

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.

Whereas, it is unclear whether the Standards Committee, in the course of their investigation, initiated their own subpoenas or followed the Office of Congressional Ethics recommendations to issue subpoenas. Therefore be it:

Resolved, That not later than seven days after the adoption of this resolution, the Committee on Standards of Official Conduct shall report to the House of Representatives, with respect to the activities addressed in its report of February 26, 2010, (1) how many witnesses were interviewed, (2) how many, if any, subpoenas were issued in the course of their investigation, and (3) what documents were reviewed and their availability for public review.

The SPEAKER pro tempore. The resolution qualifies.

MOTION TO REFER THE RESOLUTION

Mr. OBERSTAR. Madam Speaker, I move the resolution be referred to the Committee on Standards of Official Conduct.

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 1 hour on the motion to refer.

Mr. OBERSTAR. Madam Speaker, this is a matter that belongs to the Committee on Standards of Official Conduct.

I yield back the balance of my time and move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the motion to refer.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. FLAKE. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 385, nays 0, answered “present” 18, not voting 27, as follows:

[Roll No. 206]

YEAS—385

Ackerman	Broun (GA)	Crenshaw
Aderholt	Brown (SC)	Crowley
Adler (NJ)	Brown, Corrine	Cuellar
Akin	Brown-Waite,	Culberson
Alexander	Ginny	Cummings
Altmire	Buchanan	Dahlkemper
Andrews	Burgess	Davis (AL)
Arcuri	Burton (IN)	Davis (CA)
Austria	Calvert	Davis (IL)
Baca	Camp	Davis (KY)
Bachmann	Campbell	Davis (TN)
Bachus	Cantor	DeFazio
Baird	Cao	DeGette
Baldwin	Capps	Delahunt
Barrow	Capuano	DeLauro
Bartlett	Cardoza	Deutch
Barton (TX)	Carnahan	Diaz-Balart, M.
Becerra	Carney	Dicks
Berkley	Carson (IN)	Dingell
Berman	Carter	Doggett
Biggert	Cassidy	Donnelly (IN)
Billrakis	Castle	Doyle
Bishop (GA)	Chaffetz	Dreier
Bishop (NY)	Childers	Driehaus
Bishop (UT)	Chu	Duncan
Blumenauer	Clarke	Edwards (MD)
Blunt	Clay	Edwards (TX)
Boccheri	Cleaver	Ehlers
Boehner	Clyburn	Ellison
Bono Mack	Coble	Ellsworth
Boozman	Coffman (CO)	Emerson
Boren	Cohen	Engel
Boswell	Cole	Eshoo
Boucher	Connolly (VA)	Etheridge
Boustany	Conyers	Fallin
Brady (PA)	Cooper	Farr
Brady (TX)	Costa	Fattah
Braley (IA)	Costello	Finer
Bright	Courtney	Flake

Fleming	Lipinski	Roe (TN)
Forbes	LoBiondo	Rogers (AL)
Fortenberry	Loeb sack	Rogers (KY)
Foster	Lowey	Rogers (MI)
Fox	Lucas	Rohrabacher
Frank (MA)	Luetkemeyer	Rooney
Franks (AZ)	Lujan	Ros-Lehtinen
Frelinghuysen	Lummis	Roskam
Fudge	Lungren, Daniel	Ross
Garamendi	E.	Rothman (NJ)
Garrett (NJ)	Lynch	Roybal-Allard
Gerlach	Mack	Royce
Giffords	Maffei	Rush
Gingrey (GA)	Maloney	Ryan (OH)
Gohmert	Manzullo	Ryan (WI)
Goodlatte	Marchant	Salazar
Gordon (TN)	Markey (CO)	Sanchez, Loretta
Granger	Markey (MA)	Sarbanes
Graves	Matheson	Scalise
Grayson	Matsui	Schakowsky
Green, Al	McCarthy (CA)	Schauer
Green, Gene	McCarthy (NY)	Schiff
Griffith	McClintock	Schmidt
Grijalva	McCollum	Schock
Guthrie	McDermott	Schrader
Gutierrez	McGovern	Schwartz
Hall (NY)	McHenry	Scott (GA)
Hall (TX)	McIntyre	Scott (VA)
Halvorson	McKeon	Sensenbrenner
Hare	McMahon	Serrano
Harman	McMorris	Sessions
Hastings (FL)	Rodgers	Sestak
Heinrich	McNerney	Shadegg
Heller	Meeks (NY)	Shea-Porter
Hensarling	Melancon	Sherman
Herger	Mica	Shimkus
Herseth Sandlin	Michaud	Shuler
Higgins	Miller (MI)	Shuster
Hill	Miller (NC)	Sires
Himes	Miller, Gary	Skelton
Hincheey	Miller, George	Slaughter
Hinojosa	Minnick	Smith (NE)
Hirono	Mitchell	Smith (NJ)
Hodes	Moore (KS)	Smith (TX)
Holden	Moore (WI)	Smith (WA)
Holt	Moran (KS)	Snyder
Honda	Moran (VA)	Souder
Hoyer	Murphy (CT)	Space
Hunter	Murphy (NY)	Speier
Inglis	Murphy, Patrick	Spratt
Inslee	Murphy, Tim	Stark
Israel	Nadler (NY)	Stearns
Issa	Napolitano	Stupak
Jackson (IL)	Neal (MA)	Sullivan
Jenkins	Neugebauer	Sutton
Johnson (GA)	Nunes	Tanner
Johnson (IL)	Nye	Taylor
Johnson, E. B.	Oberstar	Teague
Johnson, Sam	Obey	Terry
Jones	Olson	Thompson (CA)
Jordan (OH)	Olver	Thompson (MS)
Kagen	Ortiz	Thompson (PA)
Kanjorski	Owens	Thornberry
Kaptur	Pallone	Tiberi
Kennedy	Pascrell	Tierney
Kildee	Pastor (AZ)	Titus
Kilpatrick (MI)	Paul	Tonko
Kilroy	Paulsen	Tsongas
Kind	Payne	Turner
King (IA)	Perlmutter	Upton
King (NY)	Perriello	Van Hollen
Kingston	Peters	Velázquez
Kirk	Peterson	Visclosky
Kirkpatrick (AZ)	Petri	Walz
Kissell	Pingree (ME)	Waters
Klein (FL)	Pitts	Watson
Kratovil	Platts	Watt
Kucinich	Poe (TX)	Waxman
Kucinich	Polis (CO)	Weiner
Lamborn	Pomeroy	Westmoreland
Lance	Posey	Whitfield
Langevin	Price (GA)	Wilson (OH)
Larsen (WA)	Price (NC)	Wilson (SC)
Larson (CT)	Putnam	Wittman
LaTourette	Quigley	Wolf
Latta	Rangel	Woolsey
Lee (CA)	Rehberg	Wu
Lee (NY)	Reichert	Yarmuth
Levin	Reyes	Young (FL)
Lewis (CA)	Richardson	
Lewis (GA)	Rodriguez	
Linder		

ANSWERED “PRESENT”—18

Blackburn	Conaway	Lofgren, Zoe
Bonner	Dent	McCauley
Butterfield	Diaz-Balart, L.	Myrick
Buyer	Harper	Simpson
Castor (FL)	Hastings (WA)	Walden
Chandler	Latham	Welch

NOT VOTING—27

Barrett (SC)	Jackson Lee	Radanovich
Bean	(TX)	Rahall
Berry	Kline (MN)	Ruppersberger
Billbray	Kosmas	Sánchez, Linda
Boyd	Marshall	T.
Capito	McCotter	Tiahrt
Gallegly	Meek (FL)	Towns
Gonzalez	Miller (FL)	Wamp
Hoekstra	Mollohan	Wasserman
	Pence	Schultz
		Young (AK)

□ 1616

Mr. FRANK of Massachusetts changed his vote from “nay” to “yea.”

Ms. CASTOR of Florida and Mr. WELCH changed their vote from “yea” to “present.”

So the motion to refer was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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 further consideration of the bill, H.R. 4715.

□ 1617

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 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. When the Committee of the Whole rose earlier today, proceedings on amendment No. 7 printed in House Report 111-463 offered by the gentleman from Maryland (Mr. KRATOVIL) had been disposed of.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 111-463 on which further proceedings were postponed.

AMENDMENT NO. 6 OFFERED BY MS. SHEA-PORTER

The CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Hampshire (Ms. SHEA-PORTER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 294, noes 109, not voting 33, as follows: