

Thank you, Madam Speaker.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the administration of the oath of office to the gentleman from Florida (Mr. DEUTCH), the whole number of the House is 431.

Without objection, 5-minute voting will continue.

There was no objection.

RECOGNIZING THE COAST GUARD GROUP ASTORIA

The SPEAKER pro tempore (Ms. MCCOLLUM). The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 1062, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Maryland (Mr. CUMMINGS) that the House suspend the rules and agree to the resolution, H. Res. 1062, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 401, nays 0, not voting 29, as follows:

[Roll No. 205]

YEAS—401

| | | |
|--------------|---------------|-----------------|
| Aderholt | Calvert | Deutch |
| Adler (NJ) | Camp | Diaz-Balart, L. |
| Akin | Campbell | Diaz-Balart, M. |
| Alexander | Cantor | Dicks |
| Altmire | Cao | Dingell |
| Andrews | Capito | Doggett |
| Arcuri | Capps | Donnelly (IN) |
| Austria | Capuano | Doyle |
| Baca | Carnahan | Dreier |
| Bachmann | Carney | Driehaus |
| Bachus | Carson (IN) | Duncan |
| Baird | Carter | Edwards (MD) |
| Baldwin | Cassidy | Edwards (TX) |
| Barrow | Castle | Ellison |
| Bartlett | Castor (FL) | Ellsworth |
| Barton (TX) | Chaffetz | Emerson |
| Bean | Chandler | Eshoo |
| Becerra | Childers | Etheridge |
| Berkley | Chu | Fallin |
| Berman | Clarke | Farr |
| Berry | Clay | Fattah |
| Biggert | Cleaver | Fiener |
| Bishop (GA) | Clyburn | Flake |
| Bishop (NY) | Coble | Fleming |
| Bishop (UT) | Coffman (CO) | Forbes |
| Blackburn | Cohen | Fortenberry |
| Blumenauer | Cole | Foster |
| Blunt | Conaway | Fox |
| Bocchieri | Connolly (VA) | Frank (MA) |
| Boehner | Conyers | Franks (AZ) |
| Bonner | Cooper | Frelinghuysen |
| Bono Mack | Costa | Fudge |
| Boozman | Costello | Garamendi |
| Boren | Courtney | Garrett (NJ) |
| Boswell | Crenshaw | Gerlach |
| Boucher | Crowley | Giffords |
| Boustany | Cuellar | Gingrey (GA) |
| Brady (PA) | Culberson | Gohmert |
| Brady (TX) | Cummings | Goodlatte |
| Braley (IA) | Dahlkemper | Gordon (TN) |
| Bright | Davis (AL) | Granger |
| Brown (GA) | Davis (CA) | Graves |
| Brown (SC) | Davis (IL) | Graves |
| Brown-Waite, | Davis (KY) | Green, Al |
| Ginny | Davis (TN) | Green, Gene |
| Buchanan | DeFazio | Griffith |
| Burgess | DeGette | Grijalva |
| Burton (IN) | DeLahunt | Guthrie |
| Butterfield | DeLauro | Gutierrez |
| Buyer | Dent | Hall (NY) |

| | | |
|------------------|-----------------|------------------|
| Hall (TX) | Marshall | Ros-Lehtinen |
| Halvorson | Matheson | Roskam |
| Hare | Matsui | Ross |
| Harman | McCarthy (CA) | Roybal-Allard |
| Harper | McCarthy (NY) | Royce |
| Hastings (FL) | McCaull | Rush |
| Hastings (WA) | McClintock | Ryan (OH) |
| Heinrich | McCollum | Ryan (WI) |
| Heller | McDermott | Salazar |
| Hensarling | McGovern | Sanchez, Loretta |
| Herger | McHenry | Sarbanes |
| Herseht Sandlin | McIntyre | Scalise |
| Higgins | McKeon | Schakowsky |
| Hill | McMahon | Schauer |
| Himes | McMorris | Schiff |
| Hinchee | Rodgers | Schmidt |
| Hinojosa | McNerney | Schock |
| Hirono | Meeke (NY) | Schrader |
| Hodes | Melancon | Schwartz |
| Holden | Mica | Scott (GA) |
| Holt | Michaud | Scott (VA) |
| Honda | Miller (MI) | Sensenbrenner |
| Hoyer | Miller (NC) | Serrano |
| Hunter | Miller, Gary | Sessions |
| Inglis | Miller, George | Sestak |
| Inslee | Minnick | Shadegg |
| Israel | Mitchell | Shea-Porter |
| Issa | Mollohan | Sherman |
| Jackson (IL) | Moore (KS) | Shimkus |
| Jenkins | Moore (WI) | Shuler |
| Johnson (GA) | Moran (KS) | Shuster |
| Johnson (IL) | Moran (VA) | Simpson |
| Johnson, E. B. | Murphy (CT) | Sires |
| Johnson, Sam | Murphy (NY) | Skelton |
| Jones | Murphy, Patrick | Smith (NE) |
| Jordan (OH) | Murphy, Tim | Smith (NJ) |
| Kagen | Myrick | Smith (TX) |
| Kanjorski | Nadler (NY) | Smith (WA) |
| Kaptur | Napolitano | Snyder |
| Kennedy | Neal (MA) | Souder |
| Kildee | Neugebauer | Space |
| Kilpatrick (MI) | Nunes | Speier |
| Kilroy | Nye | Spratt |
| Kind | Oberstar | Stark |
| King (IA) | Obey | Stearns |
| King (NY) | Olson | Stupak |
| Kingston | Ortiz | Sullivan |
| Kirk | Owens | Sutton |
| Kirkpatrick (AZ) | Pallone | Tanner |
| Kissell | Pascarell | Taylor |
| Klein (FL) | Pastor (AZ) | Teague |
| Kline (MN) | Paul | Terry |
| Kratovil | Paulsen | Thompson (CA) |
| Kucinich | Payne | Thompson (MS) |
| Lamborn | Pence | Thompson (PA) |
| Lance | Perlmutter | Thornberry |
| Langevin | Perriello | Tiberi |
| Larsen (WA) | Peters | Tierney |
| Larson (CT) | Peterson | Titus |
| Latham | Petri | Tonko |
| LaTourette | Pingree (ME) | Tsongas |
| Latta | Pitts | Turner |
| Lee (CA) | Platts | Upton |
| Lee (NY) | Poe (TX) | Van Hollen |
| Levin | Polis (CO) | Velázquez |
| Lewis (CA) | Pomeroy | Visclosky |
| Lewis (GA) | Posey | Walden |
| Linder | Price (GA) | Walz |
| Lipinski | Price (NC) | Waters |
| LoBiondo | Putnam | Watson |
| Loebsack | Quigley | Watt |
| Lofgren, Zoe | Radanovich | Weiner |
| Lowe | Rahall | Welch |
| Lucas | Rangel | Westmoreland |
| Luetkemeyer | Rehberg | Whitfield |
| Lujan | Reichert | Wilson (OH) |
| Lummis | Reyes | Wilson (SC) |
| Lynch | Richardson | Wittman |
| Mack | Rodriguez | Wolf |
| Maffei | Roe (TN) | Woolsey |
| Maloney | Rogers (AL) | Wu |
| Manzullo | Rogers (KY) | Yarmuth |
| Marchant | Rogers (MI) | Young (FL) |
| Markey (CO) | Rohrabacher | |
| Markey (MA) | Rooney | |

NOT VOTING—29

| | | |
|----------------|-----------------|----------------|
| Ackerman | Hoekstra | Ruppersberger |
| Barrett (SC) | Jackson Lee | Sanchez, Linda |
| Bilbray | (TX) | T. |
| Bilirakis | Kosmas | Slaughter |
| Boyd | Lungren, Daniel | Tiahrt |
| Brown, Corrine | E. | Towns |
| Cardoza | McCotter | Wamp |
| Ehlers | Meek (FL) | Wasserman |
| Engel | Miller (FL) | Schultz |
| Gallegly | Olver | Waxman |
| Gonzalez | Rothman (NJ) | Young (AK) |

□ 1356

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. EHLERS. Madam Speaker, on rollcall No. 205, I missed the vote on H. Res. 1062, due to an important vote.

Had I been present, I would have voted "yes."

RECOGNIZING DR. HECTOR GARCIA

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 222.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 222.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1400

GENERAL LEAVE

Mr. OBERSTAR. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on H.R. 4715 and include extraneous matter in the RECORD.

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

There was no objection.

CLEAN ESTUARIES ACT OF 2010

The SPEAKER pro tempore. Pursuant to House Resolution 1248 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4715.

□ 1404

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 consideration of the bill (H.R. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 30 minutes.

The Chair recognizes the gentleman from Minnesota.

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

The gentleman from New York (Mr. BISHOP) and the gentleman from New Jersey (Mr. LOBIONDO) deserve very special recognition and appreciation for their collaborative work taking the lead on this legislation to bring new focus and new energy and new legislative authorities to the National Estuary Program under the Clean Estuaries Act of 2010.

Without that concerted effort, we would be losing an extraordinary opportunity to protect and to restore the Nation's estuaries, among our most valuable natural resources.

This legislation was approved by the Committee on Transportation and Infrastructure by voice vote. We have solid support on both sides of the aisle on a bill that was carefully crafted over many months by participation, input, and recommendations from both sides, all of which suggestions have been incorporated into this final legislative product.

Estuaries are very unique bodies of water. They are the places where fresh and salt water meet, the places where new forms of life are created, not just in the United States but all throughout the world. Estuaries are critical mixing points for the basic ingredients of life, including new life itself. Estuaries are the most ecologically diverse, the most economically productive natural resource areas on our entire planet.

Estuaries and their associated coastal resources are major economic forces, as well, for our country. Commercial and recreational fishing annually accounts for \$185 billion in revenue, 2 million direct jobs. Commercially and recreationally important fish and shellfish species—striped bass, shad, salmon, sturgeon, shrimp, crabs, lobster, clams, oysters, muscles, and bay scallops—all depend on the estuary for stages of their life cycle.

Estuaries are habitat for three-fourths of all of the commercial fish catch and 80–90 percent of the recreational fish catch. And that is true not just for the fresh and salt water meeting places of estuaries, but also for the riverine and lake meeting places of estuaries on the Great Lakes.

Beyond fishing, estuaries produce significant economic value for our fellow citizens in tourism, energy production, navigation, cultural and recreational opportunities, boating, fishing, swimming, surfing, birding. Ports and harbors are located in our estuaries, including our ports of Duluth Superior, which I share with my dear friend and colleague from across the water, Mr. OBEY, in northwestern Wisconsin/northeastern Minnesota.

The University of California and the Ocean Foundation have reported that, annually, beach going generates \$30 billion of economic value, and wildlife viewing generates up to \$49 billion, also, in economic value.

But, unfortunately, estuaries, by definition, are downstream. Each estuary is the repository for all of the pollution discharged into the rivers and other bodies of water that drain into estuaries from upstream. As the pollution loading increases, the estuary, the repository of those pollution deposits, deteriorates. The water becomes degraded. The animal and plant communities suffer. Chesapeake Bay is a powerful example of that degrading and deterioration. Only 1 percent of the historical oyster population remain in Chesapeake Bay.

An impaired estuary is bad for commercial and recreational fishing, results in depleted fisheries, decreased tourism revenues, and deteriorated property values. In addition, because of deterioration of the estuary and the borderland around it, we've seen increased flooding, shoreline erosion, damaged infrastructure, particularly when storms occur, which happens every year.

The Federal Government has a number of authorities at its disposal with which to control water pollution, and typically we have used a permit-based system to regulate pollution discharge into our waters. The 1987 amendments to the Clean Water Act provided a new authority in the National Estuary Program. We are reauthorizing that program today in this bill. It's a non-regulatory program. It includes 28 separate estuaries, and each of these estuary initiatives is run by a non-Federal entity. Some are run by States, others by nongovernmental organizations, and a few others by universities.

A central feature of each program is a management plan developed on a consensual basis; not a top-down, not imposed, but a cooperative, inclusive initiative where all elements of government and private sectors and, sort of, stakeholders—a term I don't particularly like, but that's a good inclusive term covering all of those who have a share or a responsibility in the watershed—all develop a bottoms-up process to manage the discharges into and the use of the estuary. It has been very popular and it has been also very effective in improving the health of our estuaries.

This bill does four things: increased transparency and accountability for each of the estuary programs; increased Federal coordination in restoration, protection of the estuaries; third, programmatic changes to the natural estuary program; and, fourth, increasing the authorization level for the program from \$35 million to \$50 million. Not very much. Not very much especially considering the erosion of the value of the dollar over the years since this program was established.

We set the minimum level of \$1.25 million a year for each of the 28 approved estuaries. The program was last authorized in 2000 and erosion of the dollar would have required an increase over those years to an estimated \$44 million. We take it just a little bit

higher to \$50 million in order to account for other estuaries that are important that may be added in the coming management of this program.

With that, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, H.R. 4715 reauthorizes the National Estuary Program found in section 320 of the Clean Water Act and adds some important accountability provisions. These improvements require performance measures and goals in order to track implementation of management plans for estuaries. The EPA will evaluate every 4 years and report on the implementation of each management plan. In addition, after the EPA evaluates and reports on a plan, each management conference will be required to update their plans.

I note that H.R. 4715 increases the authorized level of funding by 43 percent from \$35 million per year to \$50 million a year. The average appropriation over the past 5 years for this program has been only \$26.8 million. The President's recent budget requests \$27.2 million.

While I support the National Estuary Program and improvements made here in H.R. 4715, I know many of my colleagues, as well as myself, are concerned about increasing authorized levels of spending for programs when Congress has not been able to fund the program close to its current authorization.

□ 1415

Certainly in our current economic crisis we should carefully weigh any proposed increase in authorization levels. We must also consider the importance to estuaries. They are the nursery grounds for much of the planet's sea life and the source of the seafood that we enjoy. They are a unique habitat for a unique group of fish and wildlife.

With that, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield myself 1 minute to express my great appreciation to our subcommittee chair, Ms. JOHNSON of Texas, who has done a superb job of holding the hearings that led up to the creation of this legislation and bringing together the parties on both sides of the aisle; Mr. BOOZMAN for his splendid participation in the deliberations of the subcommittee and then at the full committee level; and also my great appreciation to Mr. MICA, the ranking member of the full committee, with whom I have a splendid partnership in all of the work of our committee.

Before I recognize and yield time to Ms. JOHNSON, I just wanted to say, it's true, as the gentleman from Arkansas pointed out, that the funding level has been well below the new authorization we propose, and I know these are tight budgetary times. Our job as an authorizing committee is to set what is the reasonable, responsible level of funding for programs under the jurisdiction of our committee, set that forth, put it

into law, and then we will have to fight with the rest of the budget for their fair share of the funding level.

The CHAIR. The time of the gentleman has expired.

Mr. OBERSTAR. I yield myself 30 additional seconds.

But if we don't raise that level from time to time to keep pace with inflation, keep a target out there, then they will continue to be underfunded. At least they can go in and compete and advocate with other Federal Government programs for the amount of funding and have to justify themselves to do that.

And, furthermore, we have a half dozen programs that have a poor rating. The accountability provisions of that bill are targeted to raise their level of performance and to hold them up to public scrutiny. And I think that justifies us—and also they haven't had the funding level they have needed to do the right job. So if we believe in the program, we believe that estuaries are important for new forms of fish and shellfish and aquatic life, we ought to protect them and enhance—

The CHAIR. The time of the gentleman has again expired.

Mr. OBERSTAR. I yield myself 30 additional seconds.

Then we need to increase the funding level but also increase their accountability, also increase their responsibility to the public. That's, I think, a very important and new initiative in this legislation.

I now yield 4 minutes to the gentleman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. I thank my committee chairman.

I rise in very strong support of H.R. 4715, the Clean Estuaries Act of 2010.

Estuaries are the bodies of water that receive both freshwater from rivers and saltwater from the sea. The mix of water makes a unique environment that is extremely productive in terms of its ecosystem values. Estuaries are rich in plant life, coastal habitat, and living species. The ecological productivity of these regions translates directly into important economic productivity. Government studies have found that estuaries provide habitat for 75 percent of the U.S. commercial and 80 to 90 percent of the recreational fishing catches.

Perhaps the central problem in the protection and restoration of estuaries is that they ultimately lie downstream from all. Everything that enters the smallest stream, tributary, or headwater in a watershed eventually runs into its respective estuary, impacting, in some way, all the biological elements of that system and all of the commerce that revolves around that estuary.

To address estuary impairments properly, we cannot look to the Federal Government alone. Indeed, we cannot necessarily look to the Federal Government as the lead. Instead, prop-

er watershed management and estuary protection must be a process that involves all levels of government and all manner of stakeholders.

Today's legislation, the Clean Estuaries Act of 2010, provides the resources and means to do just that. As the chair of the Subcommittee on Water Resources and Environment, the subcommittee charged with primary jurisdiction for protective water quality, I am pleased to support this bill. This legislation increases the authorization for appropriations, allows for increased and improved Federal coordination, increases accountability, and includes some necessary programmatic changes.

The increase in authorized appropriation levels will not only provide more resources to localities and organizations on the ground, it will also enable more communities and estuaries to be involved in this important national program.

I am well aware of the effectiveness and popularity of these nonregulatory, community-based programs. We should be seeking to encourage the use of these types of programs in order to address problems in a grassroots fashion. In this sense, by making cleaner estuaries, we hope to achieve healthier communities and stronger economies through collaborative processes. I ask all Members of this Chamber to join me in supporting communities and estuaries through the passage of this bill.

Mr. BOOZMAN. Mr. Chairman, I yield such time as he might desire to the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. Mr. Chairman, I rise in strong support of the Clean Estuaries Act.

I want to particularly thank Chairman OBERSTAR for his continued leadership and for moving so very quickly on this important legislation. I would also like to thank Chairwoman EDDIE BERNICE JOHNSON, Mr. MICA, and Mr. BOOZMAN for their help on this very important issue as well. Finally, I would like to thank Mr. BISHOP for his leadership and once again allowing me to join with him on an issue that we both find important and that we can make a difference with on a critical bill to keep our waters clean and to do this for future generations.

As we have heard, the bill would authorize the National Estuary Program for another 5 years, allow the program to expand protections to other watersheds and provide—and I think this is very important—greater accountability on how taxpayer money is spent, something that we should be doing more of. The bill will improve transparency, also something very important, by establishing periodic reviews of management plans and by requiring partners to demonstrate results, something, again, that is very important that we see what the results are.

Partners that fall out of compliance with their plans will lose grant funds, and that's as it should be, because they

should have to produce results. These changes will improve the National Estuary Program and enhance the protection of our Nation's estuaries while ensuring that the taxpayer is getting a strong return on investment.

In my district, the Delaware estuary is home to the second largest concentration of migrating shorebirds in the Western Hemisphere, which is pretty incredible when you think about it, as well as dozens of protected species and the largest population of horseshoe crabs in the world. The estuary is also home to over 5 million people and some of the largest refineries and chemical manufacturers on the east coast.

The group charged with understanding how to manage the demands of these two forces is the Partnership for the Delaware Estuary. As one of the 28 designated NEP organizations, the Partnership has done an absolutely outstanding job, a tremendous job, to not only protect and enhance the Delaware estuary but also to raise the public awareness about the need to act responsibly and care for this unique ecosystem.

I want to commend the Partnership for the Delaware Estuary and the 27 other partnership organizations that have made the National Estuary Program so successful, and I urge all Members to support H.R. 4715.

Mr. OBERSTAR. Mr. Chairman, I yield 4 minutes to the distinguished gentleman from New York (Mr. BISHOP) who coauthored this bill with the gentleman from New Jersey (Mr. LOBIONDO).

Mr. BISHOP of New York. Let me start by thanking Chairman OBERSTAR for his unwavering commitment to clean water issues, and we also thank Chairwoman JOHNSON for her leadership.

Finally, let me thank my good friend, Congressman LOBIONDO, for sponsoring this legislation with me. Congressman LOBIONDO and I have worked together on several issues of mutual benefit to our constituents over the years. I think we have formed a very nice partnership.

To those of us on the Transportation and Infrastructure Committee, it sometimes feels as if we are part of the last remaining bastion of bipartisanship in this institution, and I am always heartened by the way our committee works closely with each other to produce initiatives that improve our infrastructure, our environment, and the lives of the American people. I appreciate the way our committee has moved forward very quickly on this important legislation.

My district encompasses 300 miles of coastline and includes two of the 28 estuaries of national significance, the Long Island Sound and Peconic Bay. I am very proud to represent some of this country's most popular and beautiful beaches and precious water bodies. Maintaining coastal estuarine health is an integral objective toward preserving the Nation's environment

and sustaining the economies of our coastal States.

The Clean Estuaries Act of 2010 reauthorizes the popular and highly effective National Estuary Program originally designated as section 320 of the Clean Water Act and makes four primary changes to the program.

First, the bill increases the accountability for approved estuary programs by requiring evaluation and updating management of their plans on a periodic basis. This requirement increases transparency and encourages adaptive management of the programs by incorporating evaluation results into the period management plan updates.

Secondly, approved programs must identify vulnerabilities and impacts due to climate change and prepare adaptation responses as well as raise public awareness of the issues facing the health of estuaries and performance measures and targets.

The third important improvement to the program is provisions to enhance Federal agency coordination. As many Federal agencies oversee activities that impact estuaries, our bill requires they participate in the management planning process and incorporate local priorities when practicable.

Finally, authorization is increased from \$35 million to \$50 million per year and requires that each program approved receive a minimum of \$1.25 million. This increase in authorization allows the program to keep pace with inflation and provides for the entry of new programs into the NEP program where 38 sites have expressed interest in the past to become an approved program.

Our coastal areas support more than 28 million jobs in the United States, and commercial and recreational fishing in these areas generate roughly \$185 billion in sales and support nearly 2 million jobs. In fact, estuaries produce more food per acre than the most productive farmland.

Approximately 75 percent of commercial fish species depend on coastal areas for their primary habitat, spawning grounds, and nursery areas. In my district, the Long Island Sound produces over \$5.5 billion in revenue for State and local economies in the tourism, fishing, and boating industries each year.

Setting aside the obvious and vital role that estuaries play to environmental ecosystems, the economic benefits of estuaries alone are reason enough to improve upon the investments Congress has made on behalf of the American people. Estuaries are proven job creators and provide a rate of return rarely seen on Wall Street.

Let me once again thank Chairman OBERSTAR, Ranking Member MICA, Chairwoman JOHNSON, Ranking Member BOOZMAN, Congressman LOBIONDO, and both majority and minority staffs for their hard work and dedication to this issue.

I hope my colleagues agree with the merits of this legislation. I ask for

their vote today on H.R. 4715, the Clean Estuaries Act.

□ 1430

Mr. BOOZMAN. Mr. Chairman, I yield myself 15 seconds.

I do want to thank the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman from New York (Mr. BISHOP) for the very positive changes in the bill of accountability and transparency.

Mr. Chairman, I will continue to reserve. We don't have anymore speakers.

Mr. OBERSTAR. I yield 2 minutes to the distinguished gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I rise to support H.R. 4715, the Clean Estuaries Act of 2010. The reauthorization obviously provides opportunities to clean up our Nation's waterways.

I want to thank Chairman OBERSTAR and Ranking Member BOOZMAN and the other cosponsors on a bipartisan basis. This is a good example of how we work together.

In California, we have a lot of challenges with our own waterways. A persistent degradation of the largest estuary on the west coast is California's San Francisco Bay and the Sacramento-San Joaquin River Delta system. Unfortunately, in my opinion, two flawed biological opinions focus solely on exported water to the valley and southern California for the decline in this important estuary for both the bay and the delta, ignoring other significant contributing factors.

Meanwhile, urban centers continue to pollute this bay-delta with toxic runoff, waste discharged from sewage facilities, refineries, city streets and power plants, significantly degrading the ecosystem and putting water supply to the valley and to southern California at risk. This single-minded view has resulted in the loss of jobs and endangered livelihoods of farmers, farm workers and farm communities in the San Joaquin Valley who rely on that water to grow half the Nation's fruits and vegetables.

Enough is enough. It's time for other regions of California to share in the responsibility for the decline of water quality and fisheries. Playing the blame game and pointing fingers at our valley's economy and some of the hardest working people in the country will not solve our water crisis in California; however, working together will. Step one is reducing and preventing the longstanding pollution that is threatening the Sacramento-San Joaquin River systems and our region.

Passing this measure will help our Nation's estuaries, and we must do more. I want to commend, once again, the chairman and the cosponsors of this measure and look forward to continuing to work with them.

Mr. OBERSTAR. I yield 3 minutes to the distinguished gentlewoman from California (Mrs. CAPPS), who has made a splendid contribution to this bill, and thank her for her contribution.

Mrs. CAPPS. Thank you, Chairman OBERSTAR, for recognizing me.

I rise today to express my support for H.R. 4715, the Clean Estuaries Act, a bipartisan bill to reauthorize and make improvements to the National Estuary Program.

I wish to thank my colleagues, TIM BISHOP and FRANK LOBIONDO, for introducing this bill. We each represent coastal districts that are home to amazing estuary systems of great importance to our communities.

In my district, the Morro Bay National Estuary is an ecological treasure. Lagoons and wetlands that were once common along the southern California coast are now nearly all filled and developed, but the Morro Bay Estuary has survived largely thanks to local efforts and now the support of the estuary program.

Like other national estuaries, the one in Morro Bay provides vital habitat for birds and fish. It is an important stopover for more than 150 species of migratory birds and it acts as a nursery for more than 75 percent of commercial fish species right in the immediate area.

Since the Morro Bay Estuary was incorporated into the national program in 1995, the inspiring team of local staff and volunteers has spearheaded numerous efforts to preserve and restore the estuary. I particularly want to commend former program director Dan Berman, interim director Mike Multari and his staff, as well as the Bay Foundation of Morro Bay. Their accomplishments over the years are a reflection of the strong partnerships and community support that define the Morro Bay National Estuary Program. For example, partnering with local ranchers, the hardworking team in Morro Bay has installed riparian fencing along nearly 75,000 feet of creek to limit cattle access. This has protected water quality and improved habitat on seven creeks leading to the estuary.

The estuary program has also been a source of funding for the city of Morro Bay's efforts to remove derelict marine vessels before they pollute local waters and damage habitat. And the Estuary Nature Center helps the public to understand the estuary's importance to water quality and conservation.

Mr. Speaker, estuaries are among the richest habitats known on the Earth, providing immeasurable economic and ecological benefits, but they are threatened by climate change, by pollution, and other human activities. The Clean Estuaries Act helps to combat these problems and improves the efficiency of our National Estuary Program.

First, the bill requires that each approved estuary program be evaluated every 4 years and the results be publicly released. Second, the bill increases Federal attention to local priorities and requires that Federal agencies participate in planning and coordinating the implementation of the site's own management plan.

Third, the bill requires that estuaries identify and plan for vulnerabilities to climate change.

And, finally, the bill increases the program's annual authorization to \$50 million.

The CHAIR. The gentlewoman's time has expired.

Mr. OBERSTAR. I yield the gentlewoman an additional 30 seconds.

Mrs. CAPPS. Thank you.

This modest funding increase will strengthen the capacity of our existing estuaries to protect these critical coastal and marine resources; and the proposed funding increase will allow for the responsible expansion of the program to incorporate new regions that are not currently served in the NEP.

Mr. Chairman, we are at a critical juncture for our ocean and coastal resources, and the National Estuary Program is a vital part of that network. I urge my colleagues to support this legislation to protect some of our Nation's most valuable and treasured natural resources, our national estuaries.

Mr. OBERSTAR. Mr. Chairman, I yield myself 10 seconds to express my great appreciation to the gentlewoman from California for her thorough elucidation of the specific benefits, point by point, of the estuary program in her Morro Bay area.

I now yield 4 minutes to the distinguished gentleman from Oregon (Mr. BLUMENAUER), a refugee from the Committee on Transportation and Infrastructure.

Mr. BLUMENAUER. I thank the chairman for his courtesy and keeping me in his thoughts.

I rise in strong support of this outstanding piece of legislation. The National Estuary Program has been funding work around the country for 20 years to monitor and restore estuaries of national significance. It is really, I think, extraordinarily positive for us to hear the message repeated today here on the floor about the importance, the scope, the significance, and the progress that has been made.

I have a special interest in one area in Oregon and Washington; the Lower Columbia River Estuary has been part of the program since 1995. This stretches 146 miles from the Bonneville Dam to the mouth of the Pacific Ocean. It supports hundreds of species of fish and wildlife and thousands of people's economy and their quality of life. It is the largest river in the Pacific Northwest, supplying fishermen with jobs, serving as a recreational resource, and providing power through the Pacific Northwest.

I have been privileged to work for the Lower Columbia River Estuary Partnership, which heads our local estuary program. It is an unparalleled bi-State, public and private partnership involving collaborative efforts among key Federal partners, including EPA, NOAA, USGS, the Army Corps of Engineers. They work with government at all levels as well as a broad array of

stakeholders that address these many challenges facing the estuary from habitat degradation, to wetland loss, to endangered species, to toxic contaminants. This is a model non-regulatory, community-based program that gets results. National Estuary Partners focuses on on-the-ground activities and involving local communities with technical support and base funding coming from the Federal Government.

The accomplishments in the Columbia are impressive. The partners have restored 2,600 acres of habitat, opened more than 53 miles of stream, completed toxic and conventional pollutant water quality monitoring, and engaged the public in innovative cleanup efforts around the region such as "drug take back" days and working with volunteers to remove invasive plants.

There are many challenges remaining in the Lower Columbia, and this legislation will provide important funding to further progress there and around the country. Each local estuary also leverages National Estuary Partnership funds. In 2009, in our community, we were able to bring in \$14 for each dollar that was provided by the Federal Government. In addition to restoring the ecosystem, these dollars create jobs for construction, design, contractors, engineers, biologists, hydrologists, builders and educators, family-wage jobs in the community. And beyond today's economic impact, the restored area will support the recovery of a commercial fishing industry that was reduced 90 percent in the course of 20 years.

Importantly, this legislation will also, for the first time, open the door to other estuaries to participate in the program. While funding goes to all estuaries, it will have benefits for the entire country. You have heard here on the floor repeatedly that healthy estuaries mean a healthy national economy. They cover a huge portion, 13 percent, of the land area of the United States where half the gross domestic product is produced, and almost 43 percent of the population.

These coastal areas provide tens of millions of jobs, which means more people employed if we have healthy estuaries. It provides fresh seafood, it provides habitat for 75 percent of the United States commercial fish catch, and 80 to 90 percent of the recreational fish catch.

These are also prime destinations for tourism. In any given year, 10 percent of the population will visit coastal Florida, 12.5 percent will visit coastal California, and every coastal State will host over 1 million out-of-state visitors.

The benefits of clean and healthy estuaries are multiple. I want to thank my colleagues on the committee for this outstanding work and look forward to its support.

Mr. OBERSTAR. I yield myself 10 seconds to thank the gentleman from Oregon for his constant attention to the work of our committee and to the

water issues as well, and for his splendid presentation.

I now yield 3 minutes to the distinguished gentlewoman from Maryland, a member of the committee, Ms. EDWARDS, who has worked diligently as a guardian of the Chesapeake Bay Estuary.

Ms. EDWARDS of Maryland. Thank you especially to the leadership of Chairman OBERSTAR, Mr. BOOZMAN, especially to our chairwoman of our Water Resources Committee, EDDIE BERNICE JOHNSON of Texas, and to our two leaders here, Mr. BISHOP and Mr. LOBIONDO.

I rise today in support of the Clean Estuaries Act, H.R. 4715, because I have seen firsthand the positive ecological and economic role that conservation and protection—indeed, attention—can play in improving the health of our Nation's estuaries.

We have only to take a look at today's headlines in The Washington Post highlighting the improvement of the blue crab in the Chesapeake Bay, largely due to the protection efforts that we've undertaken there, a Federal commitment, a State and regional commitment to improving the Nation's largest estuary, which happens to be a great partner for my State of Maryland.

And so in the past year we have seen that, because of the commitment of the administration and many in the Congress and lawmakers, the Chesapeake Bay, our Nation's largest estuary, has actually made great strides. And it is highlighted by the return of the blue crab, the highest levels in 17 years. The return has a positive economic impact for all sectors: fishermen experience larger catches, the price of the crab will decrease for our family restaurants, tourism will expand, and the bay is now healthier than it has been in many years. But we have a lot of work to do.

So what does that mean in terms of the Clean Estuaries Act? Well, it means, in fact, that if we pay the same attention to all of our Nation's estuaries in the way that we have with the Chesapeake Bay, we can also see improvements. And for those of us who don't live near an estuary, every time we flush, every time we drive, every time we have an impact—dropping a piece of trash on the ground has an impact on our Nation's estuaries. And so while we may not be able to see them, the impact is so great; and that's why we need this legislation, to produce a positive effect on estuaries across the country.

This deserves our support because commercial and recreational fishing accounts for \$185 billion in revenues every year. Estuaries provide 75 percent of the catches for all of these revenues. And yet over the last 20 years the health of our estuaries has degraded and the size of catches has decreased.

The relationship between the health of an ecosystem and the economic output can't be overrated. The Clean Estuaries Act stands to reverse this troubling trend by adding additional estuaries and providing strong accountability measures in a way to ensure that conservation and protection are taken seriously.

We need to take positive steps toward cleaning up our Nation's estuaries by passing this bill and continuing to also invest in green infrastructure and nonstructural alternatives to protect our ecosystems.

I want to commend Chairman OBERSTAR for his leadership and thank all of our leaders for their commitment to combine environmental stewardship with economic development for the protection of the Nation's estuaries.

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Mr. BOOZMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I rise today to protect America's estuaries by strengthening the management of the National Estuary Program, NEP, and to thank Congressman OBERSTAR, Congresswoman JOHNSON, Congressman BISHOP, Congressman BOOZMAN, and beyond for their excellent, excellent work.

Mr. Chairman, we have a solemn responsibility to keep the vital habitats clean for the thousands of plants, fish, and wildlife that live, breed, and spawn there. That is why I am proud to support H.R. 4715, the Clean Estuaries Act.

Currently, there are 28 estuaries within the NEP. The NEP conducts long-term planning and management activities to restore and protect estuaries. There are 38 additional estuaries, including Tomales Bay in my district, which have wanted to join the NEP. With H.R. 4715, we can increase the authorization of the NEP to \$50 million. Tomales Bay and the other estuaries that have a desire to be part of it will have the opportunity to become part of this important program.

Tomales Bay supports a diverse group of wildlife, including seasonal populations of salmon and steelhead, more than 20,000 shorebirds and seabirds, and a wide variety of shellfish. Tomales Bay is considered a wetland of significant importance under the International Convention on Wetlands, so protecting the vibrant biological hotspot from pollution through the NEP will help to preserve this estuary for generations and generations to enjoy.

I want to commend the hard work of the Tomales Bay Watershed Council, a multistakeholder group that has long championed restoring Tomales Bay. Additionally, the Gulf of the Farallones National Marine Sanctuary is working on a Tomales Bay management plan, covering the bay, itself.

Extending this plan to the entire watershed through the NEP process would ensure better scientific understanding,

and it would improve restoration projects. The Gulf of the Farallones would be a valuable and experienced stakeholder in developing a watershed-wide plan.

Mr. Chairman, we must protect nationally significant estuaries like Tomales Bay through better accountability, management, and coordination with local partners. I urge my colleagues to join me in supporting healthy and clean estuaries by voting for H.R. 4715.

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

Mr. OBERSTAR. I yield myself the remaining time to thank the gentleman from Arkansas for his generosity in yielding time, which had inadvertently run out on our side.

Ms. HIRONO. Mr. Chair, I rise today in support of H.R. 4715, the Clean Estuaries Act. This Act reauthorizes the Environmental Protection Agency's National Estuary Program, which coordinates federal, state and local government efforts, as well as cooperation from private and nonprofit groups, to help protect estuaries.

Estuaries support diverse habitats for a wide variety of species and provide significant economic and recreational benefits. Many fish and shellfish species depend on the sheltered habitat provided by estuaries, as well as the mix of saline and fresh water. The abundance of aquatic life supported by estuaries provides 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch.

The Environmental Protection Agency already has accepted 28 estuaries into the National Estuary Program. The Clean Estuaries Act increases the annual authorization from \$35 million to \$50 million, an amount that, if fully appropriated, will allow the Environmental Protection Agency to add 12 new estuaries to the program. At present, 38 estuaries are candidates for the program, including two estuaries in the State of Hawaii—Kaneohe Bay and Hanalei Bay—that could benefit greatly from the support provided by the program. I urge my colleagues to join me in supporting this bill to protect the ecological, recreational, and economic benefits of our nation's estuaries.

Mr. POSEY. Mr. Chair, I rise today to express my strong support for H.R. 4715, the Clean Estuaries Act of 2010. This bill would reauthorize for an additional five years, our nation's National Estuary Program (NEP).

As home to one of the nation's most diverse national estuaries, the Indian River Lagoon, the residents of Florida's 15th Congressional District have seen the value of this program to this important estuary and how it has enhanced our community. The NEP has proven very successful in helping restore and enhance the quality of our lagoon.

Specific NEP initiatives across our estuary included eliminating effluent discharges from more than 20 wastewater facilities, reconnecting impounded salt marshes, developing storm water treatment facilities, and reducing freshwater discharges into the lagoon.

As one of the 28 designated national estuaries, the Indian River Lagoon receives an important funding set-aside within the annual National Estuary Program (NEP) budget. This will enable the Indian River Lagoon NEP to ac-

complish restoration and water quality improvements that are included in their 2010 lagoon work plan.

The Indian River Lagoon was one of only two estuaries nationally to receive top quality ratings from the Environmental Protection Agency (EPA) when considering water quality, sediment, benthic, and fish tissue culture. While this is good, we know that there is much more work that needs to be done. Passage of H.R. 4715 will help the Indian River Lagoon NEP move forward with their comprehensive restoration and water quality improvement plans and provides more funding for this purpose.

I would also urge my colleagues to oppose an amendment by Rep. SCHAUER (D-MI), which would dilute the resources in the NEP and result in less funding for the 28 nationally recognized estuaries, including the Indian River Lagoon.

Mr. Chair, I urge my colleagues to join me in supporting H.R. 4715.

Ms. HARMAN. Mr. Chair, estuaries, the coastal wetlands where fresh and salt water meet, are both a vital filter for urban runoff that would otherwise flow out of the river and into the ocean, and a cradle for marine and wildlife.

We are not able to create new estuaries. We either restore and protect them, or we lose them.

They are a foundation of our economy. The tourism industry needs estuaries to keep the sea clean and healthy. The fishing industry relies on them to replenish the oceans. Estuaries provide the habitat for 75 percent of the U.S. commercial fish catch and as much as 90 percent of the recreational fish catch, according to the National Oceanographic and Atmospheric Administration and the National Research Council.

Estuaries are critically important to human life. They filter our groundwater, and are a buffer from flooding. The phytoplankton nursed in estuaries remove carbon dioxide from the atmosphere and produce oxygen in its place. In fact, phytoplankton in estuaries and oceans produce about half the world's oxygen.

So it is imperative that the House passes H.R. 4715, the Clean Estuaries Act of 2010.

The bill protects and supports 28 estuaries with grants, including the Santa Monica Bay and the Ballona Wetlands in my district.

Dozens of local groups fought for decades to acquire for the public's benefits 600 acres of Ballona Wetlands. They succeeded in 2003. Since then, the habitat has attracted more than 200 species of birds, some of which are now returning to nest after more than a 70-year absence. Ballona is home to many rare species, including the Belding's Savannah Sparrow and the recently discovered Orcutt's yellow pincushion.

Citizens have similarly banded together to protect the Santa Monica Bay. Backed by the Clean Water Act—part of which this bill reauthorizes—my dear friend Dorothy Green worked with other citizens out of her living rooms for years to force the Hyperion Wastewater Treatment plant to update its filtering system. Since then, the plant has cut its waste by 95 percent, literally bringing life back to parts of Santa Monica Bay that were once declared dead zones.

The stimulus bill in 2009 funded several innovative storm drain projects in the South Bay and a series of low impact development rain

gardens along Ballona Creek, all of which help prevent polluted storm water runoff from entering Santa Monica Bay.

The communities of Santa Monica Bay have been more than worthy partners for Washington. This bill will help to make sure the federal government lives up to its end of the deal. It will require that federal agencies participate in the management planning process for the estuaries that receive the grants, incorporate local priorities into their actions and increase coordination between the many federal agencies that either work in or impact estuaries.

But the bill also looks forward. Estuary management programs will be required to identify their estuary's vulnerability to climate change and prepare adaptation responses, and will work to educate the public on estuary health issues.

Over my eight terms in Congress I have worked to obtain federal grants and strongly supported efforts to preserve the Ballona wetlands and Santa Monica Bay. I again stand in support of those areas, vital both to our environmental and our economic health.

Mr. BACA. Mr. Chair, I rise and ask unanimous consent to address the House for one minute.

I support the reauthorization of the National Estuary Program, NEP, through the adoption of H.R. 4715, the Clean Estuaries Act of 2010.

Estuaries are bodies of water that receive both outflows from rivers and tidal inflows from the ocean.

They are transition zones between fresh water from rivers and saline water from the ocean. The mixing of fresh and salt water provides a unique environment that supports diverse habitats for a wide variety of living resources, including plants, fish, and wildlife.

Estuaries provide habitat for 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch.

Coastal counties for 40 percent of the employment and 49 percent of the economic output for the nation. Estuaries are also vital to the health of our beaches, which produce between \$6 billion and \$30 billion for coastal communities each year.

We need this bill because many of the Nation's estuaries are currently in poor ecological health.

This bill requires the Administrator of the EPA to undertake a programmatic evaluation of EPA's overall National Estuaries Program to assess its effectiveness in improving water quality, natural resources, and sustainable uses of included estuaries. In addition, the bill requires the EPA to submit a report to Congress on the results of this evaluation.

H.R. 4715 includes evaluation and update requirements to ensure accountability.

With this legislation, all approved estuary programs will be evaluated and will now update their management plans on a periodic basis, increasing program transparency and improving program performance.

In addition this bill requires that Federal agencies participate in the management planning process, incorporate local priorities into their activities and actions and increase coordination within the estuary.

I urge my colleagues to support H.R. 4715, Clean Estuaries Act.

Ms. RICHARDSON. Mr. Chair, as a member of the Transportation and Infrastructure Committee I rise to lend my strong support to H.R. 4715 "The Clean Estuaries Act of 2010."

This Act will not only improve the management of our current estuaries, but it will allow several other sites that have expressed interest in becoming a part of the National Estuaries program by significantly increasing the funding level for the National Estuaries program. The sites that are interested in inclusion in my area include the San Pedro Bay and Newport Bay, which join thirty six other sites that are also interested in inclusion.

Supporting Estuaries is critical to our prosperity because of the importance of coastal areas to our Nation's economy. Coastal counties account for 40 percent of the employment and 49 percent of the economic output for the nation.

Through the adoption of the Clean Estuaries Act of 2010, all approved estuary programs will be evaluated and will periodically update their management plans, increasing program transparency and improving program performance. Approved programs would have to identify the impact of climate change on estuaries and prepare adaptation responses, as well as work to educate the public on estuary health issues and develop performance measures and targets.

This bill will help expand the program to protect and clean our estuaries and I thank Congressman BISHOP for his hard work bringing this bill through the Transportation and Infrastructure Committee and to the floor today. I ask that my colleagues today support this bill, and help protect our estuaries.

Mr. STARK. Mr. Chair, I rise today in support of protecting our Nation's estuaries by passing the Clean Estuaries Act (H.R. 4715).

I am fortunate to represent a district that borders the San Francisco Bay. A healthy and clean bay is central to the economic prosperity and quality of life of my constituents. Since 1987, the National Estuary Program has promoted comprehensive planning efforts to clean up and preserve estuaries. The legislation before us today would reauthorize and strengthen the National Estuary Program, providing additional assistance to communities to protect their waterways.

In my community, the National Estuary Program supports the San Francisco Bay Estuary Partnership. This partnership brings together diverse stakeholders and has created dozens of projects that support a thriving bay. For example, at the Eden Landing Ecological Reserve in Hayward, hundreds of adult and student volunteers are restoring shoreline habitat by removing invasive plants and planting native marsh grasses. In addition to improving water and habitat quality, this project is also teaching children about the bay and how to protect it. The Estuary Partnership is also working with local governments in my district to promote and replicate proven bay-friendly best management practices to decrease runoff pollution into the bay. By passing the Clean Estuaries Act, we can ensure that these initiatives and hundreds of similar efforts around the country will be continued and expanded. I urge all of my colleagues to vote "yes."

Mr. OBERSTAR. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered read for amendment under the 5-minute rule.

The text of the bill is as follows:

H.R. 4715

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Clean Estuaries Act of 2010".

SEC. 2. NATIONAL ESTUARY PROGRAM AMENDMENTS.

(a) PURPOSES OF CONFERENCE.—

(1) DEVELOPMENT OF COMPREHENSIVE CONSERVATION AND MANAGEMENT PLANS.—Section 320(b)(4) of the Federal Water Pollution Control Act (33 U.S.C. 1330(b)(4)) is amended to read as follows:

"(4) develop and submit to the Administrator a comprehensive conservation and management plan that—

"(A) identifies the estuary and its associated upstream waters to be addressed by the plan, with consideration given to hydrological boundaries;

"(B) recommends priority corrective actions and compliance schedules addressing point and nonpoint sources of pollution to restore and maintain the chemical, physical, and biological integrity of the estuary, including restoration and maintenance of water quality, a resilient and diverse indigenous population of shellfish, fish, and wildlife, and recreational activities in the estuary, and assure that the designated uses of the estuary are protected;

"(C) considers current and future sustainable commercial activities in the estuary;

"(D) addresses the impacts of climate change on the estuary, including—

"(i) the identification and assessment of vulnerabilities in the estuary; and

"(ii) the development and implementation of adaptation strategies;

"(E) increases public education and awareness of the ecological health and water quality conditions of the estuary;

"(F) identifies and assesses impairments, including upstream impairments, coming from outside of the area addressed by the plan, and the sources of those impairments; and

"(G) includes performance measures and goals to track implementation of the plan."

(2) MONITORING AND MAKING RESULTS AVAILABLE.—Section 320(b)(6) of such Act (33 U.S.C. 1330(b)(6)) is amended to read as follows:

"(6) monitor (and make results available to the public regarding)—

"(A) water quality conditions in the estuary and its associated upstream waters, as identified under paragraph (4)(A);

"(B) habitat conditions that relate to the ecological health and water quality conditions of the estuary; and

"(C) the effectiveness of actions taken pursuant to the comprehensive conservation and management plan developed for the estuary under this subsection;"

(3) INFORMATION AND EDUCATIONAL ACTIVITIES.—Section 320(b) of such Act (33 U.S.C. 1330(b)) is amended—

(A) by redesignating paragraph (7) as paragraph (8); and

(B) by inserting after paragraph (6) the following:

"(7) provide information and educational activities on the ecological health and water quality conditions of the estuary; and"

(4) CONFORMING AMENDMENT.—The sentence following section 320(b)(8) of such Act (as so redesignated) is amended by striking "paragraph (7)" and inserting "paragraph (8)".

(b) MEMBERS OF CONFERENCE.—Section 320(c)(5) of such Act (33 U.S.C. 1330(c)(5)) is amended by inserting after "institutions," the following: "not-for-profit organizations,".

(c) ADMINISTRATION OF PLANS.—Section 320(f) of such Act (33 U.S.C. 1330(f)) is amended to read as follows:

“(f) ADMINISTRATION OF PLANS.—

“(1) APPROVAL.—Not later than 120 days after the date on which a management conference submits to the Administrator a comprehensive conservation and management plan under this section, and after providing for public review and comment, the Administrator shall approve the plan if the Administrator determines that the plan meets the requirements of this section and the affected Governor or Governors concur.

“(2) IMPLEMENTATION.—Upon approval of a comprehensive conservation and management plan under this section, the plan shall be implemented. Funds authorized to be appropriated under titles II and VI and section 319 may be used in accordance with the applicable requirements of this Act to assist States with the implementation of the plan.

“(3) EVALUATION.—

“(A) IN GENERAL.—Not later than 4 years after the date of enactment of this paragraph, and every 4 years thereafter, the Administrator shall complete an evaluation of the implementation of each comprehensive conservation and management plan developed under this section to determine the degree to which the goals of the plan have been met.

“(B) REVIEW AND COMMENT BY MANAGEMENT CONFERENCE.—In completing an evaluation under subparagraph (A), the Administrator shall submit the results of the evaluation to the appropriate management conference for review and comment.

“(C) REPORT.—

“(i) IN GENERAL.—In completing an evaluation under subparagraph (A), and after providing an opportunity for a management conference to submit comments under subparagraph (B), the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator and any comments received from the management conference.

“(ii) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subparagraph available to the public, including through publication in the Federal Register and on the Internet.

“(D) SPECIAL RULE FOR NEW PLANS.—Notwithstanding subparagraph (A), if a management conference submits a new comprehensive conservation and management plan to the Administrator after the date of enactment of this paragraph, the Administrator shall complete the evaluation of the plan required by subparagraph (A) not later than 4 years after the date of such submission and every 4 years thereafter.

“(4) UPDATES.—

“(A) REQUIREMENT.—Not later than 18 months after the date on which the Administrator makes an evaluation of a comprehensive conservation and management plan available to the public under paragraph (3)(C), a management conference convened under this section shall submit to the Administrator an update of the plan. The updated plan shall reflect, to the maximum extent practicable, the results of the program evaluation.

“(B) APPROVAL OF UPDATES.—Not later than 120 days after the date on which a management conference submits to the Administrator an updated comprehensive conservation and management plan under subparagraph (A), and after providing for public review and comment, the Administrator shall approve the updated plan if the Administrator determines that the updated plan meets the requirements of this section.

“(5) PROBATIONARY STATUS.—The Administrator may consider a management conference convened under this section to be in

probationary status if the management conference has not received approval for an updated comprehensive conservation and management plan under paragraph (4)(B) on or before the last day of the 3-year period beginning on the date on which the Administrator makes an evaluation of the plan available to the public under paragraph (3)(C).”

(d) FEDERAL AGENCIES.—Section 320 of such Act (33 U.S.C. 1330) is amended—

(1) by redesignating subsections (g), (h), (i), (j), and (k) as subsections (h), (i), (j), (k), and (m), respectively; and

(2) by inserting after subsection (f) the following:

“(g) FEDERAL AGENCIES.—

“(1) ACTIVITIES CONDUCTED WITHIN ESTUARIES WITH APPROVED PLANS.—After approval of a comprehensive conservation and management plan by the Administrator, any Federal action or activity affecting the estuary shall be conducted, to the maximum extent practicable, in a manner consistent with the plan.

“(2) COORDINATION AND COOPERATION.—The Secretary of the Army (acting through the Chief of Engineers), the Administrator of the National Oceanic and Atmospheric Administration, the Director of the United States Fish and Wildlife Service, the Chief of the Natural Resources Conservation Service, and the heads of other appropriate Federal agencies, as determined by the Administrator, shall, to the maximum extent practicable, cooperate and coordinate activities related to the implementation of a comprehensive conservation and management plan approved by the Administrator. The Environmental Protection Agency shall serve as the lead coordinating agency under this paragraph.

“(3) CONSIDERATION OF PLANS IN AGENCY BUDGET REQUESTS.—In making an annual budget request for a Federal agency referred to in paragraph (2), the head of such agency shall consider the responsibilities of the agency under this section, including under comprehensive conservation and management plans approved by the Administrator.

“(4) MONITORING.—The heads of the Federal agencies referred to in paragraph (2) shall collaborate on the development of tools and methodologies for monitoring the ecological health and water quality conditions of estuaries covered by a management conference convened under this section.”

(e) GRANTS.—

(1) IN GENERAL.—Section 320(h) of such Act (as redesignated by subsection (d) of this section) is amended by adding at the end the following:

“(4) EFFECTS OF PROBATIONARY STATUS.—

“(A) REDUCTIONS IN GRANT AMOUNTS.—The Administrator shall reduce, by an amount to be determined by the Administrator, grants for the implementation of a comprehensive conservation and management plan developed by a management conference convened under this section if the Administrator determines that the management conference is in probationary status under subsection (f)(5).

“(B) TERMINATION OF MANAGEMENT CONFERENCES.—The Administrator shall terminate a management conference convened under this section, and cease funding for the implementation of the comprehensive conservation and management plan developed by the management conference, if the Administrator determines that the management conference has been in probationary status for 2 consecutive years.”

(2) CONFORMING AMENDMENT.—Section 320(i) of such Act (as redesignated by subsection (d) of this section) is amended by striking “subsection (g)” and inserting “subsection (h)”.

(f) AUTHORIZATION OF APPROPRIATIONS.—Section 320(j) of such Act (as redesignated by

subsection (d) of this section) is amended to read as follows:

“(j) AUTHORIZATION OF APPROPRIATIONS.—

“(1) IN GENERAL.—There is authorized to be appropriated to the Administrator \$50,000,000 for each of fiscal years 2011 through 2016 for—

“(A) expenses related to the administration of management conferences under this section, except that such expenses shall not exceed 10 percent of the amount appropriated under this subsection;

“(B) making grants under subsection (h); and

“(C) monitoring the implementation of a conservation and management plan by the management conference, or by the Administrator in any case in which the conference has been terminated.

“(2) ALLOCATIONS.—Of the sums authorized to be appropriated under this subsection, the Administrator shall provide—

“(A) at least \$1,250,000 per fiscal year, subject to the availability of appropriations, for the development, implementation, and monitoring of each conservation and management plan eligible for grant assistance under subsection (h); and

“(B) up to \$5,000,000 per fiscal year to carry out subsection (k).”

(g) TECHNICAL AMENDMENT.—Section 320(k)(1)(A) of such Act (as redesignated by subsection (d) of this section) is amended by striking “paramenters” and inserting “parameters”.

(h) NATIONAL ESTUARY PROGRAM EVALUATION.—Section 320 of such Act (33 U.S.C. 1330) is amended by inserting after subsection (k) (as redesignated by subsection (d) of this section) the following:

“(l) NATIONAL ESTUARY PROGRAM EVALUATION.—

“(1) IN GENERAL.—Not later than 4 years after the date of enactment of this paragraph, and every 4 years thereafter, the Administrator shall complete an evaluation of the national estuary program established under this section.

“(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section.

“(3) REPORT.—In completing an evaluation under this subsection, the Administrator shall issue a report on the results of the evaluation, including the findings and recommendations of the Administrator.

“(4) AVAILABILITY TO PUBLIC.—The Administrator shall make a report issued under this subsection available to the public, including through publication in the Federal Register and on the Internet.”

The CHAIR. No amendment to the bill is in order except those printed in House Report 111–463. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 111–463.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. OBERSTAR:

Page 4, strike lines 13 through 15 and insert the following:

“(E) increases public education and awareness with respect to—

“(i) the ecological health of the estuary;

“(ii) the water quality conditions of the estuary; and

“(iii) ocean, estuarine, land, and atmospheric connections and interactions;

Page 8, line 15, insert “the implementation of” before “the plan”.

Page 8, line 22, insert “the implementation of” before “a comprehensive”.

Page 10, line 25, insert “, including monitoring activities,” after “activities”.

Page 11, after line 18, insert the following:

(1) RECIPIENTS.—Section 320(h)(1) of such Act (as redesignated by subsection (d) of this section) is amended by striking “other public” and all that follows before the period at the end and inserting “and other public or nonprofit private agencies, institutions, and organizations”.

Page 11, line 19, strike “(1) IN GENERAL.—” and insert “(2) EFFECTS OF PROBATIONARY STATUS.—”.

Page 11, line 21, insert “further” before “amended”.

Page 12, line 17, strike “(2)” and insert “(3)”.

Page 15, after line 8, insert the following:

(i) CONVENING OF CONFERENCE.—Section 320(a)(2) of such Act (33 U.S.C. 1330(a)(2)) is amended—

(1) by striking “(2) CONVENING OF CONFERENCE.—” and all that follows through “In any case” and inserting the following:

“(2) CONVENING OF CONFERENCE.—In any case”; and

(2) by striking subparagraph (B).

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, this amendment makes technical changes to the underlying bill. It ensures the continued competitive nature of the National Estuary Program.

We ensure that the program evaluations will assess whether the implementation of a comprehensive conservation and management plan is achieving its stated goals.

The amendment will enhance public education on the connections between air, land, water, and the potential impacts of those factors on the health of the estuary.

It will strike the existing statutory priority list of estuaries.

It will remove individuals from the list of approved recipients for grants under this program.

First, the technical changes will ensure that program evaluations determine whether the implementation of a management plan is reaching its stated goals. It will ensure that not only the plan but the implementation of the plan is achieving improvements in water quality and habitat in the estuary.

Second, the amendment ensures that the public education component of any management plan will include and will

highlight the connections within the estuary between air, land, and water and the potential impacts of those interactions. Estuaries will be able to highlight to citizens living within the boundaries of the estuary how their actions will affect the health of the estuary and how they can change their habits or how they can change their actions to improve the quality of the estuary.

Third, the amendment strikes existing statutory language that lists a number of States and regions to receive priority consideration under the program. That historical prioritization does not reflect estuaries that are part of the National Estuary Plan. Some estuaries on the list do not now participate in the program. The 12 estuaries that do participate are not included on the list, so that prioritization is superfluous.

This change does not mean that estuaries now in the NEP will be removed. It means that existing programs must continue to meet their obligations under the program and meet the performance requirements of the legislation to continue to be part of the National Estuary Program. It will be a competitive program. That is the purpose of the changes that I've just cited.

Finally, we strike statutory language that now allows individuals to be eligible grant recipients under the program. No individual has ever received a grant under the program, according to the EPA, so there is no need to have that language in the bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I rise to claim time in opposition, though I am not opposed to the bill.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Again, I just rise to say that we are very much in support of the amendment.

I yield back the balance of my time.

Mr. OBERSTAR. I thank the gentleman for those remarks.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the manager's amendment offered by the Chairman of the Committee on Transportation and Infrastructure, Mr. OBERSTAR.

This amendment makes a few technical changes to the underlying legislation and to the existing National Estuaries Program.

First, the amendment clarifies that the increased accountability called for in the bill includes a review of the implementation of existing comprehensive conservation and management plans, and not just of the plans, themselves.

Second, the amendment ensures that the public is provided with additional information on the relationship between air quality, water quality, and land use, and their potential impacts on the overall health of local estuaries.

Oftentimes, locally developed solutions are the most cost-effective and long-lasting way to improve the environment. This has been the basis of success for many of the existing national estuary programs.

Following this model, the manager's amendment includes language to encourage public education on the interconnectivity of local air, water, and land resources.

With more information, the average citizen can be more aware of how his or her actions affect the environment around them, and how small changes in an individual's everyday life can have substantial positive impacts on the local environment.

Third, the manager's amendment addresses one of the legacies of the initial authorization for the National Estuaries Program by deleting the outdated, statutory priority list of estuaries.

All but one of the estuaries on the existing list already have recognized estuary program offices.

The intent of this change is not to eliminate any of the existing 28 estuary programs, but to clarify that estuaries are not simply entitled to remain in the program. If an estuary program continues to meet its obligations under the Clean Water Act, and the enhanced accountability called for in this legislation, they will continue to remain in the program.

However, the intent of this legislation is also to ensure that individual program offices are reaching their goals of improving water quality and the overall ecological health of the estuary.

The final change proposed by this amendment is to eliminate the eligibility of individuals for grant assistance under this program. According to EPA, no individual has ever received a grant under this program, so this is unused authority.

Mr. Chair, I support the amendment and urge my colleagues to support the amendment.

Mr. OBERSTAR. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. OBERSTAR

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 111-463.

Mr. OBERSTAR. Mr. Chairman, I have an amendment at the desk that I offer on behalf of Ms. PINGREE and yourself.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. OBERSTAR:

Page 14, strike lines 17 through 23 and insert the following:

“(2) SPECIFIC ASSESSMENTS.—In conducting an evaluation under this subsection, the Administrator shall—

“(A) assess the effectiveness of the national estuary program in improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section;

“(B) identify best practices for improving water quality, natural resources, and sustainable uses of the estuaries covered by management conferences convened under this section, including those practices funded through the use of technical assistance from the Environmental Protection Agency and other Federal agencies, and assess the reasons why such practices result in the achievement of program goals; and

“(C) identify any redundant requirements for reporting by recipients of a grant under

this section, and develop and recommend a plan for limiting reporting redundancies.

Page 15, line 4, strike "TO PUBLIC".

Page 15, line 6, insert "management conferences convened under this section and" before "the public".

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Minnesota (Mr. OBERSTAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Chairman, I reserve my time so the distinguished ranking member of the committee may speak at this moment.

Mr. MICA. Mr. Chairman, I rise to claim time in opposition, although I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. MICA. I think we've reached a bipartisan accord. I support the gentleman from Maine and also the gentleman from Texas who have offered this amendment.

I did not have an opportunity, Mr. Chairman, to speak during the general debate. I was delayed.

After saying that our side does support this pending amendment, which, in the absence of the sponsors is being offered by the chair of the committee, I do want to take this opportunity to, first of all, thank Mr. OBERSTAR, our chair, and the ranking member, the gentleman from Arkansas, who has conceded time and is doing an incredible job in heading up our side of the aisle on a very important issue, which is water resources for the Nation.

So, Mr. BOOZMAN, thank you for your cooperation, and thank you to the chair of the subcommittee, Ms. JOHNSON from Texas.

A lot of times when I go back home and people say, Well, Congress doesn't work well, and Congress does this and Congress does that or they are always fighting and bickering, it's good to be a part of the committee, of the largest committee in Congress, I might add—Transportation and Infrastructure—which has six subcommittees and a very important one here, Water Resources. Water Resources controls all of the major water projects in the country—dams, levees. In this case, we are the stewards for the Nation and, really, for what the good Lord gave us, which is our estuaries.

Most people don't know much about estuaries, but we do have that responsibility to make certain that they are preserved, that they are protected, and that we do the best with the money that is given to us on behalf of the taxpayers to protect that part of nature and our ecological system that, again, is so vital.

I do want to thank Mr. BOOZMAN and the chairs of the full committee and subcommittee for their work because we are here together to pass this in a bipartisan manner. So, on a day when many people are coming here to pro-

test some of the things that do go on in Washington—big spending and taxation on the day we just are all paying out to the Federal Government—this is an example of a cooperative effort.

Let me also say, too, as the Republican leader of the Transportation Committee, many people have been coming to me in the last hours and have been saying, Mr. MICA, how are you going to vote on this bill? This bill does represent an increase in funding.

Now, you are probably looking at one of the most conservative Members of Congress. They listed 435 Members, and I was listed as No. 58 in the last week or so as far as fiscal conservative voting, and I take great pride in that because I worked hard for my money. I know people out there have worked hard to make a living and have struggled to feed their families and to just make ends meet. At this time, we have got to be particularly mindful of taxpayer dollars.

□ 1500

From time to time, there are areas in which we need to spend a few more dollars, and we are talking about a few dollars. We're not talking about billions. I do know millions add up to billions, but in this instance we have invested very little, and in this instance this is a very clear Federal responsibility. This is where seawater and freshwater meet. And certainly if there is an area of responsibility, that is a Federal responsibility. The States cannot nationally be responsible for waters that flow through many jurisdictional boundaries.

So here is an arch fiscal conservative coming before Congress on a day in which we are all concerned about government spending and saying, yes, we should invest a few dollars more in something that, again, is God given, the fragile ecosystem that has been handed to us and we have to be good stewards of.

So I am going to vote "yes" for this amendment; and when the bill comes up you are going to see me vote "yes" for the bill, even though it does increase spending from \$35 million to \$50 million.

The Acting CHAIR (Mr. TAYLOR). The time of the gentleman has expired.

Mr. OBERSTAR. Mr. Chairman, I yield such time as she may consume to the distinguished cosponsor of the amendment, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank the gentleman for yielding the time.

Mr. Chairman, H.R. 4715, the Clean Estuaries Act, is an important step towards restoring our Nation's most critical estuaries. This bill will create jobs and strengthen communities. I strongly support the bill and want to commend my colleagues, the gentleman from New York (Mr. BISHOP) and the gentleman from New Jersey (Mr. LOBIONDO), for their hard work in crafting this legislation.

One way to improve the efficiency and ensure the program is functioning

at its highest level is to share information. The local estuary partnerships work closely with the Federal Government, but all too often the detailing of what works well in one estuary is not formally shared with the other estuaries.

That is why Representative CUELLAR and I are offering an amendment that requires the EPA to collect best practices and then share them with the estuaries. The amendment improves efficiency and smooth operation of the NEPs by helping them connect with other estuaries and build on work that has already been done.

Like many of you, in my district I have a mall, the largest mall in the State. It is built around a stream that flows into Casco Bay. And when it rains, the water runs off the roofs and parking lots, washing the oil, salt, and other contaminants on the pavement into Long Creek. Because of all this development, Long Creek is an urban-impaired watershed, and this means until the water quality is improved, the mall, businesses around the mall, as well as State and local government who own the roads face tougher storm water management restrictions.

This amendment will keep the businesses and local governments in the Long Creek watershed from having to start over when faced with questions on how to manage storm water. By using tested, known best practices, the businesses will save money and water quality in Long Creek will improve faster. The amendment reduces the costs of improving water quality and saves these important businesses real money.

The amendment helps to ensure that all of our estuary stakeholders, including those in Long Creek, have access to the very best tools and methods for protecting and restoring water quality.

Mr. OBERSTAR. I now yield such time as he may consume to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. I want to thank the chairman, Mr. OBERSTAR; the subcommittee chairwoman also, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON); Ms. PINGREE also for the work she has done; and, of course, our ranking members, Mr. BOOZMAN, for the work that you and Mr. MICA have done.

This particular amendment is to support government efficiency. We both believe this amendment will eliminate waste and redundancies in the programs and will improve the effectiveness and cut back wasteful spending.

This amendment authorizes the Administrator of the EPA to identify, number one, best management practices for allocating resources in an efficient and effective manner. It would outline key reasons why such practices will result in positive outcomes and disseminate the best practices to the management conferences. Also, this amendment identifies redundant rules,

regulations, and requirements for reporting by grant recipients and instructs the EPA Administrator to develop a plan to eliminate those redundancies in the future.

This amendment, Mr. Chairman, will make our government more efficient, more effective, and more accountable by conducting this type of evaluation. I urge support of this amendment.

Mr. OBERSTAR. I yield the balance of my time to the distinguished chair of our subcommittee, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise in support of the amendment offered by the gentlewoman from Maine (Ms. PINGREE) and the gentleman from Texas (Mr. CUELLAR).

This amendment makes two important changes to the underlying bill that should benefit the overall effectiveness of the National Estuary Program.

First, the amendment requires the Administrator of the Environmental Protection Agency to conduct an assessment of best practices for improving water quality, natural resources, and sustainable uses of the estuary as part of the Agency's periodic evaluation of the National Estuary Program.

Following this assessment, the Administrator would be required to disseminate information on these best practices to other estuary management conferences convened under section 320, as well as to the public.

I support this provision because it will provide a good, centralized resource on successful, locally produced practices for improving the overall health of estuarine areas.

This clearinghouse should provide valuable information to other management conferences and the general public on what practices are being successfully implemented in the field so that each management conference does not have to "reinvent the wheel" each time they are looking for creative ideas to benefit their local environment.

While what works in one area of the country may not necessarily work in another, I would suspect that simply sharing success stories on management practices will have an overall benefit to local restoration efforts.

The second change proposed by this amendment is to require the Administrator to identify potential redundant reporting requirements for grant recipients, and to propose a plan for reducing such redundancy.

It would seem common sense that where efficiencies in reporting requirements can be achieved in such a way that reduces the overall burden on grant recipients, but does not impact the overall operation of the program or its accountability to taxpayers, such an effort should be undertaken.

I support this amendment, and urge its adoption.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. KAGEN

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 111-463.

Mr. KAGEN. Mr. Chairman, I offer an amendment.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KAGEN:

Page 4, line 19, strike "and" at the end.

Page 4, line 21, strike the first period through the final period and insert "; and".

Page 4, after line 21, insert the following: "(H) includes a coordinated monitoring strategy for Federal, State, and local governments and other entities."

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Wisconsin (Mr. KAGEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. KAGEN. I thank Chairman OBERSTAR for allowing me to move this amendment forward. And, Ms. JOHNSON, thank you very much. And it's good to see Mr. BOOZMAN on the floor.

This is a very simple and straightforward amendment that includes language for measuring the outcomes. The coordination and cooperation between State, local, and Federal agencies will be necessary to guarantee that our dollars are well spent and that we have a very efficient operation as we protect our estuaries.

So I would submit this amendment and hope that I would have bipartisan support for it.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. I rise to support the amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentleman from Wisconsin (Mr. KAGEN).

This amendment requires a monitoring effort on the part of National Estuary Program partners.

A coordinated monitoring program is very important to ensure the success of these programs.

Monitoring is a key piece of any restoration plan. This amendment will help to increase efficiencies, save money and reduce duplicative activities by requiring the partners to coordinate their monitoring activities.

Also, requiring monitoring by the partners will mean that the management conference, and the appropriate Federal, State and local agencies will be able to measure the accomplishments of the management conference. Without monitoring, the management conference will not be able to determine if the plan has succeeded or failed at improving water quality and the habitat of the estuary.

I commend our Committee colleague for offering this amendment, and urge its approval.

Mr. BOOZMAN. With that, I yield back the balance of my time.

Mr. KAGEN. I thank the kind gentleman for agreeing to the amendment.

Mr. Chairman, in the true spirit of a very efficient operation, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Wisconsin (Mr. KAGEN).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. SCHAUER

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 111-463.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. SCHAUER: Page 15, after line 8, add the following:

(i) GREAT LAKES ESTUARIES.—Section 320(m) of such Act (as redesignated by subsection (d) of this section) is amended by striking the subsection designation and all that follows through "and those portions of tributaries" and inserting the following:

"(m) DEFINITIONS.—In this section, the terms 'estuary' and 'estuarine zone' have the meanings such terms have in section 104(n)(4), except that—

"(1) the term 'estuary' also includes near coastal waters and other bodies of water within the Great Lakes that are similar in form and function to the waters described in the definition of 'estuary' contained in section 104(n)(4); and

"(2) the term 'estuarine zone' also includes—

"(A) waters within the Great Lakes described in paragraph (1) and transitional areas from such waters that are similar in form and function to the transitional areas described in the definition of 'estuarine zone' contained in section 104(n)(4);

"(B) associated aquatic ecosystems; and

"(C) those portions of tributaries".

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Michigan (Mr. SCHAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. SCHAUER. Mr. Chairman, I yield myself such time as I may consume.

The amendment before you would define "estuary" under the Clean Water Act to include Great Lakes near shore waters and connecting waters that are similar to traditional estuaries covered by the National Estuary Program. The amendment would allow Great Lakes estuaries eligible to apply on a competitive basis for inclusion in the National Estuary Program.

The Great Lakes and surrounding waters are a valuable natural resource of national importance, and it makes sense that they are eligible to apply for inclusion in this competitive grant program. Again, my amendment would clearly define "estuary" to include Great Lakes waterways and connecting waterways.

The Great Lakes hold 90 percent of the United States surface freshwater, 20 percent of the world's freshwater, and are the largest system of fresh surface water on Earth. The Midwest relies on the Great Lakes for commerce,

tourism, and drinking water. Unfortunately, the health of the Great Lakes has been threatened by pollution, invasive species, and water withdrawals. Failure to protect the Great Lakes now could result in more serious consequences. Conservationists, environmental stewards, hunters, fishermen, and outdoorsmen from all over the country share my sentiment.

Including the Great Lakes waterways in the National Estuary Program will help create long-term planning and management of both point and nonpoint sources of pollution and protect areas of commercial importance from ecological risks.

Mr. Chair, we need to do everything we can to protect Great Lakes waterways. We can make another step in the right direction by expanding the definition of "estuary" to include the Great Lakes waterways and allow these waterways to be eligible for funding in the National Estuary Program. I urge my colleagues to vote "yes" on this amendment.

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

Mr. BOOZMAN. Mr. Chairman, I rise to claim the time in opposition.

The CHAIR. The gentleman from Arkansas is recognized for 5 minutes.

Mr. BOOZMAN. Mr. Chairman, this amendment will pull money out of the National Estuary Program and send it to address the needs of the Great Lakes.

The National Estuary Program is meant to assist those in important ecological areas in our country where the freshwater of rivers meets and mixes with seawater. By any scientific definition, there are no estuaries in the Great Lakes.

Over the years, Congress has created and funded a number of programs to address the needs of the Great Lakes. We have established an entire office in the EPA to work on the Great Lakes issue. While there are many worthy projects that could be done in the Great Lakes, I believe we should use existing Great Lakes programs to address those needs and not dilute the National Estuary Program. If the gentleman believes that more should be done for the Great Lakes, then we should have the debate on whether or not to modify the existing Great Lakes program. Members who have true estuaries in their States which are very coastal in nature should be concerned about this amendment diluting the intent and the dollars associated with this important program.

To my colleagues in the Great Lakes States who understandably might be tempted to a support this amendment, I would say this amendment makes about as much sense as suggesting that the Great Lakes Legacy Act dollars should be used to address the needs of the Chesapeake Bay. The Great Lakes and the Nation's estuaries are both important areas. Let's address them in the context of their own separate legislation and not make one complete with the other.

With that, I urge Members to oppose the Schauer amendment.

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

□ 1515

Mr. SCHAUER. Mr. Chairman, I yield myself such time as I may consume.

I have great respect for my colleague's comments. My amendment would merely bring this National Estuary Program into compliance and consistency with the 2000 Estuaries and Clean Waters Act. For purposes of that act, Congress's definition of estuaries included Great Lakes. So in substance, this definition would be exactly the same as the 2000 Estuaries and Clean Waters Act.

I now yield to the chairman of the Transportation and Infrastructure Committee, the gentleman from Minnesota.

Mr. OBERSTAR. I thank the gentleman for yielding.

While I respect the remarks of the gentleman from Arkansas, we specify in this amendment, Mr. SCHAUER does, that the meeting place of the rivers and the lakes is not a traditional estuary, is not a meeting place of fresh and saltwater, but that these points would be treated as estuaries. As an example, the lamprey eel lays its eggs in the discharge point of the rivers that contribute to and discharge into the Great Lakes. That is a meeting place of river water and lake water where a destructive, nonindigenous, invasive species multiplies.

Including the Great Lakes in the estuary program will provide additional authority for the Great Lakes to work to control this monster that destroys the fishery of the Great Lakes. This is not an allocation, this is not an earmark, it is not a specific designation. It simply allows the Great Lakes to compete for available dollars authorized under this program.

We think that this body of the greatest repository of freshwater on the earth ought to have standing among the others that have designation as estuaries. Those meeting places on the Great Lakes are every bit as important as the meeting places of the freshwater rivers and the saltwater repositories of a traditional estuary definition.

Mr. BOOZMAN. Mr. Chairman, I yield myself such time as I may consume.

Again having great respect for our chairman, the point that I am trying to make is that I understand the problems that we face in the Great Lakes. And this is a body of such significance. And yet, again, my feeling is that we should take care of that problem within the structure that we have within the Great Lakes program. I see no need to expand the estuary program to take care of the Great Lakes.

If we need additional moneys, if we need additional infrastructure in fighting the battles with the invasive species and things that were mentioned, then I feel like the place to do that is

within the Great Lakes programs rather than diluting the moneys, a relatively small amount of money, diluting the money from the estuary program.

With that, I reserve my balance of my time.

Mr. SCHAUER. Mr. Chairman, just a couple of points in closing.

The Federal Government's Web site on this topic of estuaries, it refers to the Great Lakes as freshwater estuaries that are, quote, "affected by tides and storms, just as estuaries along the oceanic coasts are." In fact, there is currently a federally-recognized freshwater estuary in Ohio located on Lake Erie.

My final point, there is a group called Healthy Lakes—Healthy Lives that wrote in support of this amendment. They state that, "Traditionally, estuaries are transition zones along our coasts between fresh water from rivers and saline water from oceans. Regardless of whether it is a traditional mix of fresh and saltwater areas that are similar, all estuaries provide a unique environment that supports diverse habitats."

I would urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from Florida (Mr. MICA).

Mr. MICA. Mr. Chairman and my colleagues, I have been married for 38 years. I have a wonderful wife. I fell in love with her almost at first sight. We have been together for three, almost four decades. Probably the one I spend the most time with other than my wife is Mr. OBERSTAR in my work on the committee. We have been together on the committee for my 18 years. He has been there for 32, a lot longer. Now, with my wife from time to time I do have disagreements, like just about every day on some issue. This happens to also be with Mr. OBERSTAR sort of like that marital relation, that I would disagree both with my good friend and colleague Mr. OBERSTAR and also my colleague from Michigan.

I think that on this, this isn't worth burning the house over, and I think the gentleman is offering an amendment that is well intended, and he has a sincere interest in protecting freshwater estuaries. A definition was cited about freshwater estuaries. And yes, there are probably thousands, maybe millions of freshwater estuaries. That is the whole point here is we are expanding a limited definition of marine estuaries that have saltwater. And one of the justifications for this whole program at the Federal level is the sea does encompass the entire perimeter of our coastal areas, particularly Florida, which we have some of the biggest coastline. We have many places where fresh and saltwater mix. And that is the importance of this particularly important but very small Federal program.

The argument here isn't increasing this billions, we are going from \$35 to \$50 million in a program. And it is important that the additional money not be so diluted. So while I support the gentleman in what he would like to do with freshwater estuaries, I don't think that this expansion is appropriate when we are looking at including the body of freshwater estuaries. We do have a disagreement on this. And I do support the bill in general. I do take deference with this particular amendment.

Mr. OBERSTAR. Will the gentleman yield?

Mr. MICA. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. Does it help that the Merchant Marine Act of 1970 designates the Great Lakes as the fourth seacoast?

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentleman from Michigan (Mr. SCHAUER).

This amendment would define the term "estuary" for the purposes of this bill to include Great Lakes waters, including those near shore waters and connections that are similar to traditional estuaries.

Currently, coastal estuaries are the only estuaries that are eligible to apply for competitive grants under the National Estuary Program. The amendment offered by the gentleman from Michigan (Mr. SCHAUER) would authorize interested management conferences in Great Lakes waters to apply for competitive grants under the National Estuary Program.

I support the amendment.

The CHAIR. All time has expired.

The question is on the amendment offered by the gentleman from Michigan (Mr. SCHAUER).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. MOORE OF WISCONSIN

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 111-463.

Ms. MOORE of Wisconsin. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Ms. MOORE of Wisconsin:

Page 14, strike lines 3 through 6 and insert the following:

(g) RESEARCH.—Section 320(k)(1)(A) of such Act (as redesignated by subsection (d) of this section) is amended—

(1) by striking "paramenters" and inserting "parameters"; and

(2) by inserting "(including monitoring of both pathways and ecosystems to track the introduction and establishment of nonnative species)" before "to provide the Administrator".

The CHAIR. Pursuant to House Resolution 1248, the gentlewoman from Wisconsin (Ms. MOORE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Wisconsin.

Ms. MOORE of Wisconsin. I yield myself such time as I may consume.

Mr. Chairman, one of the most destructive threats to the ecological in-

tegrity and health of estuaries across our Nation, as well as other water bodies such as rivers and lakes, are invasive species. Invasive species destroy ecosystems and have a devastating effect on the health and balance of these systems, including the estuaries that we are trying so hard to protect through the National Estuary Program. For example, the San Francisco Estuary has been called one of the most invaded estuaries in the world.

Once these species are established, Federal and State authorities spend hundreds of millions of dollars trying to eliminate them, and failing that, to manage them and repair the enormous ecological and economic damage they have done and are doing to these important ecosystems. As I speak, the Army Corps of Engineers is undertaking efforts to prevent the latest of these threats to Lake Michigan in my district, the Asian carp, from overrunning this ecological and national treasure.

This amendment would include assessments of the pathways by which these unwelcome guests are getting into estuaries in the long term monitoring and assessment efforts authorized through the National Estuary Program. For example, one pathway of introduction for nonnative species in an estuary is the ballast water in ships that they may discharge as they move through these bodies of water. By strengthening monitoring of this threat in the estuaries, it is my hope that it will help improve data available to the various stakeholders, to EPA's national program office and Congress on how nonnative species are affecting our estuaries, track whether this problem is getting better or worse, and guide the development of targeted and effective solutions to help address and defeat these invaders.

With that, I reserve the balance of my time.

Mr. BOOZMAN. I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. We just want to go on the record as supporting this amendment and urge its adoption.

With that, I yield back the balance of my time.

Ms. MOORE of Wisconsin. I thank the gentleman. I also want to thank the chairman of the House Transportation Committee, Mr. OBERSTAR, for his support of this amendment as well. I know he shares my concerns about the problem of invasive species in ballast water, and I sure look forward to working with him on another bill to address those concerns more specifically.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentlewoman from Wisconsin (Ms. MOORE).

This amendment would add a new focus area to the existing list of research programs

the Environmental Protection Agency administrator can implement under the National Estuary Program.

In the existing statutory language for the National Estuary Program, there is a list of research programs the administrator is authorized to coordinate and implement with other Federal agencies. This amendment would allow for a research program related to nonnative species.

Nonnative or invasive species continue to be a threat to many of our waterbodies, including estuaries.

Adding a new research focus that looks at the potential impacts of nonnative species and the pathways for introduction in estuaries would be very helpful in better understanding the potential impacts of these species to the water quality, natural resource benefits, and sustainable uses of the estuary.

The programs that experience threats from nonnative species in their estuaries could incorporate any information obtained from this research into their plans in the future.

I support the amendment.

Ms. MOORE of Wisconsin. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Wisconsin (Ms. MOORE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MS. SHEA-PORTER

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 111-463.

Ms. SHEA-PORTER. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Ms. SHEA-PORTER:

Page 4, line 10, strike "and" at the end.

Page 4, line 12, insert "and" after the semicolon.

Page 4, after line 12, insert the following:

"(iii) the impacts of changes in sea level on estuarine water quality, estuarine habitat, and infrastructure located in the estuary;

The CHAIR. Pursuant to House Resolution 1248, the gentlewoman from New Hampshire (Ms. SHEA-PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Hampshire.

Ms. SHEA-PORTER. Mr. Chairman, I yield myself such time as I may consume.

First, I would like to thank Chairman OBERSTAR, Mr. BISHOP, and Mr. LOBIONDO for their work on this bill. I have the honor of representing the First Congressional District of New Hampshire, which is home to the Piscataqua Region Estuaries Partnership. PREP, as it is known, has been a part of the National Estuaries Program since 1995. PREP works to protect two estuarine systems in New Hampshire, Great Bay/Little Bay and Hampton Harbor. The partnership has included the entire Great Bay watershed in their area of focus, which includes 42 communities in New Hampshire and 10 communities in Maine. The National

Estuaries Program has been a significant source of funding and resources, assisting PREP in their valuable work. This reauthorization we are considering today will make the program stronger and allow for more estuaries to be included.

Mr. Chairman, one of the threats facing our estuaries is sea level change. As the sea level rises, it pushes the water further inland, changing the makeup of our estuaries and wetlands. In some cases, the effect may be that the wetlands move further inland. However, in areas like the Northeast, where our land is highly developed, this may not be possible.

□ 1530

There may be no place for the plants and animals that depend on the unique make-up of these estuaries to go. They may, literally, hit a roadblock, and those ecosystems would collapse. Mr. Chairman, the threat of that happening should worry us all.

Estuaries are essential habitats. They support countless species of plants, animals, and sea life. They act as nursery grounds for oceanic species and are the pathways for many species of fish that migrate from the oceans into our rivers. In fact, estuaries provide habitat for 75 percent of the commercial fishing catch and up to 90 percent of the recreational fishing catch in this country.

Estuaries and wetlands also act as buffers to the storms that batter our coasts. I volunteered in New Orleans after Hurricane Katrina, and I can tell you firsthand the devastation that the storm caused. Many scientists have attributed the significant loss of coastal lands and salt marshes outside of New Orleans as a factor in the severity of the damage that the storm caused.

Mr. Chairman, sea levels are changing. Whether you agree or disagree that global climate change is the cause, we should all be alarmed by the potential impact rising sea levels could have on these important habitats. It has been estimated that sea level rise could convert as much as 33 percent of the world's coastal wetlands to open water. That right would be a devastating loss for our coastal community.

Mr. Chairman, this straightforward amendment would simply ensure that sea level change is taken into account when the comprehensive conservation and management plans are constructed. These estuaries are important parts of our coastal communities and their economies, and we need to help them survive.

I urge my colleagues to support this amendment and the underlying bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Mr. Chairman, we do not oppose this amendment.

I yield back the balance of my time. Mr. OBERSTAR. Would the gentlewoman yield?

Ms. SHEA-PORTER. Yes, I will yield. Mr. OBERSTAR. I thank the gentlewoman for yielding. I rise in support of the amendment. It does not add cost. It does not add any burden on the process, but it does add an element of review in the evaluation of these plans and that is to take into consideration sea level rise that's already happening on our sea coasts, on our salt water coasts. And the addition of this factor, I think, will make all of the planners sensitive to the effects, the erosions, shore line erosion effects of rise of water levels and their consequential effects on the health of the estuaries.

I appreciate the gentlewoman's amendment.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

This amendment would require that individual comprehensive conservation and management plans evaluate the impacts of changes in sea level as they apply to the surrounding estuarine region.

Changes in sea level are likely in the future and it is without question that our coasts are vulnerable to the impacts of these changes.

For example, water quality and habitat in the estuaries would be affected by changes in sea level. In addition, those wildlife and fish that make the estuaries their home could be affected by these changes.

And last, public infrastructure along the coasts and in estuaries will likely be affected by changes in sea level.

In particular, roads, bridges and water-related infrastructure could be potentially harmed, inundated, or rendered ineffective by changes in sea level.

Therefore, it is important that the management plans assess the potential impacts caused by sea level rise and include potential responses to these threats.

Again, I support the amendment and applaud the gentlewoman for offering it.

Ms. SHEA-PORTER. Mr. Chairman, again, I want to thank Chairman OBERSTAR, Mr. BISHOP and Mr. LOBIONDO for their work and leadership on this bill. I urge my colleagues to support this amendment and the underlying bill, and I yield back the remainder of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from New Hampshire (Ms. SHEA-PORTER).

The question was taken; and the Chair announced that the ayes appeared to have it.

Ms. SHEA-PORTER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New Hampshire will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. KRATOVIL

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 111-463.

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

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. KRATOVIL: Page 6, strike line 3, and insert the following:

(b) MEMBERS OF CONFERENCE; COLLABORATIVE PROCESSES.—

(1) MEMBERS OF CONFERENCE.—Section 320(c)(5)

Page 6, after line 6, insert the following:

(2) COLLABORATIVE PROCESSES.—Section 320(d) of such Act (33 U.S.C. 1330(d)) is amended—

(A) by striking “(d)” and all that follows through “In developing” and inserting the following:

“(d) UTILIZATION OF EXISTING DATA AND COLLABORATIVE PROCESSES.—

“(1) UTILIZATION OF EXISTING DATA.—In developing”;

and

(B) by adding at the end the following:“(2) UTILIZATION OF COLLABORATIVE PROCESSES.—In updating a plan under subsection (f)(4) or developing a new plan under subsection (b), a management conference shall make use of collaborative processes to—

“(A) ensure equitable inclusion of affected interests;

“(B) engage with members of the management conference, including through—

“(i) the use of consensus-based decision rules; and

“(ii) assistance from impartial facilitators, as appropriate;

“(C) ensure relevant information, including scientific, technical, and cultural information, is accessible to members;

“(D) promote accountability and transparency by ensuring members are informed in a timely manner of—

“(i) the purposes and objectives of the management conference; and

“(ii) the results of an evaluation conducted under subsection (f)(3);

“(E) identify the roles and responsibilities of members—

“(i) in the management conference proceedings; and

“(ii) in the implementation of the plan; and

“(F) seek resolution of conflicts or disputes as necessary.”.

The CHAIR. Pursuant to House Resolution 1248, the gentleman from Maryland (Mr. KRATOVIL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. KRATOVIL. Mr. Chairman, I rise in support of my amendment to H.R. 4715, the Clean Estuaries Act, and voice my support also for the underlying bill.

Let me begin by thanking the chairman, Mr. OBERSTAR, who, as the Chair knows, has the finest voice of all in Congress; and should he ever leave Congress, could certainly go forward in doing commentating somewhere.

But, in any event, Mr. Chairman, Maryland's First Congressional District is defined by the Chesapeake Bay and its waterways. Although not directly part of the National Estuary Program, the program was developed from efforts to protect our Nation's largest estuary, the Chesapeake Bay.

Estuaries are bodies of water, as you've heard, that receive both outflows from rivers and tidal inflows

from the ocean. They are transition zones between fresh water from rivers and salt water from the ocean. The mixing of fresh and salt water provides a unique environment that supports diverse habitats for a wide variety of living resources, including plants, fish, and wildlife.

Estuaries are critical economic engines that generate billions of dollars in revenue each year from fishing and tourism. The sad truth is that along with many of the Nation's estuaries, the Chesapeake is in poor ecological health as well, although we did have, Mr. Chairman, some good news yesterday in terms of the blue crab population which I'm happy to report is rebounding.

Unhealthy estuaries impact not only the commercial and recreational fishing industries, but threaten industries such as tourism, restaurants and charter boats, among others, that generate revenue and create good-paying jobs.

This bill includes effective reforms to that program that will bolster the health of estuaries, as well as the economy and infrastructure of affected communities by increasing transparency, requiring establishment of performance measures and goals, and introducing much needed accountability to the program.

This legislation will support and maintain the Maryland Coastal Bays program as one of the most effective estuary programs in the Nation and ensure that taxpayer dollars are used effectively in the fight to do so.

I have introduced an amendment that I believe will bolster the oversight and accountability of these programs by ensuring a collaborative process involving all stakeholders.

The National Estuary Program is comprised of initiatives across the country that, under my amendment, will now be subject to a streamlined management plan that will ensure all stakeholders play a role in the implementation.

My amendment calls for the equitable inclusion of all relevant estuary stakeholders, the use of neutral facilitators and processes to resolve any conflicts, and the inclusion and use of up-to-date information. Included among these stakeholders will be the region's farming and agricultural representatives, as well as environmental groups, so that all parties will come to the table and reach a consensus agreement about our mutual interests and goals.

While some programs may have used collaborative processes in the past, this amendment will ensure that all new programs and all existing programs undergoing management plan updates will collaborate going forward.

Mr. Chairman, I urge my colleagues to support my amendment, as well as the underlying bill.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Chairman, I ask unanimous consent to claim the time in opposition.

The CHAIR. Without objection, the gentleman from Arkansas is recognized for 5 minutes.

There was no objection.

Mr. BOOZMAN. Mr. Chairman, again, we do not oppose the amendment.

I yield back the balance of my time.

Mr. KRATOVIL. Mr. Chairman, I'll yield to the chairman, Mr. OBERSTAR, as much time as he may consume.

Mr. OBERSTAR. I thank the distinguished gentleman for this amendment, a very thoughtful, well-crafted amendment to resolve conflicts. That is really what the Congress should be doing, resolving conflicts and creating structures within our programs within which conflict can be resolved. And that is particularly important in development of management plans. There are so many different parties, some at loggerheads over the management of the watershed.

This idea will ensure that we bring the development of these management plans to a reasonable and productive conclusion. And so I thank the gentleman for this amendment. Perhaps if it works, we can apply it to our work with the other body.

Mr. KRATOVIL. I thank the Chair. I also thank the gentleman from Arkansas (Mr. BOOZMAN) for his support of the amendment.

Again, Mr. Chairman, thank you for your support.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise in support of the amendment from the Gentleman from Maryland (Mr. KRATOVIL).

This amendment is essentially a reminder to the new programs of the National Estuary Program that collaborative processes should be used when developing the management plan.

Many of the estuary programs are currently using collaborative processes to develop their plans and this amendment encourages these processes to continue in the future.

The gentleman's amendment ensures that all relevant stakeholders in an estuary be given an equal voice. This concept is fundamental for developing a broad-base of support for restoration efforts, and for increasing the overall likelihood of success.

The amendment would also require the use of a neutral party to resolve conflicts that arise during the development of a plan. The use of neutral parties can be an effective way to resolve differences other, more engaged stakeholders may encounter when developing a management plan.

Finally, this amendment requires the inclusion of up-to-date information in the plans.

As the management plans are updated, they should include the most recent information possible so that they are useful in helping achieve the long-term goals of improving the water quality and habitat in the estuaries.

I commend the gentleman for offering this amendment, and urge its adoption.

Mr. KRATOVIL. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. KRATOVIL).

The amendment was agreed to.

Mr. OBERSTAR. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. MOORE of Wisconsin) having assumed the chair, Mr. CUELLAR, Chair 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. 4715) to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes, had come to no resolution thereon.

RAISING A QUESTION OF THE PRIVILEGES OF THE HOUSE

Mr. FLAKE. Madam Speaker, I rise to a question of the privileges of the House and offer the resolution previously noticed.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 1255

Whereas, the Committee on Standards of Official Conduct initiated an investigation into allegations related to earmarks and campaign contributions in the Spring of 2009.

Whereas, on December 2, 2009, reports and findings in seven separate matters involving the alleged connection between earmarks and campaign contributions were forwarded by the Office of Congressional Ethics to the Standards Committee.

Whereas, on February 26, 2010, the Standards Committee made public its report on the matter wherein the Committee found, though a widespread perception exists among corporations and lobbyists that campaign contributions provide a greater chance of obtaining earmarks, there was no evidence that Members or their staff considered contributions when requesting earmarks.

Whereas, the Committee indicated that, with respect to the matters forwarded by the Office of Congressional Ethics, neither the evidence cited in the OCE's findings nor the evidence in the record before the Standards Committee provided a substantial reason to believe that violations of applicable standards of conduct occurred.

Whereas, the Office of Congressional Ethics is prohibited from reviewing activities taking place prior to March of 2008 and lacks the authority to subpoena witnesses and documents.

Whereas, for example, the Office of Congressional Ethics noted that in some instances documents were redacted or specific information was not provided and that, in at least one instance, they had reason to believe a witness withheld information requested and did not identify what was being withheld.

Whereas, the Office of Congressional Ethics also noted that they were able to interview only six former employees of the PMA Group, with many former employees refusing to consent to interviews and the OCE unable to obtain evidence within PMA's possession.

Whereas, Roll Call noted that "the committee report was five pages long and included no documentation of any evidence collected or any interviews conducted by the committee, beyond a statement that the investigation 'included extensive document reviews and interviews with numerous witnesses.'" (Roll Call, March 8, 2010)

Whereas, it is unclear whether the Standards Committee included in their investigation any activities that occurred prior to 2008.

Whereas, it is unclear whether the Standards Committee interviewed any Members in the course of their investigation.