House, I'll certainly continue to discuss this new provision with potentially affected groups to ensure it does not place any undue burden on taxpayers.

That being said, the crisis in the credit markets is a serious concern we all share, and this bill will help our struggling real estate markets get the capital they need.

I yield back the balance of my time.

Mr. CROWLEY. Mr. Speaker, in closing, I want to thank the gentleman for his comments and remarks and also recognize we may very well have to come back to do additional work to help this industry because this is a national crisis. It's not just in New York. It's not just in Texas or Boston or L.A. or Chicago. It's really all over the country, and I think this is a small part right now to help infuse some foreign investment and cash into the system to put people back to work, to get construction workers back on the job, and to get people building out offices, office spacing, and really bringing in more capital to lift up this industry.

GENERAL LEAVE

Mr. CROWLEY. 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. 5901.

The SPEAKER pro tempore (Mr. LUJÁN). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. VAN HOLLEN. Madam Speaker, I rise in support of the Real Estate Jobs and Investment Act (H.R. 5901), and I commend Congressman CROWLEY and the Ways and Means committee staff for the hard work that went into crafting this bill.

Even as we work hard to address the current foreclosure crisis in the residential housing market, a growing chorus of economists is warning that the commercial real estate market could very well be the next shoe to fall. In order to get in front of that looming crisis, and the additional burden on our recovery it would represent, Congress should consider any and all responsible steps we can take now to head off that outcome.

This legislation is that kind of step. By increasing from 5 percent to 10 percent the amount of foreign capital that can be invested in a publicly traded REIT before the Foreign Investment in Real Property Tax Act, FIRPTA, filing and withholding requirements kick in, we can attract more foreign investment to our commercial real estate market at a time when that investment is needed most—and we can do it in a way that doesn't disadvantage U.S. taxpayers or cede ownership control of U.S. real estate to foreign interests.

Madam Speaker, this is forward-looking legislation. It's fully paid for. I urge a "yes" vote.

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

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The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. CROWLEY) that the House suspend the rules and pass the bill, H.R. 5901.

The question was taken.

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

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

The yeas and nays were ordered.

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

ASSISTANCE, QUALITY, AND AFFORDABILITY ACT OF 2010

Mr. MARKEY of Massachusetts. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5320) to amend the Safe Drinking Water Act to increase assistance for States, water systems, and disadvantaged communities; to encourage good financial and environmental management of water systems; to strengthen the Environmental Protection Agency's ability to enforce the requirements of the Act; to reduce lead in drinking water; to strengthen the endocrine disruptor screening program; and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5320

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS; REFERENCES.

(a) SHORT TITLE.—This Act may be cited as the ''Assistance, Quality, and Affordability Act of 2010''.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

(c) REFERENCES.—Except as otherwise specified, whenever in this Act an amendment is expressed in terms of an amendment to a section or other provision, the reference shall be considered to be made to a section or other provision of the Safe Drinking Water Act (42 U.S.C. 300f et seq.).

SEC. 2. TECHNICAL ASSISTANCE FOR SMALL PUBLIC WATER SYSTEMS.

Subsection (e) of section 1442 (42 U.S.C. 300j–1(e)) is amended to read as follows:

''(e) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—The Administrator, directly or through grants or cooperative agreements with nonprofit organizations, may provide technical assistance to small public water systems to enable such systems to achieve and maintain compliance with applicable national primary drinking water regulations.

''(2) TYPES OF ASSISTANCE.—Technical assistance under paragraph (1) may include onsite technical assistance and compliance assistance; circuit-rider and multi-State regional technical assistance programs; training; assistance with implementing source water protection programs; assistance with increasing water or energy efficiency; assistance with designing, installing, or operating sustainable energy infrastructure to produce or capture sustainable energy on site or through water transport; assistance with developing technical, financial, and managerial capacity; assistance with long-term infrastructure planning; assistance with applying for funds from a State loan fund under section 1452; and assistance with implementation of monitoring plans, rules, regulations, and water security enhancements.

''(3) PRIORITY.—In providing assistance under this subsection, the Administrator shall give priority to assistance that will promote compliance with national primary drinking water standards, public health protection, and long-term sustainability of small public water systems. In awarding grants and cooperative assistance under paragraph (1) to nonprofit organizations, the Administrator shall (subject to the preceding sentence) give greater weight to nonprofit organizations that, as determined by the Administrator, are most qualified and most effective and that, as determined by the Administrator using information where available, are providing the types of technical assistance that are preferred by small public water systems.

''(4) COMPETITIVE PROCEDURES.—It is the presumption of Congress that any award of assistance under this subsection will be awarded using competitive procedures based on merit. If assistance is awarded under this subsection using procedures other than competitive procedures, the Administrator shall submit to the Congress, within 90 days of the award decision, a report explaining why competitive procedures were not used.

''(5) FUNDING.—

''(A) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection $20,000,000 for each of fiscal years 2011 through 2015.

''(B) PROHIBITION ON EARMARKS.—No funds made available under this subsection may be used to carry out a provision or report language included primarily at the request of a Member, Delegate, Resident Commissioner, or Senator providing, authorizing, or recommending a specific amount of discretionary budget authority, credit authority, or other spending authority for a contract, loan, loan guarantee, grant, loan authority, or other expenditure with or to an entity, or targeted to a specific State, locality, or congressional district, other than through a statutory or administrative formula-driven or competitive award process.

''(C) LOBBYING EXPENSES.—No portion of any State loan fund established under section 1452 and no portion of any funds made available under this subsection may be used for lobbying expenses.

''(D) INDIAN TRIBES.—Of the total amount made available under this section for each fiscal year, 3 percent shall be used for technical assistance to public water systems owned or operated by Indian Tribes.''.

SEC. 3. PREVAILING WAGES.

Subsection (e) of section 1450 (42 U.S.C. 300j–9) is amended to read as follows:

''(e) LABOR STANDARDS.—

''(1) IN GENERAL.—The Administrator shall take such action as the Administrator determines to be necessary to ensure that each laborer and mechanic employed by a contractor or subcontractor in connection with a construction project financed, in whole or in part, by a grant, loan, loan guarantee, refinancing, or any other form of financial assistance provided under this title (including assistance provided by a State loan fund established under section 1452) is paid wages at a rate of not less than the wages prevailing for the same type of work on similar construction in the immediate locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code.

''(2) AUTHORITY OF SECRETARY OF LABOR.—With respect to the labor standards specified in this subsection, the Secretary of Labor shall have the authority and functions established in Reorganization Plan Numbered 14 of 1950 (5 U.S.C. App.) and section 3145 of title 40, United States Code.''.

SEC. 4. USE OF FUNDS.

Section 1452(a)(2) (42 U.S.C. 300j–12(a)(2)) is amended—

(1) by striking ''Except as otherwise'' and inserting the following:

''(A) IN GENERAL.—Except as otherwise'';

(2) by striking '', or as a source of reserve and security for leveraged loans, the proceeds of which are deposited in a State loan fund established under paragraph (1),'';

(3) by striking ''Financial assistance under this section'' and inserting the following:

''(B) PERMISSIBLE EXPENDITURES.—Financial assistance under this section'';

(4) by striking ''The funds may also be used'' and inserting the following:

''(D) CERTAIN LOANS.—Financial assistance under this section may also be used'';

(5) by striking ''The funds shall not be used'' and inserting the following:

''(E) LIMITATION.—Financial assistance under this section shall not be used'';

(6) by striking ''Of the amount credited'' and inserting the following:

''(F) SET-ASIDE.—Of the amount credited'';

(7) in subparagraph (B) (as designated by paragraph (3)) by striking ''(not'' and inserting ''(including expenditures for planning, design, siting, and associated preconstruction activities, for replacing or rehabilitating aging treatment, storage, or distribution facilities of public water systems, or for producing or capturing sustainable energy on site or through the transportation of water through the public water system, but not''; and

(8) by inserting after such subparagraph (B) the following:

''(C) SALE OF BONDS.—If a State issues revenue or general obligation bonds to provide all or part of the State contribution required by subsection (e), and the proceeds of the sale of such bonds will be deposited into the State loan fund—

''(i) financial assistance made available under this section may be used by the State as security for paym ent of the principal and interest on such bonds; and

''(ii) interest earnings of the State loan fund may be used by the State as revenue for payment of the principal and interest on such bonds.

Except as provided in this subparagraph, neither financial assistance made available under this section nor interest earnings of a State loan fund may be used by a State as security for or as revenue for the payment of the principal or interest on any bond, including any tax exempt or tax credit bond issued by a State or any political subdivision thereof.''.

SEC. 5. REQUIREMENTS FOR USE OF AMERICAN MATERIALS.

Section 1452(a) (42 U.S.C. 300j-12(a)) is amended by adding at the end the following new paragraph:

''(4) REQUIREMENTS FOR USE OF AMERICAN MATERIALS.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, none of the funds made available by a State loan fund as authorized under this section may be used for a project for the construction, alteration, maintenance, or repair of a public water system unless the steel, iron, and manufactured goods used in such project are produced in the United States.

''(B) EXCEPTIONS.—Subparagraph (A) shall not apply in any case in which the Administrator (in consultation with the Governor of the State) finds that—

''(i) applying subparagraph (A) would be inconsistent with the public interest;

''(ii) steel, iron, and manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or

''(iii) inclusion of steel, iron, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

''(C) PUBLIC NOTIFICATION AND WRITTEN JUSTIFICATION FOR WAIVER.—If the Administrator determines that it is necessary to waive the application of subparagraph (A) based on a finding under subparagraph (B), the Administrator shall—

''(i) not less than 15 days prior to waiving application of subparagraph (A), provide public notice and the opportunity to comment on the Administrator's intent to issue such waiver; and

''(ii) upon issuing such waiver, publish in the Federal Register a detailed written justification as to why the provision is being waived.

''(D) CONSISTENCY WITH INTERNATIONAL AGREEMENTS.—This paragraph shall be applied in a manner consistent with United States obligations under international agreements.''.

SEC. 6. DATA ON VARIANCES, EXEMPTIONS, AND PERSISTENT VIOLATIONS.

Section 1452(b)(2) (42 U.S.C. 300j–12(b)(2)) is amended—

(1) in subparagraph (B), by striking ''and'' at the end;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(D) a list of all water systems within the State that have in effect an exemption or variance for any national primary drinking water regulation or that are in persistent violation of the requirements for any maximum contaminant level or treatment technique under a national primary drinking water regulation, including identification of—

''(i) the national primary drinking water regulation in question for each such exemption, variance, or violation; and

''(ii) the date on which the exemption or variance came into effect or the violation began.''.

SEC. 7. ASSISTANCE FOR RESTRUCTURING.

(a) DEFINITION.—Section 1401 (42 U.S.C. 300f) is amended by adding at the end the following:

''(17) RESTRUCTURING.—The term 'restructuring' means changes in operations (including ownership, management, cooperative partnerships, joint purchasing arrangements, consolidation, and alternative water supply).''.

(b) RESTRUCTURING.—Clause (ii) of section 1452(a)(3)(B) (42 U.S.C. 300j–12(a)(3)(B)) is amended by striking ''changes in operations (including ownership, management, accounting, rates, maintenance, consolidation, alternative water supply, or other procedures)'' and inserting ''restructuring''.

SEC. 8. PRIORITY AND WEIGHT OF APPLICATIONS.

(a) PRIORITY.—Section 1452(b)(3) (42 U.S.C. 300j–12(b)(3)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by striking ''and'' at the end;

(B) in clause (iii), by striking the period at the end and inserting ''; and''; and

(C) by adding at the end the following:

''(iv) improve the ability of systems to protect human health and comply with the requirements of this title affordably in the future.'';

(2) by redesignating subparagraph (B) as subparagraph (D);

(3) by inserting after subparagraph (A) the following:

''(B) AFFORDABILITY OF NEW STANDARDS.—For any year in which enforcement begins for a new national primary drinking water standard, each State that has entered into a capitalization agreement pursuant to this section shall evaluate whether capital improvements required to meet the standard are affordable for disadvantaged communities in the State. If the State finds that such capital improvements do not meet affordability criteria for disadvantaged communities in the State, the State's intended use plan shall provide that priority for the use of funds for such year be given to public water systems affected by the standard and serving disadvantaged communities.

''(C) WEIGHT GIVEN TO APPLICATIONS.—After determining priority under subparagraphs (A) and (B), an intended use plan shall provide that the State will give greater weight to an application for assistance if the application contains—

''(i) a description of measures undertaken by the system to improve the management and financial stability of the system, which may include—

''(I) an inventory of assets, including a description of the condition of the assets;

''(II) a schedule for replacement of assets;

''(III) an audit of water losses;

''(IV) a financing plan that factors in all lifecycle costs indicating sources of revenue from ratepayers, grants, bonds, other loans, and other sources to meet the costs; and

''(V) a review of options for restructuring;

''(ii) a demonstration of consistency with State, regional, and municipal watershed plans;

''(iii) a water conservation plan consistent with guidelines developed for such plans by the Administrator under section 1455(a); and

''(iv) a description of measures undertaken by the system to improve the efficiency of the system or reduce the system's environmental impact, which may include—

''(I) water efficiency or conservation, including the rehabilitation or replacement of existing leaking pipes;

''(II) use of reclaimed water;

''(III) actions to increase energy efficiency;

''(IV) actions to generate or capture sustainable energy on site or through the transportation of water through the system;

''(V) actions to protect source water;

''(VI) actions to mitigate or prevent corrosion, including design, selection of materials, selection of coating, and cathodic protection; and

''(VII) actions to reduce disinfection byproducts.''; and

(4) in subparagraph (D) (as redesignated by paragraph (2)) by striking ''periodically'' and inserting ''at least biennially''.

(b) GUIDANCE.—Section 1452 (42 U.S.C. 300j–12) is amended—

(1) by redesignating subsection (r) as subsection (s); and

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

''(r) SMALL SYSTEM GUIDANCE.—The Administrator may provide guidance and, as appropriate, tools, methodologies, or computer software, to assist small systems in undertaking measures to improve the management, financial stability, and efficiency of the system or reduce the system's environmental impact.''.

SEC. 9. DISADVANTAGED COMMUNITIES.

(a) ASSISTANCE TO INCREASE COMPLIANCE.—Section 1452(b)(3) (42 U.S.C. 300j–12(b)(3)), as amended, is further amended by adding at the end the following:

''(E) ASSISTANCE TO INCREASE COMPLIANCE.—A State's intended use plan shall provide that, of the funds received by the State through a capitalization grant under this section for a fiscal year, the State will, to the extent that there are sufficient eligible project applications, reserve not less than 6 percent to be spent on assistance under subsection (d) to public water systems included in the State's most recent list under paragraph (2)(D).''.

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—Section 1452(d) (42 U.S.C. 300j–12(d)) is amended—

(1) in paragraph (1), by adding at the end the following: ''Such additional subsidization shall directly and primarily benefit the disadvantaged community.''; and

(2) in paragraph (3), by inserting '', or portion of a service area,'' after ''service area''.

(c) AFFORDABILITY CRITERIA.—Section 1452(d)(3) is amended by adding at the end: ''Each State that has entered into a capitalization agreement pursuant to this section shall, in establishing affordability criteria, consider, solicit public comment on, and include as appropriate—

''(A) the methods or criteria that the State will use to identify disadvantaged communities;

''(B) a description of the institutional, regulatory, financial, tax, or legal factors at the Federal, State, or local level that affect identified affordability criteria; and

''(C) a description of how the State will use the authorities and resources under this subsection to assist communities meeting the identified criteria.''.

SEC. 10. ADMINISTRATION OF STATE LOAN FUNDS.

Section 1452(g) (42 U.S.C. 300j–12(g)) is amended—

(1) in paragraph (2)—

(A) in the first sentence, by striking ''up to 4 percent of the funds allotted to the State under this section'' and inserting '', for each fiscal year, an amount that does not exceed the sum of the amount of any fees collected by the State for use in covering reasonable costs of administration of programs under this section, regardless of the source, and an amount equal to the greatest of $400,000, ⅕ of one percent of the current valuation of the State loan fund, or 6 percent of all grant awards to the State loan fund under this section for the fiscal year,'';

(B) by striking ''1419,'' and all that follows through ''1993.'' and inserting ''1419.''; and

(C) in the matter following subparagraph (D), by striking ''2 percent'' and inserting ''4 percent''; and

(2) by adding at the end the following:

''(5) TRANSFER OF FUNDS.—

''(A) IN GENERAL.—The Governor of a State may—

''(i) reserve for any fiscal year not more than the lesser of—

''(I) 33 percent of a capitalization grant made under this section; or

''(II) 33 percent of a capitalization grant made under section 601 of the Federal Water Pollution Control Act; and

''(ii) add the funds so reserved to any funds provided to the State under this section or section 601 of the Federal Water Pollution Control Act.

''(B) STATE MATCHING FUNDS.—Funds reserved under this paragraph shall not be considered for purposes of calculating the amount of a State contribution required by subsection (e) of this section or section 602(b) of the Federal Water Pollution Control Act.''.

SEC. 11. STATE REVOLVING LOAN FUNDS FOR AMERICAN SAMOA, NORTHERN MARIANA ISLANDS, GUAM, AND THE VIRGIN ISLANDS.

Section 1452(j) (42 U.S.C. 300j–12(j)) is amended by striking ''0.33 percent'' and inserting ''1 percent''.

SEC. 12. AUTHORIZATION OF APPROPRIATIONS.

Subsection (m) of section 1452 (42 U.S.C. 300j–12) is amended to read as follows:

''(m) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There are authorized to be appropriated to carry out this section—

''(A) $1,400,000,000 for fiscal year 2011;

''(B) $1,600,000,000 for fiscal year 2012; and

''(C) $1,800,000,000 for fiscal year 2013.

''(2) AVAILABILITY.—Amounts made available pursuant to this subsection shall remain available until expended.

''(3) RESERVATION FOR NEEDS SURVEYS.—Of the amount made available under paragraph (1) to carry out this section for a fiscal year, the Administrator may reserve not more than $1,000,000 per year to pay the costs of conducting needs surveys under subsection (h).''.

SEC. 13. NEGOTIATION OF CONTRACTS.

Section 1452 (42 U.S.C. 300j–12), as amended, is further amended by adding at the end the following:

''(t) NEGOTIATION OF CONTRACTS.—For community water systems serving communities with populations of more than 10,000 individuals, a contract to be carried out using funds made available through a capitalization grant under this section for program management, construction management, feasibility studies, preliminary engineering, design, engineering, surveying, mapping, or architectural or related services shall be negotiated in the same manner as—

''(1) a contract for architectural and engineering services is negotiated under chapter 11 of title 40, United States Code; or

''(2) a contract subject to an equivalent State or local qualifications-based requirement (as determined by the Governor of the State).''.

SEC. 14. AFFORDABILITY OF NEW STANDARDS.

(a) TREATMENT TECHNOLOGIES FOR SMALL PUBLIC WATER SYSTEMS.—Clause (ii) of section 1412(b)(4)(E) (42 U.S.C. 300g–1(b)(4)(E)) is amended by adding at the end the following: ''If no technology, treatment technique, or other means is included in a list under this subparagraph for a category of small public water systems, the Administrator shall periodically review the list and supplement it when new technology becomes available.''.

(b) ASSISTANCE FOR DISADVANTAGED COMMUNITIES.—

(1) IN GENERAL.—Subparagraph (E) of section 1452(a)(1) (42 U.S.C. 300j–12(a)(1)) is amended—

(A) by striking ''except that the Administrator may reserve'' and inserting ''except that—

''(i) in any year in which enforcement of a new national primary drinking water standard begins, the Administrator may use the remaining amount to make grants to States whose public water systems are disproportionately affected by the new standard for the provision of assistance under subsection (d) to such public water systems;

''(ii) the Administrator may reserve''; and

(B) by striking ''and none of the funds reallotted'' and inserting ''; and

''(iii) none of the funds reallotted''.

(2) ELIMINATION OF CERTAIN PROVISIONS.—

(A) Section 1412(b) (42 U.S.C. 300g–1(b)) is amended by striking paragraph (15).

(B) Section 1415 (42 U.S.C. 300g–4) is amended by striking subsection (e).

(3) CONFORMING AMENDMENT.—Subparagraph (B) of section 1414(c)(1) (42 U.S.C. 300g–3(c)(1)(B)) is amended by striking ''(a)(2), or (e)'' and inserting ''or (a)(2)''.

SEC. 15. FOCUS ON LIFECYCLE COSTS.

Section 1412(b)(4) (42 U.S.C. 300g–1(b)(4)) is amended—

(1) in subparagraph (D), by striking ''taking cost into consideration'' and inserting ''taking lifecycle costs, including maintenance, replacement, and avoided costs, into consideration''; and

(2) in the matter preceding subclause (I) in subparagraph (E)(ii), by inserting ''taking lifecycle costs, including maintenance, replacement, and avoided costs, into consideration,'' after ''as determined by the Administrator in consultation with the States,''.

SEC. 16. ENFORCEMENT.

(a) ADVICE AND TECHNICAL ASSISTANCE.—Section 1414 (42 U.S.C. 300g–3) is amended—

(1) in the matter following clause (ii) in subsection (a)(1)(A), by striking ''and provide such advice and technical assistance to such State and public water system as may be appropriate to bring the system into compliance with the requirement by the earliest feasible time''; and

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

''(C) At any time after providing notice of a violation to a State and public water system under subparagraph (A), the Administrator may provide such advice and technical assistance to such State and public water system as may be appropriate to bring the system into compliance with the requirement by the earliest feasible time. In deciding whether the provision of advice or technical assistance is appropriate, the Administrator may consider the potential for the violation to result in serious adverse effects to human health, whether the violation has occurred continuously or frequently, and the effectiveness of past technical assistance efforts.''.

(b) ADDITIONAL INSPECTIONS.—

(1) IN GENERAL.—Section 1414 (42 U.S.C. 300g–3) is amended—

(A) by redesignating subsections (d) through (i) as subsections (e) through (j), respectively; and

(B) by inserting after subsection (c) the following:

''(d) ADDITIONAL INSPECTIONS FOLLOWING VIOLATIONS.—

''(1) IN GENERAL.—The Administrator shall, by regulation, and after consultation with the States, prescribe the number, frequency, and type of additional inspections to follow any violation requiring notice under subsection (c). Regulations under this subsection shall—

''(A) take into account—

''(i) differences between violations that are intermittent or infrequent and violations that are continuous or frequent;

''(ii) the seriousness of any potential adverse health effects that may be involved; and

''(iii) the number and severity of past violations by the public water system; and

''(B) specify procedures for inspections following a violation by a public water system that has the potential to have serious adverse effects on human health as a result of short-term exposure.

''(2) STATE PRIMARY ENFORCEMENT RESPONSIBILITY.—Nothing in this subsection shall be construed or applied to modify the requirements of section 1413.''.

(2) CONFORMING AMENDMENTS.—

(A) Subsections (a)(1)(B), (a)(2)(A), and (b) of section 1414 (42 U.S.C. 300g–3) are amended by striking ''subsection (g)'' each place it appears and inserting ''subsection (h)''.

(B) Section 1448(a) is amended by striking ''1414(g)(3)(B)'' and inserting ''1414(h)(3)(B)''.

SEC. 17. REDUCING LEAD IN DRINKING WATER.

(a) IN GENERAL.—Section 1417 (42 U.S.C. 300g–6) is amended—

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

''(4) EXEMPTIONS.—The prohibitions in paragraphs (1) and (3) shall not apply to—

''(A) pipes, pipe fittings, plumbing fittings, or fixtures, including backflow preventers, that are used exclusively for nonpotable services such as manufacturing, industrial processing, irrigation, outdoor watering, or any other uses where the water is not anticipated to be used for human consumption; or

''(B) toilets, bidets, urinals, fill valves, flushometer valves, tub fillers, shower valves, service saddles, or water distribution main gate valves that are 2 inches in diameter or larger.''; and

(2) by amending subsection (d) to read as follows:

''(d) DEFINITION OF LEAD FREE.—

''(1) IN GENERAL.—For the purposes of this section, the term 'lead free' means—

''(A) not containing more than 0.2 percent lead when used with respect to solder and flux; and

''(B) not more than a weighted average of 0.25 percent lead when used with respect to the wetted surfaces of pipes, pipe fittings, plumbing fittings, and fixtures.

''(2) CALCULATION.—The weighted average lead content of a pipe, pipe fitting, plumbing fitting, or fixture shall be calculated by using the following formula: For each wetted component, the percentage of lead in the component shall be multiplied by the ratio of the wetted surface area of that component to the total wetted surface area of the entire product to arrive at the weighted percentage of lead of the component. The weighted percentage of lead of each wetted component shall be added together, and the sum of these weighted percentages shall constitute the weighted average lead content of the product. The lead content of the material used to produce wetted components shall be used to determine compliance with paragraph (1)(B). For lead content of materials that are provided as a range, the maximum content of the range shall be used.''.

(b) EFFECTIVE DATE.—The provisions of subsections (a)(4) and (d) of section 1417 of the Safe Drinking Water Act, as added by this section, apply beginning on the day that is 36 months after the date of the enactment of this Act.

SEC. 18. ENDOCRINE DISRUPTOR SCREENING PROGRAM.

Section 1457 (42 U.S.C. 300j–17) is amended to read as follows:

''ENDOCRINE DISRUPTOR SCREENING PROGRAM

''SEC. 1457. (a) TESTING OF SUBSTANCES.—

''(1) IN GENERAL.—In carrying out the screening program under section 408(p) of the Federal Food, Drug, and Cosmetic Act, the Administrator shall provide for the testing of substances described in paragraph (2) in addition to the substances described in section 408(p)(3) of such Act.

''(2) COVERED SUBSTANCES.—A substance is subject to testing pursuant to paragraph (1) if—

''(A) the substance may be found in sources of drinking water; and

''(B) the Administrator determines that a substantial population may be exposed to such substance.

''(3) SUBSTANCES ALREADY SUBJECT TO TESTING.—Notwithstanding paragraph (2), a substance is not subject to testing pursuant to paragraph (1) if—

''(A) the substance is already subject to evaluation determined by the Administrator to be equivalent to testing pursuant to paragraph (1); or

''(B) the Administrator has already determined the effect of the substance on the endocrine system.

''(4) SUBSTANCES DERIVED FROM DEGRADATION OR METABOLISM OF ANOTHER SUBSTANCE.—If a substance subject to testing pursuant to paragraph (1) (in this paragraph referred to as the 'covered substance') is derived from the degradation or metabolism of another substance, or is used in or generated by the manufacture of another substance, the Administrator shall provide for such testing of the covered substance by the importer or manufacturer of the other substance.

''(b) IDENTIFICATION AND TESTING OF ENDOCRINE DISRUPTING SUBSTANCES THAT MAY BE IN DRINKING WATER.—

''(1) IDENTIFICATION.—Not later than 1 year after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010, after opportunity for comment, the Administrator shall publish—

''(A) a list of no fewer than 100 substances for testing pursuant to subsection (a)(1) (in accordance with the schedule specified in paragraph (3)); and

''(B) a plan for the identification of additional substances for testing pursuant to subsection (a)(1), and a schedule for issuing test orders for all such additional substances by not later than 10 years after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010, with the goal of testing, at a minimum and consistent with subsection (a), all substances that have been placed on the Drinking Water Preliminary Contaminant Candidate List published pursuant to section 1412(b)(1)(B)(i).

In publishing the plan and schedule required by subparagraph (B), the Administrator shall obtain advice and direction from the Science Advisory Board.

''(2) PRIORITIZATION; CONSIDERATIONS.—In selecting substances for listing under paragraph (1)(A) or identification pursuant to the plan under paragraph (1)(B), the Administrator—

''(A) shall prioritize the selection of substances that pose the greatest public health concern, using the best available science and taking into consideration (among other factors of public health concern) the effect of such substances on subgroups that comprise a meaningful portion of the general population (such as infants, children, pregnant women, the elderly, individuals with a history of serious illness, and other subpopulations) that are identifiable as being at greater risk of adverse health effects due to exposure to substances in drinking water; and

''(B) shall take into consideration—

''(i) available information on the extent of potential public exposures to the substances through drinking water; and

''(ii) the Drinking Water Preliminary Contaminant Candidate List published pursuant to section 1412(b)(1)(B)(i).

''(3) SCHEDULE.—After publication of the list under paragraph (1)(A), the Administrator shall issue test orders for—

''(A) at least 25 substances on the list by the end of each year during the 4-year period following the date of the enactment of the Assistance, Quality, and Affordability Act of 2010; and

''(B) all substances on the list by the end of such 4-year period.

''(c) TESTING PROTOCOL PROCESS.—

''(1) IN GENERAL.—Not later than 2 years after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010, the Administrator shall, after opportunity for comment, and after obtaining advice and direction from the Science Advisory Board, publish guidance on developing and updating protocols for testing of possible endocrine disruptors that may be found in sources of drinking water. The guidance shall specify—

''(A) the manner in which the Administrator will evaluate and, where necessary, revise such protocols;

''(B) the manner in which the Administrator will determine when testing of substances will be required; and

''(C) the procedures by which other scientifically relevant information can be used in lieu of some or all of the information that otherwise would be collected pursuant to testing under section 408(p) of the Federal Food, Drug, and Cosmetic Act.

''(2) MINIMUM CONTENTS.—The procedures specified pursuant to paragraph (1)(C) shall ensure that the Administrator may use information that is prepared or provided by any person (including a registrant, manufacturer, or importer of a substance for which testing is required, and any other entity) and shall apply equally with respect to any such person.

''(3) AMENDMENTS.—The Administrator may, after opportunity for comment, and after obtaining advice and direction from the Science Advisory Board, amend any guidance published pursuant to this subsection.

''(d) REVISION OF TESTING PROTOCOLS.—Not later than 2 years after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010, the Administrator shall, after opportunity for comment, determine whether sufficient scientific information has been developed to warrant updating the screening protocols developed under section 408(p) of the Federal Food, Drug, and Cosmetic Act for substances that may be found in sources of drinking water. Not later than 5 years after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010 and every 3 years thereafter, the Administrator shall determine, consistent with the guidance published under subsection (c), whether to revise screening protocols under such section for substances that may be found in sources of drinking water based on significant improvements in the sensitivity, accuracy, reliability, reproducibility, or efficiency of such protocols, or a reduction in the number of animals required to conduct such protocols. Whenever the Administrator revises such a protocol, the Administrator shall also determine, after obtaining advice and direction from the Science Advisory Board, whether any substance that has already been subjected to testing should be tested using the revised protocol.

''(e) VALID SCIENTIFIC DATA.—Any testing protocols pursuant to this section shall be designed to produce scientific results that are based on—

''(1) verifiable measurements with sufficiently small error rates;

''(2) well-controlled measurements whose interpretation is not confounded by extraneous influences; and

''(3) results that are repeatable by independent scientists.

''(f) RESULTS OF TESTING.—

''(1) PUBLICATION OF DATA EVALUATION RECORDS.—Not later than 6 months after receipt of testing results for a substance that may be found in sources of drinking water, the Administrator shall prepare and, consistent with subsection (g), publish data evaluation records for such results in a publicly searchable database.

''(2) ADMINISTRATIVE ACTION.—Not later than 6 months after receipt of test results that determine the endocrine-related effects caused by a substance that may be found in sources of drinking water, the Administrator shall—

''(A) determine whether to take action related to the substance pursuant to the agency's statutory authority; and

''(B) consistent with subsection (g), publish such determination in a publicly searchable database.

Nothing in this section shall be construed to affect the Administrator's authority to take action under other provisions of law.

''(3) STRUCTURED EVALUATION FRAMEWORK.—To assess the overall weight of the evidence and relevance to human health of results of testing for substances that may be found in sources of drinking water, the Administrator shall develop and use a structured evaluative framework consisting of science-based criteria, consistent with the protection of public health, for systematically evaluating endocrine mode of action and for determining data relevance, quality, and reliability.

''(g) PUBLIC DATABASE.—Beginning not later than 180 days after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010 and consistent with section 552 of title 5, United States Code, the Administrator shall publish, in electronic format, a publicly searchable database that contains information regarding the testing program. Not later than 30 days after the date on which the information becomes available, the Administrator shall ensure that, at a minimum, the database—

''(1) identifies the substances selected for testing under the program; and

''(2) includes the documents and information pertaining to the status of testing activities for each such substance, including test orders, deadlines for submission, the Environmental Protection Agency's data evaluation records, any scientific information on which the Administrator based actions under subsection (f), the Administrator's determination under subsection (f) on whether action will be taken under other statutory authority, and the summary of chemical test results.

''(h) PETITION FOR INCLUSION OF A SUBSTANCE IN THE PROGRAM.—

''(1) IN GENERAL.—Any person may submit a petition to the Administrator to add a substance to the list under subsection (b)(1)(A) or identify a substance pursuant to the plan under subsection (b)(1)(B).

''(2) SPECIFICATION OF FACTS.—Any petition under paragraph (1) shall specify the facts that are claimed to establish that an action described in paragraph (1) is warranted.

''(3) ADMINISTRATIVE ACTION.—Not later than 90 days after the filing of a petition described under paragraph (1), the Administrator shall determine whether the petition has established that an action described in paragraph (1) is warranted and shall grant or deny the petition. If the Administrator grants such petition, the Administrator shall promptly add the substance to the list under subsection (b)(1)(A) or identify the substance pursuant to the plan under subsection (b)(1)(B), as applicable. If the Administrator denies the petition, the Administrator shall publish the reasons for such denial in the Federal Register.

''(i) COORDINATION WITH OTHER FEDERAL AGENCIES.—After the Administrator—

''(1) requires testing of a substance that may be found in sources of drinking water, or

''(2) based in whole or in part on the results of testing of such a substance, takes action related to the substance pursuant to the agency's statutory authority,

the Administrator shall give notice of such testing or action to Federal agencies which are authorized by other provisions of law to regulate the substance or products, materials, medications, processes, or practices that use the substance.

''(j) REPORTING REQUIREMENT.—Not later than 1 year after the date of the enactment of the Assistance, Quality, and Affordability Act of 2010 and every 3 years thereafter, the Administrator shall provide a report to the Committee on Energy and Commerce of the House of Representatives and the Committee on Environment and Public Works of the Senate that describes—

''(1) progress made in identifying and testing potential endocrine disruptors as well as plans for future activities;

''(2) any change in screening or testing methodology and evaluation or criteria for evaluating scientifically relevant information;

''(3) actions taken to ensure communication and sharing of scientific information with other Federal agencies and the public; and

''(4) any deviations from the plan or schedule published under subsection (b)(1)(B) as well as the reasons therefor.

''(k) TESTING CONSORTIA, COMPENSATION, AND COMPLIANCE.—

''(1) IN GENERAL.—Any person required by the Administrator to conduct testing of an endocrine disruptor that may be found in sources of drinking water may—

''(A) submit, on its own, data in response to an order for such testing; and

''(B) form (on a voluntary basis) a consortium in order to satisfy the requirements of one or more orders for such testing.

''(2) RELIANCE ON CONSORTIUM SUBMISSIONS.—Each member of a consortium described in paragraph (1)(B) shall have full rights to rely on all submissions of the consortium to satisfy the requirements of any order for testing, but continues to be individually subject to such requirements.

''(3) SHARING OF COSTS.—

''(A) IN GENERAL.—Each member of a consortium described in paragraph (1)(B) shall share the applicable costs according to appropriate arrangements established by the consortium members.

''(B) BINDING OFFER.—Whenever, to satisfy the requirements of one or more orders for testing, any person offers to form or join a consortium described in paragraph (1)(B), or offers compensation to a person that has already submitted data to the Administrator satisfying an order for testing, such offer shall constitute a binding offer to share an appropriate portion of the applicable costs.

''(C) APPLICABLE COSTS.—In this subsection, the term 'applicable costs' includes the costs—

''(i) incurred to generate and report information to comply with an order for testing; or

''(ii) associated with the organization and administration of the consortium.

''(4) DISPUTE RESOLUTION.—

''(A) IN GENERAL.—In the event of any dispute about an appropriate share or a fair method of determining an appropriate share of applicable costs of the testing requirements in a test order, any person involved in the dispute may initiate binding arbitration proceedings by requesting the Federal Mediation and Conciliation Service to appoint an arbitrator from the roster of arbitrators maintained by such Service or a hearing with a regional office of the American Arbitration Association. A copy of the request shall be sent to each person from whom the requesting party seeks compensation or who seeks compensation from that party.

''(B) NO REVIEW OF FINDINGS AND DETERMINATION.—The findings and determination of the arbitrator in a dispute initiated pursuant to subparagraph (A) shall be final and conclusive, and no official or court of the United States shall have power or jurisdiction to review any such findings and determination, except in the case of fraud, misrepresentation, or other misconduct by one of the parties to the arbitration or by the arbitrator.

''(C) PAYMENT OF FEE AND EXPENSES.—The parties to arbitration initiated pursuant to subparagraph (A) shall share equally in the payment of the fee and expenses of the arbitrator.

''(5) ENFORCEMENT.—If the Administrator determines that any person seeking to comply with an order for testing by relying on a submission made by a consortium or an original data submitter has failed to make an offer in accordance with paragraph (3)(B), to participate in an arbitration proceeding under paragraph (4), or to comply with the terms of an agreement or arbitration decision concerning sharing of applicable costs under paragraph (3), that person is deemed to have failed to comply with an order under subparagraph (A) of section 408(p)(5) of the Federal Food, Drug, and Cosmetic Act for purposes of subparagraphs (B) and (C) of such section.

''(l) DEFINITIONS.—In this section:

''(1) The term 'endocrine disruptor' means an exogenous agent or mixture of agents that interferes or alters the synthesis, secretion, transport, metabolism, binding action, or elimination of hormones that are present in the body and are responsible for homeostasis, growth, neurological signaling, reproduction and developmental process, or any other effect that the Administrator has designated as an 'endocrine effect' pursuant to section 408(p)(1) of the Federal Food, Drug, and Cosmetic Act.

''(2) The term 'testing' means the testing of a substance pursuant to the screening program under section 408(p) of the Federal Food, Drug, and Cosmetic Act, including a test of a substance that is intended to identify substances that have the potential to interact with the endocrine system or that is intended to determine the endocrine-related effects caused by such substance and obtain information about effects at various doses.

''(m) AUTHORIZATION OF APPROPRIATIONS.—To carry out this section, there is authorized to be appropriated $5,000,000 for each of fiscal years 2011 through 2015.''.

SEC. 19. PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN SOURCES OF DRINKING WATER.

Subsection (a) of section 1442 (42 U.S.C. 300j–1) is amended by adding at the end the following:

''(11) PRESENCE OF PHARMACEUTICALS AND PERSONAL CARE PRODUCTS IN SOURCES OF DRINKING WATER.—

''(A) STUDY.—The Administrator shall carry out a study on the presence of pharmaceuticals and personal care products in sources of drinking water, which shall—

''(i) identify pharmaceuticals and personal care products that have been detected in sources of drinking water and the levels at which such pharmaceuticals and personal care products have been detected;

''(ii) identify the sources of pharmaceuticals and personal care products in sources of drinking water, including point

sources and nonpoint sources of pharmaceutical and personal care products;

''(iii) identify the effects of such products on humans, the environment, and the safety of drinking water; and

''(iv) identify methods to control, limit, treat, or prevent the presence of such products.

''(B) CONSULTATION.—The Administrator shall conduct the study described in subparagraph (A) in consultation with the Secretary of Health and Human Services (acting through the Commissioner of Food and Drugs), the Director of the United States Geological Survey, the heads of other appropriate Federal agencies (including the National Institute of Environmental Health Sciences), and other interested stakeholders (including manufacturers of pharmaceuticals and personal care products and consumer groups and advocates).

''(C) REPORT.—Not later than 2 years after the date of the enactment of this paragraph, the Administrator shall submit to the Congress a report on the results of the study carried out under this paragraph.

''(D) DEFINITIONS.—In this paragraph:

''(i) The term 'personal care product' has the meaning given the term 'cosmetic' in section 201 of the Federal Food, Drug, and Cosmetic Act.

''(ii) The term 'pharmaceutical' has the meaning given the term 'drug' in section 201 of the Federal Food, Drug, and Cosmetic Act.''.

SEC. 20. ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA TO THE ADMINISTRATOR.

(a) REQUIREMENT.—Section 1414 (42 U.S.C. 300g-3), as amended, is further amended by adding at the end the following:

''(k) ELECTRONIC REPORTING OF COMPLIANCE MONITORING DATA TO THE ADMINISTRATOR.—The Administrator shall by rule establish requirements for—

''(1) electronic submission by public water systems of all compliance monitoring data—

''(A) to the Administrator; or

''(B) with respect to public water systems in a State which has primary enforcement responsibility under section 1413, to such State; and

''(2) electronic submission to the Administrator by each State which has primary enforcement responsibility under section 1413 of all compliance monitoring data submitted to such State by public water systems pursuant to paragraph (1)(B).''.

(b) FINAL RULE.—Not later than 12 months after the date of the enactment of this Act, the Administrator of the Environmental Protection Agency shall issue a final rule to carry out section 1414(k) of the Safe Drinking Water Act, as added by subsection (a).

SEC. 21. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. MARKEY) and the gentleman from Texas (Mr. BARTON) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. MARKEY of Massachusetts. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the legislation.

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

There was no objection.

Mr. MARKEY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

When people, Mr. Speaker, turn on their bathroom or kitchen faucets, they often take for granted that an abundant supply of clean water flows freely from their taps. It is only when the water stops flowing due to a catastrophic failure that attention is given to the complexities of providing clean, safe drinking water.

In early May, when a breach of a 7-year-old pipe caused a water supply emergency that affected over 2 million residents of Boston, Massachusetts, and its surrounding areas, including a large portion of my district, our attention was drawn to this issue.

Although the incident in Massachusetts could not have been anticipated because the pipe that broke was so new, each time something like this occurs, public attention immediately turns to the need for increased Federal funding for infrastructure projects that ensure a safe drinking water supply for years to come.

Now, in the Energy and Commerce Committee, working under Chairman WAXMAN's leadership and partnering with BETTY SUTTON, with JOE BARTON, with FRED UPTON and all of the very distinguished members of our committee who care so deeply about safe drinking water, we reported out a piece of legislation by a 45–1 vote.

Our bill does reauthorize the Safe Drinking Water Act State Revolving Fund for the first time since its creation in 1996 and will ensure that the public water systems deliver safe, affordable drinking water to the American people while creating jobs, prioritizing financially sound investment in our water structure.

I urge the Members of this House to support this legislation.

When people turn on their bathroom or kitchen faucets they often take for granted that an abundant supply of clean water flows freely from their taps. It is only when the water stops flowing due to a catastrophic failure that attention is given to the complexities of providing clean, safe drinking water.

Examples of these types of catastrophic failures occur frequently all across the United States. In fact, earlier this month, just outside of Washington, DC, residents of Rockville, Maryland, were faced with water restrictions when twice in one week a massive 52-year-old water main broke sending water spewing into the sky and creating a river out of the local streets.

Another incident occurred in early May, when a breach in a 7-year-old pipe caused a water supply emergency that affected over 2 million residents of Boston, Massachusetts, and its surrounding areas, including a large portion of my district.

A boil-water advisory lasted for several days. People swarmed the grocery stores to stock up on bottled water. Restaurants and diners had to close because they had no water to serve or wash dishes with. And people had to get through Monday without their morning cup of coffee. In the Boston papers, the entire incident became known as the Aqua-pocalypse.

Although this incident in Massachusetts could not have been anticipated because the pipe that broke was so new, each time something like this occurs, public attention immediately turns to the need for increased federal funding for infrastructure projects that ensure a safe drinking water supply for years to come.

The reality is that the country's drinking water infrastructure is rapidly aging. EPA estimates that over the next 20 years, water systems will need to invest nearly $335 billion on infrastructure improvements to ensure safe water to our Nation. Water systems simply can't afford to do this on their own, and people who are already struggling to pay their water bills can't absorb these costs either.

The Assistance, Quality, and Affordability Act was introduced by the Gentleman from California (Mr. WAXMAN), the Chairman of the Energy and Commerce Committee and me earlier this year. It was reported out of the Energy and Commerce Committee by a strong bipartisan vote of 45–1. Our bill will reauthorize the Safe Drinking Water Act State Revolving Fund for the first time since its creation in 1996. It will ensure that public water systems deliver safe, affordable drinking water to the American people, while creating jobs and prioritizing financially sound investment in our water infrastructure.

As a result of a truly cooperative and bipartisan effort, this bill has strong support from affected stakeholders across the board—including rural and metropolitan water systems, state drinking water administrators, civil engineers, labor unions, water technology research and environmental groups.

This bill will make a number of changes to the Safe Drinking Water Act State Revolving Fund to invest in the future and longevity of our Nation's water system.

This bill increases water project funding from $1.4 billion in 2011 to $1.8 billion in 2015. This will mean that more drinking water projects can be completed, and that more jobs are created for people who need them. A December 2008 report from the U.S. Conference of Mayors estimated that every million dollars of drinking water and wastewater infrastructure investment directly creates 8.7 jobs. Over the next 5 years, our legislation would therefore lead to more than 65,000 new jobs.

We have also included a new emphasis on cutting-edge projects to allow funding priority to be granted for projects that will make drinking water safe and affordable for years to come. We will also encourage projects that increase water and energy efficiency, and projects that anticipate future problems and propose repairs before a crisis occurs.

We've ensured that we are directing resources to those who need it most, so that water systems serving communities that can't afford to pay for the upgrades necessary to comply with Safe Drinking Water Act standards are given what they need to do so.

We've also included a change in drinking water enforcement requirements that will ensure that systems that have violated drinking water standards in the past are inspected to

ensure they stay compliant. I would like to thank Congressman BOBBY RUSH for his work in this area, following a truly horrific case in the village of Crestwood, Illinois, in which people were literally and knowingly poisoned by the water they were drinking for decades.

We have included in this bill a study for the presence of pharmaceuticals and other personal care products that may be found in sources of drinking water. So we can better understand how to manage this type of water contamination in the future.

Finally, this bill also includes language to strengthen EPA's endocrine disruptor screening program. Endocrine disrupting chemicals are the equivalent of computer viruses. Over time, they can severely disrupt the body's operating system. In fact, since the industrialized era, there has been a constant rise in the incidence of chronic diseases such as cancer, obesity and diabetes.

Scientific evidence increasingly indicates a relationship between these medical conditions and increased exposure to a wide array of chemical substances that are used in modern society. It is vital that EPA have a more robust and transparent program that screens drinking water contaminants to identify the chemicals that pose such concerns.

I reserve the balance of my time.

Mr. BARTON of Texas. I yield myself as much time as I may consume.

(Mr. BARTON of Texas asked and was given permission to revise and extend his remarks.)

Mr. BARTON of Texas. I rise in support of the reauthorization of H.R. 5320, the Assistance, Quality, and Affordability Act of 2010.

This is a bipartisan piece of legislation, which has been worked on, as Chairman MARKEY just indicated, on a bipartisan basis, both at the subcommittee and the full committee. It would reauthorize the Safe Water Drinking Act for the first time since 1996.

It includes some new information, requires some scientific studies, but says that those studies actually have to be based on best science.

It has an authorization level of a little over $4.8 billion. This is an increase of the existing authorization, but it is a compromise from the introduced draft which I believe was about $15 billion over 5 years.

So this is Congress at its finest. It did pass 45–1. I hope it passes the House unanimously. With that, I urge adoption of the bill.

Mr. Speaker, I rise in support of H.R. 5320, the Assistance, Quality, and Affordability Act of 2010.

Although H.R. 5320 is not perfect, it is, however, a good compromise that will ensure drinking water is safe.

The introduced bill authorized the Safe Drinking Water Act's Revolving Loan Fund at $14.7 billion over 5 years. This amount is nearly the entire amount appropriated by the Federal government for the program for the past 14 years combined.

After discussion, we agreed on $4.8 billion over three years.

H.R. 5320 also contains provisions dealing with substances in drinking water that might disrupt the human endocrine system. And H.R. 5320 now requires that best available science be used and that studies comport with requirements of valid science. They must have verifiable measurements with small error rates, and be both well-controlled and repeatable by independent scientists.

Mr. Speaker, I think the drinking water revolving loan fund is a real success in meeting the public health needs of 272 million public water system customers without imposing unfunded mandates on States.

The program has helped finance more than 6,600 drinking water projects throughout the country, using federal funds to supplement and leverage investment from other sources.

I support how this bill makes rural areas a priority in obtaining technical assistance for compliance with the requirements of the Safe Drinking Water Act. And I also support efforts to aid disadvantaged communities that have trouble meeting the requirements of the Act.

I remain concerned, however, about the expensive prevailing wage requirements in this bill and what they mean for federal and State governments.

But on balance, this bill is a solid step forward for safe drinking water. It spends much less than its Senate version and puts real science in the driver's seat at EPA.

I urge an ''aye'' vote.

I reserve the balance of my time.

Mr. MARKEY of Massachusetts. I yield as much time as she may consume to the gentlelady from Ohio (Ms. SUTTON) who worked very, very hard on this legislation and her fingerprints are all over it.

Ms. SUTTON. I thank the gentleman for the time, and I want to commend Chairman MARKEY for his amazing leadership on this very important piece of bipartisan legislation and thank Chairman WAXMAN for all the work that he put forward and for working with me on two important amendments during the committee. I appreciate that effort and that willingness to make this bill just every bit as good as it has been presented to be.

The first amendment that we worked on ensures that when applications for assistance include a plan to mitigate or prevent corrosion, that that application will receive greater weight. Now, why is that important? It's important because corrosion is a serious issue that doesn't receive enough attention until, sadly, it's too late, after a bridge collapses or water or sewer system ruptures.

But by addressing corrosion at the onset of a project, we will extend the life of critical infrastructure, thereby reducing maintenance costs, increasing public safety, and saving taxpayers money.

Now, according to a study to the Federal Highway Administration, the cost of corrosion to drinking water and sewer systems alone support $36 billion a year. So, clearly, anyone interested in efficient cost-effective, deficit-busting government needs to join in the fight to prevent and mitigate the costs of corrosion.

Secondly, and very importantly, this bill also includes a Buy America amendment that will ensure that when U.S. taxpayer dollars are used to build our water and sewer systems, that American-made steel and iron and manufactured goods will be used to do it.

The American people clearly expect that when their taxpayer dollars are used to invest in our Nation's infrastructure, that those tax dollars will be used to create jobs right here at home.

And with this Buy America amendment, we will ensure just that. We will effectively help bolster U.S. manufacturing and good-paying manufacturing jobs for the people I am so honored to represent in northeast Ohio and for those around the country.

Manufacturing jobs have a multiplier effect. Each manufacturing job can generate at least four other jobs in the private sector, and that's why I am very excited about the Make It in America strategy that Democrats are pursuing to strengthen U.S. manufacturing, and this Buy America amendment is a critical component of that Make It in America strategy.

As we invest in our Nation's infrastructure, American taxpayers expect that those tax dollars will be used to create jobs at home, and with this amendment in this bill we are making sure that will happen.

Getting Americans back to work is the highest priority; and with this bill we will not only be providing for safe, stronger, water systems. We are maximizing its job creation impact and doing so in a cost-effective way as we work to prevent the costly effects of corrosion.

Mr. Chairman, I want to thank you again for your work on this excellent bill.

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Mr. BARTON of Texas. Mr. Speaker, I think the longer we talk, the less enthusiasm we have on this side for this bill, but we're still for it.

I want to yield 1 very quick minute to the distinguished Congressman from the Woodlands, Texas, Mr. KEVIN BRADY.

Mr. BRADY of Texas. Mr. Speaker, I appreciate the leadership of Chairman MARKEY and Ranking Member BARTON on this issue.

I rise as the ranking member of the Trade Subcommittee on Ways and Means, not on the underlying bill, but on specific provisions.

Specifically, I am troubled to see that this bill includes the controversial ''Buy American'' provisions that closely mirror the failed stimulus bill. It makes no sense to repeat provisions that have delayed deployment of stimulus funding, led to unnecessary cost inflation, confused local officials, and impeded the creation of American jobs, clogging, not priming, U.S. economic recovery. These provisions have also created serious concerns under our international obligations and invited our trading partners to adopt their own ''buy local'' laws, hurting our ability to sell abroad and harming U.S. jobs.

In this global environment, it is not simply enough to buy American; we have to sell American throughout the world for American jobs and American workers.

It's unfortunate we are repeating these mistakes. As this bill moves forward, I will continue to object and seek to strip these provisions out of the bill.

Mr. BARTON of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, we have a letter from the Associated General Contractors, which we will put in the RECORD, saying that they support the bill, but they hope certain changes are made in conference with the Senate.

And for those of us that have to be up, since my mother is watching, we want to say, Hi, mom. I support the bill and urge a ''yes'' vote.

THE ASSOCIATED
GENERAL CONTRACTORS OF AMERICA,
Arlington, VA, July 29, 2010.

Re Key vote alert, H.R. 5320, ''The Assistance, Quality, and Affordability Act of 2010''.

Hon. JOE BARTON,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE BARTON: On behalf of the Associated General Contractors of America, and our 33,000 member companies, I am writing you today to support H.R. 5320, the Assistance, Quality, and Affordability Act (AQUA) of 2010.'' AGC reserves the right to designate this bill and as a Key Vote, which will be used in a report card to its membership as an indicator of your support for issues of significance to the construction industry. This legislation authorizes $4.8 billion over three years for the EPA Drinking Water State Revolving Fund (SRF) which will help ensure consistency, giving communities the ability to leverage federal funds and plan capital investments, H.R. 5320 represents a smart investment in the nation's outdated drinking water infrastructure that will help put Americans back to work.

America's aging infrastructure is in need of replacement and rehabilitation. According to the Environmental Protection Agency's most recent Drinking Water Needs Survey, $334.8 billion is needed to close the investment gap over the next 20 years. Unfortunately, our nation's water infrastructure needs have grown while federal funding for clean and safe drinking water has steadily declined. The American Recovery and Reinvestment Act did provide significant resources for enhancing our water infrastructure; however, the years of steadily declining federal investment continues to push costs on local governments and rate payers. Furthermore, according to the American Society of Civil Engineers (ASCE) an average of six billion gallons of potable water is lost per day in the U.S. due to leaking pipes. Last year alone, American communities suffered more than 240,000 water main breaks and billions of gallons of overflowing combined sewer systems, causing contamination, property damage, disruptions in the water supply, and massive traffic jams.

However, AGC maintains serious objection to the inclusion of ''Buy American'' provisions similar to those in the Recovery Act that require that the iron, steel, and manufactured goods used in projects funded by the bill be made in the U.S. These requirements artificially constrict the supply chain, particularly with projects in the water and wastewater field as many of the products are unavailable domestically as evidenced by the nonavailability waivers that EPA has had to grant during the course of the Recovery Act. AGC further believes that measures like this that lock many of our trading partners out of projects opens U.S. manufacturers up to retaliatory measures abroad, restricting their ability to profit from contracts in other countries. This market is not fully equipped to handle requirements like these, and many of the provisions that simplify these requirements at the federal level, like the trade agreement exemptions, are a complicated morass at the state and local level. For these reasons, AGC opposes this provision of the bill and hopes it will be removed by amendment or in conference.

By investing in our nation's critical water infrastructure, H.R. 5320 will build a foundation for future economic growth while generating the construction, manufacturing, and engineering jobs that are needed today.

Sincerely,

PERRY L. FOWLER,
Director, Municipal & Utilities Construction Division.

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

Mr. MARKEY of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I just want to say that if Mr. BARTON's mother is up right now, she's up too late and she's watching C–SPAN; both of those things are probably not good for her. So we hope Mom is asleep at this time, as are most Members of Congress at this point, with the exception of the ones who are speaking on the floor of the House.

This bill does increase funding from $1.4 billion to $1.8 billion between now and 2015. We ensure that there is more directed, laser-like focusing of where these resources go to get the maximum benefit.

The bill includes my language to strengthen EPA's Endocrine Disrupter Screening Program. Endocrine-disrupting chemicals are the equivalent of computer viruses; over time they can severely disrupt the body's operating system. In fact, since the industrialized era, there has been a constant rise in the incidence of chronic diseases such as cancer, obesity, and diabetes, and the clues to what is causing that could very well be in the water which we drink. And so we really strengthen the program at EPA so that we find out what is in the drinking water, especially for children in our country, as their bodies are being formed.

I would like to insert into the RECORD a revised cost estimate of the reported legislation done by the Congressional Budget Office, which corrects an earlier estimate that was inaccurate.

Again, I thank Ms. SUTTON for her work, especially the work on the ''Buy American'' parts of the legislation. I want to thank all of my colleagues, especially Mr. BARTON, for his work, and the bipartisan work of all of the members of the committee who worked so hard on this legislation.

I would also like to thank the staff who have worked diligently on the details of this bill: Drs. Michal Freedhoff and Avenel Joseph of my staff; Jackie Cohen, Tracy Sheppard, Greg Dotson, Peter Ketcham-Colwill, Kristen Amerling and Phil Barnett of the Energy and Commerce Committee staff. And in the minority, Jerri Couri, David Cavicke, Katie Wheelbarger, Michael Beckerman, Amanda Mertens-Campbell and Garrett Golding.

I commend this legislation to all of the Members and I urge an ''aye'' vote.

H.R. 5320—Assistance, Quality, and Affordability Act of 2010

Summary: H.R. 5320 would authorize the appropriation of nearly $5 billion for the Environmental Protection Agency (EPA) to provide grants to states and nonprofit organizations to support a wide range of water quality projects and programs over the 2011–2015 period. This legislation also would authorize the appropriation of $5 million annually over the next five years to support EPA's Endocrine Disruptor Screening program. CBO estimates that implementing this legislation would cost about $3.5 billion over the next five years, assuming appropriation of the authorized amounts. Remaining amounts would be spent after 2015.

The staff of the Joint Committee on Taxation (JCT) estimates that enacting the bill would increase the use of tax-exempt bonds by states, thus reducing revenues by $35 million over the next 10 years. Pay-as-you-go procedures apply because enacting the legislation would affect revenues.

H.R. 5320 would impose intergovernmental and private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). CBO estimates that the aggregate cost of the intergovernmental mandates would fall below the annual threshold established in UMRA ($70 million in 2010, adjusted annually for inflation). Based on information from industry sources, CBO estimates that the aggregate cost of private-sector mandates would probably exceed the annual threshold established in UMRA for the private sector ($141 million in 2010, adjusted annually for inflation)

Estimated cost to the Federal Government: For this estimate, CBO assumes that the bill will be enacted near the beginning of fiscal year 2011, that the full amounts authorized will be appropriated for each year, and that outlays will follow the historical patterns of spending for existing programs. Components of the estimated costs are described below.

TABLE 1—ESTIMATED BUDGETARY EFFECTS OF H.R. 5320

	By Fiscal year, in millions of dollars											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2011–2015	2011–2020
CHANGES IN SPENDING SUBJECT TO APPROPRIATION												
Authorization Level	1,425	1,625	1,825	25	25	0	0	0	0	0	4,925	4,925
Estimated Outlays	66	392	867	1,209	1,057	627	277	120	61	33	3,591	4,709

TABLE 1—ESTIMATED BUDGETARY EFFECTS OF H.R. 5320—Continued

	By Fiscal year, in millions of dollars											
	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2011–2015	2011–2020
CHANGES IN REVENUES												
Estimated Revenues [1] [2]	*	*	*	−1	−2	−4	−6	−7	−7	−7	−3	−35

Note: Components may not sum to totals because of rounding.
* = revenue loss of less than $500,000.
[1] Estimate provided by the Joint Committee on Taxation.
[2] Negative numbers indicate a reduction in revenues and an increase in the deficit.

BASIS OF ESTIMATE:

Revenues

JCT expects that some of the funds authorized in H.R. 5320 would be used by states to leverage additional funds by issuing tax-exempt bonds. JCT estimates that issuing additional tax-exempt bonds would reduce federal revenues by about $35 million over the 2011–2020 period.[1]

Spending subject to appropriation

This legislation would authorize appropriations totaling nearly $5 billion over the next five years for EPA's water infrastructure and grant programs and to support EPA's Endocrine Disruptor Screening program. Amounts authorized to be appropriated for individual programs are shown in Table 2.

TABLE 2—AMOUNTS AUTHORIZED TO BE APPROPRIATED FOR EPA PROGRAMS UNDER H.R. 5320

	By fiscal year, in millions of dollars					
	2011	2012	2013	2014	2015	2011–2015
Safe Drinking Water SRF Grants	1,400	1,600	1,800	0	0	4,800
Grants for Small Public Water Systems	20	20	20	20	20	100
Endocrine Disruptor Screening Program	5	5	5	5	5	25
Total Authorization Level	1,425	1,625	1,825	25	25	4,925

Note: SRF = state revolving fund; EPA = Environmental Protection Agency.

The bill would authorize the appropriation of $4.8 billion over the 2011–2015 period for EPA to provide capitalization grants for the State Revolving Fund program for safe drinking water. In 2010, this program received an appropriation of about $1.4 billion. (In addition, the American Recovery and Reinvestment Act of 2009 provided $2 billion for this program.) States use such grants along with their own funds to make low-interest loans to communities to build or improve drinking water facilities. Indian tribes also use such grants to fund projects that would improve the quality of drinking water. This bill would make several revisions to those grant programs, including expanding the types of projects eligible for assistance and changing the formulas used to allocate grant money among the states and tribes.

This bill also would authorize the appropriation of about $100 million over the 2011–2015 period for EPA to make grants to small public water systems to address the cost of complying with drinking water regulations and $5 million annually over the same period to support EPA's Endocrine Disruptor Screening program, which tests for certain substances in drinking water.

Pay-As-You-Go considerations: The Statutory Pay-As-You-Go Act of 2010 establishes budget reporting and enforcement procedures for legislation affecting direct spending or revenues. The changes in revenues that are subject to those pay-as-you-go procedures are shown in the following table.

CBO ESTIMATE OF PAY-AS-YOU GO EFFECTS FOR H.R. 5320 AS ORDERED REPORTED BY THE HOUSE COMMITTEE ON ENERGY AND COMMERCE ON MAY 26, 2010

	By fiscal year, in millions of dollars												
	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2010–2015	2010–2020
NET INCREASE IN THE DEFICIT													
Statutory Pay-As-You-Go Impact	0	0	0	0	1	2	4	6	7	7	7	3	35

Intergovernmental and private-sector impact: H.R. 5320 would impose intergovernmental and private-sector mandates as defined in UMRA. CBO estimates that the aggregate cost of the intergovernmental mandates would fall below the annual threshold established in UMRA ($70 million in 2010, adjusted annually for inflation). Based on information from industry sources, CBO estimates that the aggregate cost of private-sector mandates would probably exceed the annual threshold established in UMRA for the private sector ($141 million in 2010, adjusted annually for inflation).

MANDATES

Lead-Free Plumbing. The bill would modify the definition of ''lead free'' under the Safe Drinking Water Act to reduce the amount of lead allowed in plumbing products. The new definition would apply to pipes, fittings, or fixtures used to provide drinking water that are sold after the bill's enactment. Plumbing products used and sold in the United States would have to meet the new standard within three years of enactment.

The cost of the mandate would be the additional costs to manufacturers, importers, or users associated with producing or acquiring compliant products. Based on information from industry sources, CBO expects that some manufacturers would already be in compliance with the new standard because of existing standards in some states. However, information from those sources suggests that the incremental cost of manufacturing or importing such products would total hundreds of millions of dollars to the private sector in at least some of the first five years the mandate is in effect. Some of those costs could be passed through to end users, including public entities. While the additional costs to state, local, and tribal entities could be significant, CBO estimates that those costs would total less than the annual threshold established in UMRA for intergovernmental mandates.

Reporting Requirements. The bill would require public water systems (including both public and private entities) to submit monitoring data electronically. CBO estimates that the cost to submit such information electronically would be minimal.

OTHER IMPACTS

The bill would provide capitalization grants to states to make loans to public water systems for infrastructure improvements relating to drinking water. Any costs to those entities related to the capitalization grants would result from complying with conditions of assistance.

Previous CBO estimate: On June 11, 2010, CBO transmitted a cost estimate for H.R. 5320, the Assistance, Quality, and Affordability Act of 2010, as ordered reported by the House Committee on Energy and Commerce on May 26, 2010. That cost estimate included an incorrect estimate of the loss in revenue from implementing the legislation. JCT has corrected that error; the revenue loss is now estimated to be $35 million over the next 10 years. This estimate reflects that correction and supersedes the earlier cost estimate.

Estimate prepared by: Federal spending: Susanne S. Mehlman; Federal revenues: Mark Booth; Impact on state, local, and tribal governments: Ryan Miller; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

Mr. WAXMAN. Mr. Speaker, I rise in support of H.R. 5320, the Assistance, Quality, and Affordability Act of 2010—the AQUA Act. This legislation will reauthorize and increase funding for the drinking water state revolving fund under the Safe Drinking Water Act.

[1] JCT estimates that federal revenues would be reduced by $1 million over the 2010–2014 period and by $28 million over the 2010–2019 period.

The drinking water SRF helps fund infrastructure improvements to increase compliance with drinking water standards, protect public health, and assist the public water systems most in need. This important program has not been reauthorized since it was originally enacted in 1996. The AQUA Act would reauthorize it and increase authorization levels from $1 billion to $1.8 billion in 2013.

Our Nation's water systems serve over 272 million people, and, according to EPA, are facing infrastructure bills with the potential to climb to over $330 billion over the next 17 years as our existing infrastructure ages. Currently, we are not investing enough to maintain the infrastructure we have, let alone improve and upgrade it. Reauthorizing the drinking water state revolving fund is a critically important step in addressing this priority.

This bipartisan legislation will also amend the drinking water act to improve the technical assistance programs for small systems, encourage good financial and environmental management of water systems, strengthen EPA enforcement authority, reduce lead in drinking water, study the presence of pharmaceuticals and personal care products in sources of drinking water, and strengthen the endocrine disruptor screening program.

The AQUA Act has strong support from stakeholders across the board: rural and metropolitan water systems, state drinking water administrators, civil engineers, labor unions, water technology researchers, and environmental groups. These groups have been brought together by the urgency of needed investment in our water infrastructure, and a focus on projects that make long-term sense.

I would like to thank several members of the Energy and Commerce Committee who have contributed to this legislation: the ranking member Mr. BARTON, the Subcommittee Chair Mr. MARKEY, Mr. RUSH, Ms. ESHOO, Ms. BALDWIN, and Mr. MELANCON. I would also like to thank members of the Committee staff, both majority and minority, for their hard work on this legislation: Jacqueline Cohen, Tracy Sheppard, Greg Dotson, Michal Freedhoff, Jerry Couri, and Amanda Mertens Campbell.

I urge my colleagues to support this important bipartisan measure.

Mr. MORAN of Virginia. Mr. Speaker, I'm pleased to support the Assistance, Quality, and Affordability Act of 2010 (H.R. 5320), and am a cosponsor of the provisions which were drawn from Endocrine Disruptor Screening Enhancement Act of 2010. These provisions address an issue of immense importance, endocrine disrupting chemicals and their impact on public health.

There are alarming studies that show rates of diseases unheard of generations before.

Asthma rates have nearly tripled in the past three decades.

One of every six American children has a development disorder (ADHD, dyslexia, mental retardation).

One in every 150 American children is now diagnosed with autism. For boys, one in 59.

Cancer, after accidents, is the leading cause of death among children in the United States.

Primary brain cancer increased by nearly 40 percent and leukemia increased by over 60 percent among children 14 years and younger in the last 30 years.

Childhood obesity has quadrupled in the past 10 years.

Type 2 diabetes has increased drastically.

There is an increase in sexual abnormalities, particularly in newborn boys.

Forty-one percent of Americans will be diagnosed with cancer at some point in their lives, and about 21 percent will die from cancer. It is believed that much of this is environmentally induced.

An analysis of the umbilical cords of a test group of newborns found over 200 chemicals in the blood—chemicals to which the mother had transmitted to the fetus.

We're seeing it in wildlife. In parts of the Potomac, 100 percent of the male small mouth bass are intersex—they are carrying undeveloped ovaries.

These alarming trends in public health are believed to be the result of chemicals in the environment that disrupt our endocrine system. Small amounts of these chemicals, it has been shown, can have a huge impact on our health and ultimately health care costs.

Close to 14 years ago, Congress enacted legislation requiring the U.S. Environmental Protection Agency to establish an Endocrine Disruptor Screening Program. To date that endeavor has focused on pesticides, and the agency has been hamstrung by its use of old science and interference by the chemical industry.

This bill will facilitate the study and regulation of endocrine disrupting chemicals. It will require EPA to focus on the 100 chemicals of most concern, to which people are exposed through drinking water. It empowers the agency to consider a range of scientific sources for information on toxicity, and to act quickly in regulating these substances.

I fully support this measure and the endocrine-related provisions in this bill. I look forward to continuing to work with my colleagues Chairmen ED MARKEY and HENRY WAXMAN to bolster research efforts and broaden the scope of the federal regulatory agencies to remove harmful chemicals from the environment. This bill is a good start, but more needs to be done. It would be unconscionable to allow this pervasive, severe threat to American health to continue unabated.

Mr. MARKEY of Massachusetts. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. MARKEY) that the House suspend the rules and pass the bill, H.R. 5320, as amended.

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

A motion to reconsider was laid on the table.

RECOGNIZING 50TH ANNIVERSARY OF STUDENT NONVIOLENT COORDINATING COMMITTEE AND THE NATIONAL SIT-IN MOVEMENT

Mr. COHEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 1566) recognizing the 50th anniversary of the Student Nonviolent Coordinating Committee (SNCC) and the pioneering of college students whose determination and nonviolent resistance led to the desegregation of lunch counters and places of public accommodation over a 5-year period.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 1566

Whereas, on February 1, 1960, 4 students, Joseph McNeil, Ezell Blair, Franklin McCain, and David Richmond, attending North Carolina Agricultural and Technical College in Greensboro, North Carolina, walked into Woolworth's department store to purchase school supplies and then sat down at the store's lunch counter for coffee;

Whereas they were refused service at the lunch counter and stayed seated at the counter until the store closed;

Whereas when they were forced to leave the store, they still had not been served;

Whereas these same students recruited other students from Bennett College for Women and Dudley High School, and after a few days of sit-ins, protestors filled almost all 66 places at Greensboro's Woolworth's lunch counter, attracting the attention of local reporters;

Whereas the actions of these 4 North Carolina A&T students sparked a national sit-in movement;

Whereas by the end of February 1960, there were nonviolent sit-ins in more than 30 communities in 7 States;

Whereas sit-ins spread to Charlotte, Winston-Salem, Durham, Raleigh, Fayetteville, and other cities in North Carolina;

Whereas on February 9, students at Smith University in Charlotte, North Carolina, instituted numerous sit-ins with Friendship Junior College students in Rock Hill, South Carolina;

Whereas most Charlotte lunch counters and restaurants eventually integrated their businesses;

Whereas North and South Carolina students protested segregation in Rock Hill, South Carolina, to push integration and racial equality within local businesses;

Whereas on February 11 and 12, sit-ins spread to Hampton, Virginia, and Rock Hill, South Carolina, respectively;

Whereas on February 25, 40 students tried to sit-in at the Kress store in downtown Orangeburg, South Carolina;

Whereas Kress's lunch counter was closed and the stools were removed to prevent Blacks from promoting nonviolent resistance by sitting at a ''white-only'' facility;

Whereas, on March 15, 1960, almost 1,000 students from South Carolina State and Claflin College began a peaceful march downtown to protest segregation and support sit-ins, and were attacked with clubs, tear-gas, and high-pressure fire hoses;

Whereas almost 400 of the peaceful marchers were forced into a police stockade, it was the largest Freedom Movement mass arrest at that time;

Whereas, on February 13, 1960, African-American students in Nashville, Tennessee, began a desegregation sit-in campaign called the Nashville Student Movement;

Whereas racist violence escalated with harassment and beatings and many nonviolent protesters were arrested, overflowing the jails;

Whereas 81 of the students were convicted of ''disorderly conduct'' and refused to pay the fine and chose instead to serve their time in jail;

Whereas, on April 19, 1960 the home Alexander Looby, the attorney representing most students in the Nashville Student Movement, was destroyed by a terrorist bomb;

Whereas the bomb on Looby's home led to a nonviolent march to the Nashville City