water as you just expressed. More recently, the Associated Press found that the drinking water supplies of 24 of 28 municipalities tested had pharmaceuticals present. While the levels of these largely unregulated chemicals are low, their presence raises a number of troubling issues such as the long-term human health impacts on adults and any different impacts on children.

It is fair to ask how do these pollutants get into our streams and drinking water supplies in the first place. I understand that the Subcommittee on Water Resources and Environment may further this issue over the upcoming months and examine it in great detail with you.

I look forward to working with the gentlewoman from New York and other

Members who have raised concerns about these reports on pharmaceuticals and other chemicals in our Nation's water.

Mrs. MCCARTHY of New York. I thank Congresswoman RICHARDSON for her assistance and again congratulate her on her leadership.

At this time, I ask unanimous consent to withdraw my amendment.

The Acting CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ELLSWORTH) having assumed the chair, Ms. JACKSON-LEE of Texas, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2537) to amend the Federal Water Pollution Control Act relating to beach monitoring, and for other purposes, pursuant to House Resolution 1083, she reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN EN-GROSSMENT OF H.R. 2537, BEACH PROTECTION ACT OF 2007

Ms. RICHARDSON. Mr. Speaker, I ask unanimous consent that in engrossment of H.R. 2537, the Clerk be authorized to correct section numbers, punctuation, cross-references and to make other technical and conforming changes as may be necessary to accurately reflect the actions of this House.

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

There was no objection.

□ 1900

JUDGMENT DAY

(Mr. POE asked and was given permission to address the House for 1 minute.)

Mr. POE. Mr. Speaker, today, the Supreme Court declared that lethal injection is a constitutional form of execution under the eighth amendment. The unofficial moratorium on the death penalty across this Nation is now over.

Two death row killers argued that lethal injection was cruel and unusual punishment. I was present at the Supreme Court today when in a 7-2 opinion the Court rejected the challenges of these two outlaws. They are both from Kentucky. One is Ralph Baze. He murdered a sheriff and a deputy sheriff 16 years ago when they were trying to serve him a warrant. Sixteen years later, Baze is still living while the two officers' families wait for justice.

The other killer, Thomas Bowling, murdered Tina and Edward Early outside their dry cleaning business 17 years ago. Bowling also shot the Early's 2-year-old son, but he survived, although he is an orphan today.

Baze and Bowling argued that there were risks of pain from lethal injection. Of course neither one considered the pain that they inflicted on their victims or their victims' families.

The Supreme Court rightfully decided that lethal injection is constitutional. Baze and Bowling earned the punishment that the juries imposed. Justice can be delayed no longer. It's time for both of these killers to have their judgment day.

And that's just the way it is.

TURNING OUR BACKS ON COLOMBIA

(Mr. WELLER of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WELLER of Illinois. Mr. Speaker, I rise to express my concern over an action taken by the majority in this House this past week when this House, the majority of the House, the Democratic majority, voted to turn its back on the Republic of Colombia.

You know, when you ask the question of all of Latin America, who is our Nation's best friend, America's best friend in Latin America, everyone says the democratically elected government of Colombia. And when people ask who is America's most reliable ally when it comes to counternarcotics and counterterrorism in Latin America, everyone says it is the democratically elected government of the Republic of Colombia.

Ladies and gentlemen, the damage that was done to the image of the United States is going to take us a long time to recover as a result of this House voting to turn its back on America's best friend in Latin America, the democratically elected Government of the Republic of Colombia.

HONORING DR. BERTRAM W. COFFER

(Mr. HAYES asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. HAYES. Mr. Speaker, I rise today to honor and recognize a pillar in the medical community, as well as a friend, Dr. Bertram W. Coffey, who recently passed away.

Coffey's medical career began in 1975 when he joined Raleigh Anesthesia Associates. He was 34 years old and married to the former Jeanne Gardner, a registered nurse he had met in a Duke University Medical Center operating room while working as a scrub nurse to pay his way through NC State University.

He later served in the U.S. Navy as a Lieutenant Commander, had 2 years of surgery residency at Duke, and completed his residency in anesthesiology at UNC-Chapel Hill. Coffey went on to become not only a certified anesthesiologist, but someone who brought added value to the care of all patients.

Bert instituted many positive changes in the way his practice operated in the community hospital. Today, the American Society of Critical Care Anesthesiologists touts the Raleigh Practice Center/Critical Health Systems model, whose essence reflects one of Bert Coffey's philosophies, which was, "Act like a physician first, and always make yourself indispensable and worthwhile." Certainly, the redefinition of anesthesiology by Coffey and RPC/Critical Health Systems helped change the future of the specialty.

What a dear friend and wonderful human being. Our thoughts, prayers and sympathy go out to Jeanne, his wife, children Bert, Natalie and Holly, and all their families. We will miss you, Bert.

Mr. Speaker, I rise today to honor and recognize a pillar in the medical community as well as a friend, Dr. Bertram W. Coffey, 66, who passed away on Thursday, April 10, 2008, at Rex Hospital. He was a native of Sanford, and predeceased by his parents, Dalton and Virginia Coffey, and a sister, Carol Thompson.

Bert was a dedicated and caring physician for 43 years serving at Rex Hospital for the last 33 years. He was a graduate of NCSU in 1964, UNC Medical School in 1969. He completed a surgical residency at Duke from 1969 until 1971 as well as an anesthesia residency at UNC in 1975. He began practicing in 1975 when he joined Dr. Lewis Gaskins and Raleigh Anesthesia Associates, which he eventually incorporated and developed into Critical Health Systems. One of his guiding philosophies was "Act like a physician first and always make yourself indispensable and worthwhile". He had a vision for the advancement of anesthesiology into new areas such as intensive care, critical care, pain management, and total patient care. He served as CEO from 1975-1996. He was a member of numerous boards, including the Rex Hospital Executive Committee and the Ravenscroft Board of Directors. He was also president of the Royster Medical Society in 1983 and the president of the Wake County Medical Society in 1986. In addition, he was an active member of the American Society of Anesthesiologists for over