Mr. TURNER described Dayton, Ohio, as the birthplace of aviation in his remarks a minute ago. Mr. Speaker, that is stretching the truth a bit. But after sitting on the floor for about an hour and hearing our energy problems blamed on environmentalists, not the fact that ExxonMobil made $40 billion in profits in the fourth quarter of 2007, it seems like a fairly minor stretching of the truth.

As every school child in America knows, with the exception of school children in Dayton, Ohio, the first powered flight was in Kitty Hawk, North Carolina, in December, 1903, or at least it was the first photographed, the first documented powered flight. There is still some dispute about where the actual first powered flight was. But the photograph of the Wright brothers plane above the dunes, just a few feet above the dunes at Kitty Hawk, was probably the most important photograph in history to that point, and remains one of the most famous photographs in all of history. That photograph, Mr. Speaker, was taken by a North Carolinian.

After that first flight, which lasted just 12 seconds, and even with the soft sands of Kitty Hawk to land in, the landing almost destroyed or badly damaged the balsa wood plane. Progress was very rapid. Within just a decade, the airplane proved to be a very effective weapon of war in the First World War, and in another decade, just another decade after that, Charles Lindbergh flew the Atlantic alone.

Mr. TURNER is correct, flight has been an important transformational invention in human history. We are now a connected world, largely because of flight. The Wright brothers and Dayton, Ohio, did have a role in that, Mr. Speaker. So I do rise to support adding Hawthorn Hill, the Wright family home, and the Wright Airplane Factory to the national park in Dayton, Ohio highly.

I do this, taking the lead of my party's nominee for President, who has urged that we put aside all the old animosities, that we reach across all divisions of society. In that spirit, Mr. Speaker, I rise in support of this bill.

Mr. HOBSON. Mr. Speaker, I rise today in support of H.R. 4199, which would expand the Dayton Aviation Heritage National Historical Park to include additional sites associated with the lives and work of Wilbur and Orville Wright.

Few technological advances have transformed the world or our nation's economy, society, culture, and national character as the development of powered flight. Therefore, it is important to preserve the historical sites associated the Wright brothers' achievements in the field of aviation. That is what this bill will do.

Over the years, the Ohio congregational delegation has worked together to preserve and promote Ohio's rich aviation history. A few years ago, I, along with Congressman Tony Hall, had the privilege of introducing the bill that later became law to designate eight Miami Valley counties and the Dayton Aviation Heritage National Historical Park as part of a National Aviation Heritage Area. Today, I commend my colleague, Congressman MIKE TURNER, for his leadership in sponsoring this bill to add two additional sites to the aviation park.

Specifically, H.R. 4199 will add Hawthorne Hill, which was Orville Wright's home in Oakwood, and several Wright Factory buildings in Dayton, where the brothers conducted research and testing. These sites would be part of the Dayton Aviation Heritage National Historical Park, which already includes such historic sites as: Huffman Prairie Flying Field, the Wright Cycle Company Complex, and the Paul Laurence Dunbar House. Together, these sites are an important part to nation's history, and Ohio's cultural heritage.

Again, I commend Congressman TURNER for his leadership to preserve and promote Ohio's aviation heritage with this legislation, and I urge my colleagues to join me in supporting H.R. 4419.

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

Ms. BORDALLO. Mr. Speaker, I again urge Members to support this important piece of legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Guam (Ms. BORDALLO) that the House suspend the rules and pass the bill, H.R. 4199, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Ms. BORDALLO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

MARITIME POLLUTION PREVENTION ACT OF 2008

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 802) to amend the Act to Prevent Pollution from ships to implement MARPOL Annex VI.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Maritime Pollution Prevention Act of 2008''.

SEC. 2. REFERENCES.

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

SEC. 3. DEFINITIONS.

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

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

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

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

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

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

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

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

SEC. 4. APPLICABILITY.

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

(1) in subsection (a)—

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

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

(C) by adding at the end the following:

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

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

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

''(i) the navigable waters or the exclusive economic zone of the United States;

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

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

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

''(i) the navigable waters or the exclusive economic zone of the United States;

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

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

''(D) to any other ship, to the extent that, and in the same manner as, such ship may be boarded by the Secretary to implement or enforce any other law of the United States or Annex I, II, or V of the Convention, and is in—

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

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

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

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

(2) in subsection (b)—

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

(B) by adding at the end the following:

''(3) With respect to Annex VI the Administrator, or the Secretary, as relevant to their authorities pursuant to this Act, may determine

that some or all of the requirements under this Act shall apply to one or more classes of public vessels, except that such a determination by the Administrator shall have no effect unless the head of the Department or agency under which the vessels operate concurs in the determination. This paragraph does not apply during time of war or during a declared national emergency.'';

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

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

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

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

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

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

(5) by adding at the end thereof the following:

''(i) SAVINGS CLAUSE.—Nothing in this section shall be construed to restrict in a manner inconsistent with international law navigational rights and freedoms as defined by United States law, treaty, convention, or customary international law.''.

SEC. 5. ADMINISTRATION AND ENFORCEMENT.

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

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

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

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

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

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

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

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

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

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

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

SEC. 6. CERTIFICATES.

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

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

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

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

SEC. 7. RECEPTION FACILITIES.

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

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

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

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

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

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

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

(5) in subsection (f)(2) by striking ''(A)''.

SEC. 8. INSPECTIONS.

Section 8(f) (33 U.S.C. 1907(f)) is amended to read as follows:

''(f)(1) The Secretary may inspect a ship to which this Act applies as provided under section 3(a)(5), to verify whether the ship is in compliance with Annex VI to the Convention and this Act.

''(2) If an inspection under this subsection or any other information indicates that a violation has occurred, the Secretary, or the Administrator in a matter referred by the Secretary, may undertake enforcement action under this section.

''(3) Notwithstanding subsection (b) and paragraph (2) of this subsection, the Administrator shall have all of the authorities of the Secretary, as specified in subsection (b) of this section, for the purposes of enforcing regulations 17 and 18 of Annex VI to the Convention to the extent that shoreside violations are the subject of the action and in any other matter referred to the Administrator by the Secretary.''.

SEC. 9. AMENDMENTS TO THE PROTOCOL.

Section 10(b) (33 U.S.C. 1909(b)) is amended—

(1) by striking ''Annex I, II, or V'' and inserting ''Annex I, II, V, or VI''; and

(2) by inserting ''or the Administrator as provided for in this Act,'' after ''Secretary,''.

SEC. 10. PENALTIES.

Section 9 (33 U.S.C. 1908) is amended—

(1) by striking ''Protocol,,'' each place it appears and inserting ''Protocol,'';

(2) in subsection (b)—

(A) by inserting ''or the Administrator as provided for in this Act,'' after ''Secretary,'' the first place it appears;

(B) in paragraph (2), by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary''; and

(C) in the matter after paragraph (2)—

(i) by inserting ''or the Administrator as provided for in this Act'' after ''Secretary,'' the first place it appears; and

(ii) by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary'' the second and third places it appears;

(3) in subsection (c), by inserting '', or the Administrator as provided for in this Act,'' after ''Secretary'' each place it appears; and

(4) in subsection (f), by inserting ''or the Administrator as provided for in this Act'' after ''Secretary,'' the first place appears.

SEC. 11. EFFECT ON OTHER LAWS.

Section 15 (33 U.S.C. 1911) is amended to read as follows:

''SEC. 15. EFFECT ON OTHER LAWS.

''Authorities, requirements, and remedies of this Act supplement and neither amend nor repeal any other authorities, requirements, or remedies conferred by any other provision of law. Nothing in this Act shall limit, deny, amend, modify, or repeal any other authority, requirement, or remedy available to the United States or any other person, except as expressly provided in this Act.''.

SEC. 12. LEGAL ACTIONS.

Section 11 (33 U.S.C. 1910) is amended—

(1) by redesignating paragraph (3) of subsection (a) as paragraph (4), and inserting after paragraph (2) the following:

''(3) against the Administrator where there is alleged a failure of the Administrator to perform any act or duty under this Act which is not discretionary; or'';

(2) by striking ''concerned,'' in subsection (b)(1) and inserting ''concerned or the Administrator,''; and

(3) by inserting ''or the Administrator'' after ''Secretary'' in subsection (b)(2).

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

The Chair recognizes the gentleman from Minnesota.

GENERAL LEAVE

Mr. OBERSTAR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 802.

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

There was no objection.

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

I smile because it's a delight to call the gentleman Mr. Speaker.

I rise in strong support of H.R. 802, as amended, the Maritime Pollution Prevention Act of 2008. The gentleman from Maryland (Mr. CUMMINGS) and I introduced this legislation at the outset of the 110th Congress to provide the Coast Guard and the Environmental Protection Agency with the legal authority they need to implement Annex VI of the International Convention for the Prevention of Pollution from Ships.

The House passed H.R. 802 on March 26, 2007, by a vote of 359–48. Notwithstanding that overwhelming vote of approval, the bill languished in the place we affectionately call the other body

for more than a year. But recently they have passed, with minor changes, that legislation. With House passage today, the bill can go to the President for consideration and for his signature.

Global warming is a critical issue, not just for the United States, but for every Nation, for every person on the planet. The international maritime community has recognized their contribution to global warming and to ocean pollution and have developed an international convention to address air pollutants from diesel ships.

For many years, the International Maritime Organization of the United Nations has been developing international standards to prevent pollution from ships that traverse the oceans. Those standards are now embodied in the International Convention for the Prevention of Pollution from Ships of 1973. The U.S. has implemented these environmental laws by enacting and amending the legislation known as the Act to Prevent Pollution from Ships, and when I served on the Merchant Marine and Fisheries Committee, much of whose jurisdiction has now been absorbed by the Committee on Transportation and Infrastructure, we worked on early versions of those amendments and environmental laws to implement and amend the APPS.

Annex VI of the Convention for Prevention of Pollution from Ships limits the discharge of nitrogen oxides from large marine diesel engines; it governs the sulfur content of marine diesel fuel; prohibits the emission of ozone-depleting substances; it regulates the emission of volatile organic compounds in the transfer of cargoes between tankers and terminals. It sets standards for shipboard incinerators and fuel oil quality; and it establishes requirements for platforms and drill rigs at sea.

The Senate ratified this treaty by unanimous consent in April, 2006. But it doesn't go into effect until we enact implementing legislation. The bill we consider today will implement Annex VI of the convention. It will provide the Coast Guard and the Environmental Protection Agency the authority necessary to develop U.S. standards and to enforce those standards on the thousands of U.S. and foreign-flagged vessels that enter U.S. waters.

Recognizing the challenge that the world faces in combating worldwide climate change and global warming, we have to take every measure possible to contain and then reduce rising temperatures on this planet, and particularly the oceans that are deep reservoirs of oxygen but also reservoirs of carbon and of the acid that we are pouring into the atmosphere. And that combination of absorbing heat, acid, and carbon is having deleterious effects on the Nation's world coral reefs. There was a very enlightening program on this devastation of the coral reefs on the Science Channel just the other evening.

□ 1530

It is something that I witnessed myself when I lived in Haiti and did snorkeling and exploring of the coral reefs. This was in the 1950s. You could see the dead reefs on the one side, and the vibrant, growing coral reefs and the abundance of life on those coral reefs, filtering out deleterious elements in the ocean water. But on the other side, the dead reef and a testament to the effects of pollution in our waters. And that was 50 years ago.

So the Senate amendments do not affect the application of MARPOL VI to the thousands of vessels that enter our ports. Their amendment clarifies that the United States can enforce MARPOL VI on vessels that are registered in countries which are not party to the convention when those vessels are in our 200 mile economic zone if the Coast Guard is on board of the vessel to enforce other annexes to the convention and to the extent that this enforcement does not violate international law.

In addition, the Senate amendment clarifies that an individual, a person, may bring a civil action if the Administrator of EPA has failed to perform any act or duty not discretionary under the act, and that is similar to civil action that may be brought under other provisions of law on application of other annexes to the convention.

The delay by the Senate, I regret, may have near term unfortunate consequences for the United States in the IMO negotiations that will take place this coming October to reduce emissions from ships. Under the terms of the convention, only parties to the convention may vote on those reduction measures, and a nation is not party to the convention until 90 days after its instruments of ratification have been deposited with the IMO. The Senate delay means we may not meet that deadline and the U.S. may not be able to vote to improve increased standards, even though delegates representing the United States chaired the working group that met over many sessions to negotiate these new, more rigorous standards.

So, given the importance of completing action on this legislation, I asked our majority leader, Mr. HOYER, to schedule this bill as quickly as possible immediately upon the House's return to session today. I thank the majority leader for his consideration, and I am hopeful we get the bill to the President's desk without delay.

I would also like to take the opportunity to thank our chairman of the Subcommittee on Coast Guard and Maritime Transportation, Mr. CUMMINGS, who has devoted a great deal of energy to the work of the subcommittee and to this particular issue in developing this legislation, and to the gentleman from Florida (Mr. MICA), the ranking member of our committee, for his cooperation and support in moving the bill last year and expediting today's action considering the bill, and to the gentleman from Ohio (Mr. LATOURETTE), ever the thoughtful, considerate, legal expert of the committee. I am grateful for his contribution.

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

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

Mr. Speaker, I want to rise in support today of the Senate amendment to H.R. 802, the Maritime Prevention Pollution Act of 2008. I want to give credit and pay tribute to the chairman of the full committee, Mr. OBERSTAR, and the chairman of the subcommittee, Mr. CUMMINGS of Maryland, for their diligence in working this bill and working the will of the committee and today the will of the House. I join Mr. OBERSTAR in expressing my regret that the other body has not acted in as prompt a fashion, and therefore we may be too late with this legislation. Hopefully that isn't the case.

This type of legislation is exactly what our committee should be about. Those of us, as the current occupant of the chair who hails from the Great Lakes region, as does the chairman of the full committee, know the great work that has gone into the restoration of the Great Lakes over many, many years. I am reminded as I listened to the chairman talk about the action or inaction of the other body that Johnny Carson, before the restoration of Lake Erie in particular was in full swing, used to joke that Lake Erie was a place where fish went to die. I think it is appropriate to say that at this moment in time, the Senate, regardless of who is in charge, is a place where bills go to die.

This bill will implement international requirements to reduce air emissions from ships for purposes of U.S. law and will establish more stringent standards for the emissions of airborne pollutants from ships as well as the sulfur content of fuel oil used in United States waters.

As Members may remember, the House first passed this bill in March of 2007, again thanks to the splendid leadership of Chairman OBERSTAR and Chairman CUMMINGS, with a broad bipartisan majority. Since that time, the bill has languished in the other body, to the point where we may well be prevented from voting on proposed amendments to the underlying convention at the next meeting of the International Maritime Organization. As a result, our abilities to push for strengthened measures have been significantly weakened.

Nonetheless, this is important legislation. I am pleased we will be sending it to the President as a first step to improve environmental conditions in our ports and along our coasts. I urge all Members to join me in supporting this legislation.

I reserve the balance of my time.

Mr. OBERSTAR. Mr. Speaker, I yield such time as he may consume to the Chair of the Coast Guard and Maritime

Affairs Subcommittee, my good friend, the very distinguished gentleman from Maryland (Mr. CUMMINGS).

Mr. CUMMINGS. I want to thank Chairman OBERSTAR for yielding and for his tremendous leadership of our Transportation Committee and getting this bill to the floor and his cosponsorship. I also want to thank Mr. LATOURETTE for his leadership, and certainly our ranking member of our overall committee, Mr. MICA.

At the beginning of the 110th Congress, Mr. Speaker, Chairman OBERSTAR laid out an agenda for the Transportation and Infrastructure Committee focusing on three critical objectives: Ensuring the safety and security of transportation and infrastructure; supporting expanded investment; and combating global warming.

The measure before us today, the Maritime Pollution Prevention Act of 2008, H.R. 802, represents yet another step towards the achievement of this agenda, and I applaud Chairman OBERSTAR for his focused leadership on one of the most urgent transportation issues confronting our Nation.

As the chairman of the Subcommittee on Coast Guard and Maritime Transportation, I rise in strong support of H.R. 802, which would institute the legal changes needed to bring the United States into compliance with Annex VI of the International Convention for the Prevention of Pollution From Ships, known as MARPOL.

This legislation passed the House of Representatives on March 26, 2007, by a vote of 359–48. The bill finally passed the Senate with a minor amendment at the end of last month, and that amended bill now returns to the House for our consideration.

MARPOL is a treaty negotiated by the members of the International Maritime Organization, the United Nations body responsible for developing the treaties that are essentially the sole international regulations for ocean shipping.

The MARPOL convention currently has six annexes limiting various forms of pollution from ships. Annex VI was negotiated to control air pollution and has been in force internationally since 2005. With the enactment of H.R. 802, the United States would finally align our Nation's laws to comply with this annex. Among other measures, Annex VI imposes limits on the sulfur content of the fuel utilized by ships, limits the emission of nitrogen oxides from ships' engines, and prohibits the deliberate release of substances that deplete atmospheric ozone.

In the United States, ships are essentially the last major non-regulated source of ozone depleting emissions and they are a growing threat to the world's air quality. In fact, some estimates suggest that the emissions of sulfur oxide from ships may now exceed the combined output from all the cars, trucks and buses in the world.

Unfortunately, the missions standards imposed by Annex VI are still very moderate. As a result, the United States has been actively working with our international partners to strengthen the annex's emissions controls through the development of new amendments. Among other changes, these proposed amendments which are now under consideration by the IMO would reduce allowable sulfur content in fuel from the current 4.5 percent to 3.5 percent in 2012, and require subsequent reductions through 2020.

A vote is scheduled on these new amendments by the current parties to Annex VI in October of this year. Critically, if the United States has not deposited with IMO its instrument of ratification of Annex VI at least 3 months prior to that vote, the United States will not be allowed to vote for the strengthened emission controls that we have worked to craft.

Mr. Speaker, implementation of the United States MARPOL Annex VI offers us the first opportunity to limit emissions from ships. Further, by joining this treaty now, we ensure that the United States can continue to lead the effort to achieve additional reductions in polluting emissions from oceangoing vessels.

I urge my colleagues to adopt H.R. 802 today, and I urge the President to sign this measure as quickly as possible.

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

Mr. Speaker, I know that it will come as a surprise to the Speaker that I spend just a couple of minutes talking about energy today, and I want to talk about it in the context of our committee.

I think the chairman of the full committee, Mr. OBERSTAR, can probably cite the statistic, but every year I have been here, and this is my 14th year in the United States Congress, the Transportation and Infrastructure Committee, I think under both Republican and Democratic leadership, has distinguished itself in the bipartisan and efficient way in which we craft our legislation and actually get something done, when the other body is willing and when the chief executive is willing to sign it.

I thought I heard before our July 4th recess Mr. OBERSTAR talk about the many numbers of bills that we have actually moved through the House, through the Senate, that have been signed into law, and it far exceeds a lot of the work that some of the other more contentious committees in this body, by their nature, no criticism intended, can compile, and I think it is in direct correlation to and as a direct result of the respect that we have for each other on both sides of the aisle on that committee, and now the stern but fair leadership of the gentleman from Minnesota (Mr. OBERSTAR).

That brings me to a frustration that I found and encountered over the Fourth of July recess. I was talking to Mr. OBERSTAR. I didn't quite have the adulation poured upon me at parades that he had in his district in Minnesota. There were some people that thought that $4.10 was a little bit much to be paying at the pump.

But the message that I got pretty loud and clear is that they want us to resolve it. When you pull into the gas station, there isn't a Republican pump and there isn't a Democratic pump and there isn't an independent pump, there is just gas that costs a lot of money today, and someone making $8 an hour in Ohio for a $320 per week gross paycheck is struggling, with $60, $70 filling up the tank to go to and from work.

There are a lot of opinions, and I will get into those in just a second, but I was reminded for the 12 years we were in the majority I happened to be supportive of something known as Davis-Bacon, which is the Federal prevailing wage law, and our committee is responsible for producing the Water Resources Development Act.

We were stymied for years in getting necessary water infrastructure projects out to our communities because of the sort of Davis-Bacon problem, and that is the then majority leader believed that if it came to a vote on an amendment, at that time by one of our colleagues who is not with us anymore, Mrs. Kelly of New York, that that issue would prevail, and much to the dismay of Members in the then majority party, who happened to be a majority of the majority but were a minority of the House, if that vote were permitted to have taken place. That was a frustrating thing, and, sadly, I think we find ourselves there again on this energy question.

There are Members in this House who advocate additional exploration and drilling in the United States, both on and offshore, in the West, in Alaska, off the east coast and the west coast. There are some who say no. There are some who advocate a replenishment and an increased investment in renewable, wind and solar. The gentleman from Minnesota is an expert on photovoltaic electricity, and certainly he has passed legislation that would be supportive of increased research and development of that type of energy generation.

There are those who believe like the French we should add nuclear power back into our portfolio. France, I believe, generates about 80 percent of its power through nuclear power. We haven't had a nuclear power program in this country for a number of years. There are those in this House that object to that and don't think that that is a good idea as well.

But the point is that I think that at $4, $4.10, $4.11, we have reached the price point where the American public, who has to get up and buy food, send their kids to school, pay their bills, pay their taxes and fill up their gas tanks, don't really want to hear why we disagree and what we can't agree on.

□ 1545

I think that they are looking for a solution. And there are a lot of people in both parties who are bellicose on this issue, and I don't intend to do that. But I think I would say that the time to have this national debate is now. We need to determine what direction the country is going to go in. And like most issues, the Democrats aren't 100 percent correct, the Republicans aren't 100 percent correct. But we are expected to be the leaders of the Nation and we are expected to come up with solutions.

So I would hope, not in the spirit of the old Water Resources Development Act where we were not permitted to have the House work its will, that the current leadership of the House would let the Members of the House work their will on what the energy policy of this country should be to give some relief to our citizens.

And since I am in a commending mood, Mr. Speaker, I would nominate the gentleman from Minnesota (Mr. OBERSTAR), the chairman of the Transportation and Infrastructure Committee, to be the designee of Speaker PELOSI to head up this effort and use the same bipartisan manner he uses on all other issues to get us out of this mess.

I reserve the balance of my time.

Mr. OBERSTAR. I yield myself 2 minutes.

I thank the gentleman for that promotion, I think. But I most sincerely thank him for his comments on the work of our committee and for his partnership in shaping that success story that we have enjoyed and in partnership with Mr. MICA as well. It is representative of the historical tradition of the committee to work in a bipartisan spirit. Perhaps it is so because of the nature of our committee jurisdiction, as the gentleman has suggested in his comments.

Indeed, as of the recess for Fourth of July, we had passed the 110th bill on that Thursday of the 110th Congress, the 110th bill from our committee, 64 of which have become public law or concurrent resolutions or House resolutions that were self-implementing; and that last measure, the 110th, was indeed to address the energy issue, to provide funding for transit and flexibility for transit authorities. And another bill that we passed by 311–104 was for the future of Amtrak, a bill that is now in House-Senate conference, and which I am confident we will bring to the House floor before the August recess to give Amtrak a new breath of life, incorporating some very significant Republican concepts and contributions that I think are important for the future of Amtrak. We did not operate in the committee on the principle of a majority of the majority, but rather on the principle of the best ideas that we could marshal and muster together and shape legislation that is beneficial for the future.

I now yield 3 minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. Mr. Speaker, I rise in strong support of H.R. 802, the Marine Pollution Prevention Act of 2008. I also echo the comments of the ranking member in praise of the bipartisan nature of this legislation. I want to thank Chairman OBERSTAR and Mr. CUMMINGS for their leadership in bringing this very important bill to the floor of the House.

H.R. 802 authorizes the EPA and the Coast Guard to issue enforcement regulations for the MARPOL Treaty Annex VI, which was approved by the Senate 2 years ago, with the goal to reduce harmful emissions from large oceangoing ships.

Implementation of this treaty amendment is an important first step for the protection of the health of our citizens in coastal areas of the United States. We know, for example, that large oceangoing ships are a major source of soot, sulfur dioxide, and smog-forming pollution, strongly associated with premature deaths, hospital visits, and asthma attacks. The emission from these ships can cause serious heart and lung problems, and can contribute to an increased risk of lung cancer.

This is clearly important in my congressional district along California's South Central Coast. In 2005, more than 7,000 oceangoing transits were made along our coastline. As these ships come through the Santa Barbara channel, heading to the ports of Hueneme, Los Angeles, and Long Beach, it is the case that the prevailing wind conditions blow most of the air pollution onshore.

Currently, these vessels emit over 45 percent of all the emissions of nitrogen oxides in Santa Barbara County, more than all the road vehicles combined. If left unregulated, these ships will contribute almost 75 percent of the county's nitrogen oxide pollution by 2020. This forecasted increase in air pollution from large ships could wipe out the hard won air quality improvements achieved in the last 30 years on California's central coast.

It is very clear that action must be taken to reduce these emissions which are impacting the lives of thousands of people living in my district every single day. And as I address this situation so harmful to this particular part of the coastline, I am aware that every coastal district in this Nation, the Pacific Coast, Atlantic, Gulf, and the Great Lakes would be affected perhaps in similar ways. So would the people who wish to visit these beautiful coastal areas.

The IMO, Mr. Speaker, is considering adopting new, more effective emission standards for large ships, but the U.S. will only have influence on these new standards if our country completes ratification of the MARPOL Annex VI Treaty via this implementing legislation. So I certainly hope we can seize this unique opportunity where industry, ports, environmental organizations, and regulatory agencies are aligned in moving forward to reduce emissions from this very large source of air pollution.

Again, I want to thank the chairman for bringing this legislation to the floor of the House today which means so much to my constituents. I urge its immediate passage.

The SPEAKER pro tempore. The gentleman from Minnesota (Mr. OBERSTAR) has 3 minutes remaining. The gentleman from Ohio (Mr. LATOURETTE) has 13 minutes remaining.

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

Mr. Speaker, the reason that I nominated the gentleman from Minnesota (Mr. OBERSTAR) as sort of the energy czar of the United States Congress is exactly the reasons that he indicated. If you look at the legislation that has effectively dealt in part with the difficulties we find ourselves in, the gentleman's transit legislation certainly gets people into mass transit and out of their automobiles and saves fuel.

The gentleman's Amtrak legislation is historic, and in the short run a robust Amtrak means good things for America in terms of jobs and moving people to and from work. I think I saw something on the news where they were tracking what has happened to people's behaviors since the price of gas has gone up, and I believe Amtrak has seen a 13 percent ridership increase since gas has increased, a testament to Amtrak, and also a testament to the gentleman's bill that made sure that Amtrak isn't operating hand to mouth as we move through this process.

Similarly, the gentleman's vision for intercity rail in this country is again something where we lag far behind our friends in Asia and Europe, and he has for the first time, at least since I have been here, put real money, $350 million a year for 5 years, into the notion of high-speed intercity rail connections principally in the Midwest of the United States. But all of us recognize that that piece at least is some years away in terms of it being a viable alternative and impacting the cost of gasoline.

So, again, I would make the suggestion that there are good ideas on both sides of this aisle. There are many gifted Members of Congress, both Republicans and Democrats. We should have a national debate. And, for the sake of the people that I represent and others represent, we should get something done and we should get them some relief today.

But, Mr. Speaker, I was talking to Mr. Rayfield and we were trying to remember whether it was General William Tecumseh Sherman who said: If asked, I will not run. If nominated, I will not serve. If elected, I will not serve.

I think that is what the gentleman from Minnesota said to my suggestion and I hope he in fact reconsiders that, because of all of the people in this body, he commands tremendous respect

on both sides of the aisle. He has demonstrated again and again not only as the ranking member in previous Congresses of our committee but now as the chairman that he can put together the best ideas of both sides, and not only move forward ideas that he firmly believes in but find consensus and actually get bills done and signed into law. So I hope the gentleman, unlike my fellow Ohioan, General Sherman, reconsiders.

I yield back the balance of my time.

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

The SPEAKER pro tempore. The gentleman is recognized for 3 minutes.

Mr. OBERSTAR. And I thank the gentleman again for his ever thoughtful remarks, Mr. Speaker. If handed such a challenge, I would undertake it with vigor and with resolute purpose. But it hasn't been handed to me, although I appreciate the gentleman's offer.

I think our committee has been able very successfully to attack these issues of short-term as well as long-term importance to the Nation, and we intend to continue pursuing the best interests of the country in the legislation we move from this committee, and to incorporate the good ideas from all members of the committee regardless of their political stature or standing.

I recall so well during T–21, the shaping of the surface transportation legislation, Mr. SHUSTER, then the chairman, and I traveled the country to major points of congestion throughout America to advocate for more robust investment in surface transportation. And at one point, I believe it was in Atlanta at a news conference, the last question was, well, Mr. OBERSTAR, why are you traveling and participating in this news conference, you a Democrat, with Mr. SHUSTER, a Republican? And I said: Because I have never seen a Democratic bridge or a Republican road; but if we work together, we can build all-American roads and all-American bridges.

The reporter then turned to Chairman Shuster and said: Why are you travelling with Mr. Oberstar? And he said, Because JIM OBERSTAR and I are joined at the hip.

And I think if we could carry that spirit with vigor and honesty and with resoluteness of purpose, we can accomplish great things for this country and for this Congress. And I for that reason enjoy the participation of the gentleman from Ohio (Mr. LATOURETTE), the gentleman from Florida (Mr. MICA), and in the current context Mr. CUMMINGS of Maryland, because there is a real sense of doing what is good for America and putting the country first and not our own personal agendas.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 802.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

CPL. JOHN P. SIGSBEE POST OFFICE

Mr. DAVIS of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5975) to designate the facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, as the ''Cpl. John P. Sigsbee Post Office''.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5975

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

SECTION 1. CPL. JOHN P. SIGSBEE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 101 West Main Street in Waterville, New York, shall be known and designated as the ''Cpl. John P. Sigsbee Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Cpl. John P. Sigsbee Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. DAVIS) and the gentleman from Ohio (Mr. TURNER) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. DAVIS of Illinois. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks.

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

There was no objection.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he might consume to the author of this legislation, Representative ARCURI of New York.

Mr. ARCURI. I thank the gentleman.

Mr. Speaker, I rise today in strong support of H.R. 5975, to rename the post office in Waterville, New York in memory of Corporal John P. Sigsbee.

Mr. Speaker, it is with both incredible pride and sadness that I address the House today to speak on this bill that pays tribute to the life and sacrifice of one of this Nation's fallen soldiers, U.S. Army Corporal John Sigsbee.

On January 16, 2008, Corporal Sigsbee of Waterville, New York was killed in action 50 miles north of Baghdad during his second tour of duty in Iraq.

□ 1600

The family he left behind while in the line of duty will soon receive his second Military Purple Heart on his behalf. Corporal Sigsbee was only 21 years old when his life was taken in service of our country.

John Sigsbee graduated from Waterville Central School in 2004 and attended Mohawk Valley Community College. Upon completing his first year of college, John decided to join the U.S. Army to further finance his higher education and became wounded one month to the day during his first tour of duty in Iraq.

John was sent home to recover at the Brooke Army Medical Center, where he was visited by Army personnel who awarded him for his bravery. These officers told John that he needed time to heal properly from the burns he suffered when his tank drove over two IEDs, and that he needed time to consider his decision to return to service. However, John replied, with his mother at his side, ''Give me one year and I'll be back.'' John did just that, and it was then that his mother started to know what ''sacrifice'' truly means.

John went back and gave all that he had to give. In his mind, there was no question that his place was back with his fellow troops in Iraq to fulfill his responsibilities as a young American soldier.

Corporal Sigsbee valiantly served as a member of the 32nd Cavalry Unit in the 101st Airborne Division, a dedicated young man who every day honored his responsibility to his country and his mission. Corporal Sigsbee's purpose and sacrifices will be remembered by the entire village of Waterville, county of Oneida and now, with passage of this bill, by the whole Nation.

During calling hours and funeral arrangements for Corporal Sigsbee, his family and loved ones received an outpouring of gratitude and support by the village of Waterville. Over 2,000 citizens attended calling hours to pay their respects for this young American, and 300 members from local veterans' organizations came to the local high school as a show of strength and unity for their fellow soldier. Additionally, a 50-car procession escorted his body from the Griffiss Airfield to Saratoga National Cemetery where he was laid to rest.

On that day, January 25, 2008, Corporal Sigsbee received a true hero's welcome from not only his family and friends, but from people who did not know him yet wanted to give their thanks, thanks to a man who paid the ultimate price for their safety and their freedom. The renaming of this post office may be considered by some as a simple act by Congress. But it will forever symbolize to the village of Waterville and the citizens of Oneida County, and to future generations, the deep appreciation that this legislative body has for this man's life and contributions, and for the actions of each and every member of our Armed Services.

Mr. Speaker, I urge my colleagues today to support this legislation renaming the Waterville, New York, Post Office after and in honor of Corporal