

a point, thence; S. 78 degrees 32 minutes 56 seconds W., 200.00 feet to a point binding on the centerline of the 400-foot-wide main navigational channel at computed Centerline Station No. 65+54.31, coordinates North 438923.9874, East 1306159.9738, thence; continuing with the aforementioned centerline the following courses and distances: N. 11 degrees 27 minutes 04 seconds W., 330.80 feet to a point, Centerline Station No. 68+85.10, thence; N. 29 degrees 44 minutes 42 seconds W., 2,015.56 feet to a point, Centerline Station No. 89+00.67, thence; N. 49 degrees 49 minutes 15 seconds W., 1,472.26 feet to the point of beginning, such area in total containing a computed area of 777,284 square feet or 17.84399 acres of riparian water way.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from New Jersey (Mr. LoBiondo) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

#### GENERAL LEAVE

Ms. NORTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 5545.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from the District of Columbia?

There was no objection.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume, and I rise to support H.R. 5545.

This noncontroversial bill will allow development of the Southwest Waterfront in the District of Columbia. This bill will benefit not only residents here, but also regional residents and U.S. and international visitors by permitting the District to extend docks and increase maritime activity just a short eyeshot from the U.S. Capitol building.

In order for the District to make these improvements, the Federal Government must redesignate part of the water designated by the Federal Government as the Washington Channel so that more and larger docks can be built by the District to accommodate increased boating and waterside activity.

The original width of the Washington Channel was established in the early 1800s to accommodate industrial and maritime commerce at the Southwest Waterfront prior to the construction of East Potomac Park.

Today, however, the Southwest Waterfront is no longer a major port, and does not accommodate large vessels. In fact, the U.S. Coast Guard, the U.S. Navy, and the U.S. Army Corps of Engineers have agreed that this redesignation will not affect navigation interests or adversely affect navigation safety.

I ask Members to support this noncontroversial change that will reinvigorate the Southwest Waterfront for the city, region, and visitors alike to enjoy.

Madam Speaker, I reserve the balance of my time.

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

Today we're considering the deauthorization of a portion of a navigation channel in Washington, DC. The Washington Channel was authorized in 1935. Ms. NORTON's bill would deauthorize a small portion of the project that is no longer necessary to ensure safe commercial navigation along the northern end of the Washington Channel. Neither the Army Corps of Engineers nor the U.S. Coast Guard has objections to this change in the Federal navigation channel.

The bill is noncontroversial. There are no costs associated with deauthorizing this portion of the Washington Channel. I fully support passage, and recommend my colleagues vote for and approve H.R. 5545.

I yield back the balance of my time. Ms. NORTON. Madam Speaker, I yield myself the balance of my time.

Almost 10 years ago this House approved a bill to revitalize the Southeast Waterfront. The Southeast Federal Center is now being reinvigorated just down the street from the Southwest Waterfront. It is now called The Yards.

I very much appreciate that this House understood that it was far better for the Southeast Waterfront, owned by the Federal Government, to be revitalized than to lie fallow. And already, it is blossoming and blooming.

But the Southwest Waterfront has been awaiting concurrent action, not by this House, and not at the expense of the Federal Government, but by the District of Columbia.

This action, the action of the House today, should this bill be passed, will allow the District of Columbia to move forward on a multi-use development of the Southwest Waterfront, to which tourists and international visitors are always welcome, and will be even more welcome because it will be fit. It will be a fit place to come and see.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 5545, a bill to deauthorize a portion of the project for navigation, Potomac River, Washington Channel, District of Columbia, under the jurisdiction of the Corps of Engineers.

This bill deauthorizes one-half of the Federal navigation project width of the Washington Channel, District of Columbia. The channel deauthorization runs from the northern limit of the Federal navigation project to just south of the Maine Police pier which includes the Spirit Ship Dock.

The Committee on Transportation and Infrastructure consulted with the U.S. Army Corps of Engineers, the U.S. Coast Guard, and the U.S. Navy regarding this proposed deauthorization and we have not been made aware of any opposition to the proposed deauthorization of this segment of the Washington Channel, District of Columbia. This noncontroversial bill was reported favorably out of our Committee by voice vote, without amendment.

I urge my colleagues to join me in supporting H.R. 5545.

Ms. NORTON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and pass the bill, H.R. 5545.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### DELAYING EPA FISHING BOAT DISCHARGE RULES

Mr. OBERSTAR. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5301) to extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operation of vessels, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5301

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

#### TITLE I—NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

##### SEC. 101. DISCHARGES INCIDENTAL TO NORMAL OPERATION OF VESSELS.

Public Law 110-299 (122 Stat. 2995, 33 U.S.C. 1342 note) is amended in section 2(a) by striking "during the 2-year period beginning on the date of enactment of this Act" and inserting "during the period beginning on the date of enactment of this Act and ending December 18, 2013".

#### TITLE II—CLEAN ESTUARIES

##### SEC. 201. SHORT TITLE.

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

##### SEC. 202. 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;

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

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

“(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;

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

“(G) includes performance measures and goals to track implementation of the plan; and

“(H) includes a coordinated monitoring strategy for Federal, State, and local governments and other entities.”

(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; COLLABORATIVE PROCESSES.—

(1) 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.”

(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 or—

“(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.”

(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 implementation 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 the implementation 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, including monitoring 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) 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”.

(2) EFFECTS OF PROBATIONARY STATUS.—Section 320(h) of such Act (as redesignated by subsection (d) of this section) is further 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.”.

(3) 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) 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”.

(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—

“(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.

“(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.—The Administrator shall make a report issued under this subsection available to management conferences convened under this section and the public, including through publication in the Federal Register and on the Internet.”.

(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).

(j) 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”.

□ 1430

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

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Madam Speaker, both of these bills have passed the House, have been duly fully considered by the Committee on Transportation and Infrastructure, reported to the House and passed substantially. We combined them in this measure to send them to the other body, where we expect prompt action to be taken to send the bills on to the President.

I rise in support of H.R. 5301. This bill extends a provision prohibiting the Environmental Protection Agency (EPA) and States from requiring permits under Section 402 of the Clean Water Act for certain discharges that are incidental to the normal operation of vessels less than 79 feet in length. H.R. 5301 also reauthorizes EPA's National Estuary Program.

I'd like to thank the gentleman from New Jersey (Mr. LOBIONDO) and the gentleman

from New York (Mr. BISHOP) for their work on this legislation.

Title I of H.R. 5301 extends a narrowly-tailored provision enacted by Congress in 2008 to establish a moratorium permit requirements under the Clean Water Act for certain discharges from commercial fishing vessels and other commercial vessels. This title ensures that EPA has sufficient time to consider the implications of discharges incidental to the normal operation of a vessel, while preserving the goals of the Clean Water Act to restore and maintain the chemical, physical and biological integrity of the nation's waters.

When Congress established the moratorium two years ago, EPA was directed to conduct a study on discharges incidental to the normal operation of a vessel. This study was intended to provide EPA and Congress with additional information on the nature, types, volumes, and composition of vessel discharges, and the potential impact of these discharges on human health, welfare, and the environment.

EPA completed this study earlier this year and determined that discharges from these smaller vessels are not benign. Appropriately, EPA plans on bringing these vessels within the scope of the National Pollutant Discharge Elimination System, NPDES, program. Currently, however, EPA does not have the framework in place or the resources to expand NPDES coverage to these smaller vessels.

Without an extension, the permit prohibition expires on July 31, 2010. H.R. 5301 extends the current moratorium to December 18, 2013. This will allow EPA time to implement the appropriate Clean Water Act mechanisms for controlling, minimizing, and properly addressing these types of vessel discharges. It will also allow the agency to plan for the inclusion of these smaller vessels when the agency renews its Vessel General Permits program.

Title I of H.R. 5301 was previously included in H.R. 3619, the “Coast Guard Authorization Act of 2010”, which passed the House on November 2, 2009.

Title II of H.R. 5301 reauthorizes the National Estuary Program. Title II consists of the text of H.R. 4715, the “Clean Estuaries Act of 2010”, as passed by the House on April 15, 2010. Estuaries and associated coastal areas are major economic forces for the nation. Commercial and recreational fishing annually accounts for \$185 billion in revenues, and more than two million direct jobs. Estuaries are habitat for approximately 75 percent of the U.S. commercial fish catch and 80 to 90 percent of the recreational fish catch. Beyond fishing, estuaries produce significant economic value through tourism, energy production, and navigation. Estuaries also provide recreational opportunities such as boating, fishing, swimming, surfing, and bird watching. The University of California and the Ocean Foundation have determined that, on an annual basis, “beach-going” generates up to \$30 billion of economic value, and that “coastal wildlife viewing” generates up to \$49 billion.

Title II includes four important modifications to the existing National Estuary Program.

First, Title II calls for increased transparency and accountability through regular evaluation and management plan updates with a public disclosure requirement.

Second, the title requires Federal agencies to be active partners in the restoration and protection of the estuaries where they are situated. This includes taking part in the development of the management plans, cooperating

and coordinating their activities to implement the plans, and considering their financial responsibilities under any estuary management plan when submitting their annual budget requests.

Third, Title II requires programmatic changes to the National Estuary Program such as identifying vulnerabilities to climate change and developing responsive adaptation actions; engaging in educational activities to better inform the public about their local estuaries; requiring that estuary programs consider sustainable commercial activities in the watershed; and ensuring that commercial entities along estuary waterfronts will be active participants in estuary programs.

Fourth, this title increases the authorization for the program from \$35 million to \$50 million per year and establishes a minimum funding level for each of the 28 approved estuaries in the program of \$1.25 million per year. If the program were fully funded at \$50 million, 12 new estuaries could enter the National Estuary Program and each be funded at a level of \$1.25 million. EPA reports that entities representing 38 additional estuaries have expressed interest in joining the National Estuary Program.

H.R. 4715, the "Clean Estuaries Act of 2010," was considered by the House earlier this year and passed by a roll call vote of 278-128. I am pleased to say that we received solid support on both sides of the aisle.

I strongly urge my colleagues to join me in supporting H.R. 5301.

I reserve the balance of my time.

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

Madam Speaker, I rise in strong support of H.R. 5301.

Effective 11 days from now, commercial fishermen, charter boat operators, and owners of other commercial vessels less than 79 feet will have to apply for and receive individual permits from the EPA to discharge from their vessels such things as deck wash, bilge water, and condensation from air conditioning units. Vessels that operate without these permits could be subject to citizen lawsuits and fines that exceed \$32,000 a day.

My bill simply extends the current moratorium for a few more years to ensure that the EPA has time to analyze the results of the study they conducted and develop proper permitting regulations. As the chairman indicated in his statement, we have the Clean Estuaries Act which is combined with this bill. We are happy to do this with Mr. BISHOP.

Having said that, I am hopeful that we can move this bill today. I appreciate Chairman OBERSTAR's effort, but I just have a cautionary note, as the chairman has sort of indicated on a number of times, that the other body does not always act in a manner that we consider something they should do.

Mr. OBERSTAR, I think you understand that. And I hope we have a continued commitment to be able to make sure that this fishing boat problem can get solved before we leave one way or the other.

I yield back the balance of my time.

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

Yes, indeed I will say, first of all to compliment the gentleman from New Jersey on his leadership on the issue of vessel discharge. He has been a champion on this subject. We have heard his strong appeal, his reasoned approach to the issue. That's why we moved the bill earlier. We now joined it with this estuaries bill.

We expect always with hope that the other body acts promptly, but if not, there are backup plans to deal with the vessel discharge issue in advance of the deadline that the distinguished gentleman from New Jersey cited. We are together on this. We are going to assure that the issue is resolved. And hopefully, both of these bills, combined in this fashion, will bring enough interest in the other body to have a concentration of effort to pass both measures together.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today to support H.R. 5301, legislation to extend the period during which the administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the federal water pollution control act for certain discharges that are incidental to normal operations of vessels, to reauthorize the national estuary program and for other purposes. I commend my colleague, Representative LOBIONDO for his word on this bill and urge the House to support this legislation.

Madam Speaker, in light of the disaster caused by the Deepwater Horizon oil spill, it is important that this Congress pay particularly close attention to the well being of our Nation's aquatic ecosystems.

H.R. 5301 accomplishes two things. First, this bill extends an existing moratorium for vessels less than 79 feet in length to obtain a permit under the Clean Water Act for discharges incidental to their normal operation. The Environmental Protection Agency has been studying the impacts of incidental discharges from these vessels and made the determination that these discharges are not universally benign. The agency has acknowledged however, that it will be unable to develop and issue appropriate permits for these vessels before the current moratorium expires on July 31, 2010. Extending the moratorium will allow for the additional time necessary to develop and issue appropriate guidelines to address such discharges consistent with the goals of the Clean Water Act.

Second, H.R. 5301 includes H.R. 4715, the "Clean Estuaries Act of 2010", as passed by the House of Representatives on April 15, 2010, which reauthorizes the National Estuary Program. Established in 1987, the National Estuary Program is charged with attaining or maintaining water quality in an estuary, places where rivers meet the sea. Reauthorizing this program is essential to protection of public water supplies and the protection or indigenous population of shellfish, fish, and wildlife.

I urge my colleagues to support this bill.

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

#### GENERAL LEAVE

Mr. OBERSTAR. I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on the subject of these two bills.

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

There was no objection.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Minnesota (Mr. OBERSTAR) that the House suspend the rules and pass the bill, H.R. 5301, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title was amended so as to read: "A bill to extend the period during which the Administrator of the Environmental Protection Agency and States are prohibited from requiring a permit under section 402 of the Federal Water Pollution Control Act for certain discharges that are incidental to normal operation of vessels, to reauthorize the National Estuary Program, and for other purposes."

A motion to reconsider was laid on the table.

#### SUPPORTING RAILROAD RETIREMENT DAY

Ms. CORRINE BROWN of Florida. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1463) supporting the goals and ideals of Railroad Retirement Day.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

#### H. RES. 1463

Whereas the rail industry established the first formal industrial pension plan in North America on the Grand Trunk Railway in 1874;

Whereas by the late 1920s more than 80 percent of all railroad workers in the United States were employed by companies with existing pension plans, but the benefits provided by these plans were generally inadequate, liable to capricious termination, and of little assistance to disabled employees;

Whereas when the Great Depression drove the already unstable railroad pension system into a state of crisis, the railroad industry was beset by retirees who needed immediate assistance but the planned Social Security system would not cover work performed prior to 1937 and was not scheduled to begin paying benefits until 1940;

Whereas railroad workers sought a separate railroad retirement system which would continue and broaden the existing railroad programs under a uniform national plan;

Whereas, on August 29, 1935, President Franklin D. Roosevelt signed into law the Railroad Retirement Act, establishing the beginnings of a new social insurance system for the Nation's rail industry that today protects working families against loss of income due to the retirement, disability, or death of a wage earner and assists in meeting the medical expenses of the elderly and long-term disabled;

Whereas the Railroad Retirement Act was amended numerous times between 1937 and 2002, including a major restructuring in 1974 and most recently by enactment of the Railroad Retirement and Survivors' Improvement Act of 2001, the most significant railroad retirement legislation in almost 20 years;