

designed and remain as active duds, like landmines, until they are triggered by whoever comes into contact with them. Often it is an unsuspecting child or a farmer. In Laos today, people are still being killed and maimed by millions of U.S. cluster munitions left from the Vietnam war. That legacy, resulting from years of secret bombing of a peaceful, agrarian people who posed no threat to the United States, contaminated more than a third of Laos' agricultural land and cost countless innocent lives. It is shameful that we have contributed less money in the past 35 years to clean up these deadly remnants of war than we spent in a few days of bombing.

Current law prohibits U.S. sales, exports, and transfers of cluster munitions that have a failure rate exceeding 1 percent. The law also requires any sale, export, or transfer agreement to include a requirement that the cluster munitions will be used only against military targets.

The Pentagon continues to insist that the United States should retain the ability to use millions of cluster munitions in its arsenal which have estimated failure rates of 5 to 20 percent. It has pledged to meet the 1 percent failure rate for U.S. use of cluster munitions in 2018. But, like Senator FEINSTEIN, I do not believe we can justify using antiquated weapons that so often fail, so often kill and injure civilians, and which many of our allies have renounced. That is not the kind of leadership the world needs and expects from the United States.

Senator FEINSTEIN's and my bill would apply the 1-percent failure rate to U.S. use of cluster munitions beginning on the date of enactment. However, the bill permits the President to waive the 1-percent requirement if he certifies that it is vital to protect the security of the United States. I urge the Pentagon to work with us by supporting this reasonable step.

Since December 3, 2008, when the Convention on Cluster Munitions opened for signature in Dublin, 108 countries have signed the treaty, including Great Britain, Germany, Canada, Norway, Australia, and other allies of the United States. However, the Bush administration did not participate in the negotiations that culminated in the treaty, and the Obama administration has not signed it.

Some have dismissed the Cluster Munitions Convention as a pointless exercise since it does not yet have the support of the United States and other major powers such as Russia, China, Pakistan, India, and Israel. These are some of the same critics of the Ottawa treaty banning antipersonnel landmines, which the United States and the other countries I named have also refused to sign. But that treaty has dramatically reduced the number of landmines produced, used, sold, and stockpiled, and the number of mine victims has fallen sharply. Any government that contemplates using landmines

today does so knowing that it will be condemned by the international community. I suspect it is only a matter of time before the same is true for cluster munitions.

It is important to note that the United States today has the technological ability to produce cluster munitions that meet the requirements of our bill, as well as the treaty. What is lacking is the political will to expend the necessary resources. There is no excuse for continuing to use cluster munitions that cause unacceptable harm to civilians.

I urge the Obama Administration to review its policy on cluster munitions and put the United States on a path to join the treaty as soon as possible. In the meantime, our legislation would be an important step in the right direction.

I again commend Senator FEINSTEIN, who has shown such passion and persistence in raising this issue and seeking every opportunity to protect civilians from these indiscriminate weapons.

#### NATIONAL METRO SAFETY ACT

Ms. MIKULSKI. Mr. President, on Thursday I reintroduced the National Metro Safety Act with Senators CARDIN, MURRAY, WARNER and WEBB. I first introduced this bill on July 23, 2009, after the deadly crash on the Washington Metropolitan Area Transit Authority's Metro system that killed 9 people and injured more than 50.

This legislation does three things. First, it gives the U.S. Department of Transportation Secretary the authority to establish and enforce national safety standards for metro systems across America. Second, it requires the U.S. Department of Transportation to work with the National Transportation Safety Board to develop these standards. Third, it requires the U.S. Department of Transportation to implement NTSB's most wanted safety standards. These include: crash-worthiness, data event recorder, emergency entry and evacuation standards for rail cars; and hour of service regulations for train operators.

On Monday June, 22, 2009, the unthinkable happened right here in our Nation's Capital. A Metro train struck another train during evening rush hour. Eight passengers were killed including one Marylander from Hyattsville and one Metro employee. Over 50 passengers were injured by the crash. It was the worst accident in Metro's history.

Approximately, 1 year later, the NTSB released its report from its investigation of the crash. This was the saddest report with grim revelations. It found that the Metro crash could have been prevented and nine lives could have been saved. The NTSB's investigation found two probable causes: a faulty track circuit and the lack of a track circuit verification test. This test would have identified the malfunctioning circuit and could have prevented the crash.

The NTSB also found attributing causes to the crash. These included a lack of a safety culture at Metro; failure to monitor the train control system and replace its oldest railcars; lack of a maintenance plan from the circuit manufacturer; Metro Board and the Tri-State Oversight Committee's ineffective safety oversight; and the Federal Transit Administration's lack of authority to provide safety oversight.

In its report, the NTSB also made 23 recommendations to prevent future fatal crashes. Among these was the recommendation to the U.S. Department of Transportation to seek the authority to provide safety oversight to transit systems and to establish and enforce national safety standards. The NTSB did its job and now it is time for Congress to do ours. We must pass this bill to give the U.S. Department of Transportation the authority it needs to establish Federal safety standards.

We have Federal safety standards for airplanes, commuter rail, and buses, but none for metro systems. Rail transit is the only transportation mode without Federal safety standards, oversight and enforcement even though it has over 14 million daily riders. This is more than U.S. airlines with 2 million domestic flights daily or passenger railroads like Amtrak and MARC each with 74,430 and 30,000 daily riders respectively. Up until now, safety has been left up to the states. Each State has its own safety and enforcement practices. States have oversight agencies with very little staff, small budgets and varying amount of expertise. These oversight agencies also aren't always independent of the transit systems they oversee.

I know the Obama administration has its bill to establish standards and the Banking Committee has its bill. I support both of these but let me tell you why I am crazy about my bill. It requires the U.S. Department of Transportation Secretary to implement the NTSB's most wanted. These are the recommendations the NTSB has consistently called for.

Congress must do two things. First, it must meet its Federal funding obligation for Metro. We must provide \$150 million for Metro in the year-long continuing resolution. I want to thank Senator MURRAY for including these vital funds in the Senate's bill. This is really \$300 million for Metro with the local matching funds.

Metro needs this money to implement the NTSB's recommendations and prevent future crashes. This money is essential to Metro's reform. It is American's subway. This isn't a local pork barrel. America needs it to go to work. Metro serves not only our civilian population, but also the many people working at the Pentagon every day that need to be at their duty station and their battle station. We need Metro to be safe and operational reliable.

Second, Congress must pass this legislation. We owe it to the people that ride Metro and we owe it to the people that work at Metro. We can never forget the people that died that fateful day. I urge the Senate to pass safety legislation so no community ever has to suffer the loss that the National Capital Region did during the summer of 2009.

#### TRIBUTE TO VICKIE BEAVER

Mr. WYDEN. Mr. President, my state of Oregon is blessed with a tremendous number of generous and philanthropic individuals. But I would like to take a moment today to single out one of them and recognize her years of dedication to helping others.

Vickie Beaver of Lebanon, OR, has been elected president of the International Association of Rebekah Assemblies by her fellow members. The town of Lebanon and the State of Oregon have benefited greatly from Vickie's civic and philanthropic work. Now, in her position as president, she can do the same for people all across the U.S. I am honored to know of such an exemplary leader in the State I proudly serve.

This is nothing new for our State. Vickie is the fifth Oregonian to serve as national president of the Rebekahs, and the second Lebanon, OR, native.

The Rebekahs, along with their partners the Independent Order of Odd Fellows, are a 192-year-old service organization with more than 10,000 lodges spanning over 25 countries around the world. The aim of the Rebekahs and Odd Fellows is the simple but awe-inspiring goal of making the world a better place to live. It is a daunting goal that both organizations take very seriously. Members are involved in a variety of different relief projects, including the Educational Foundation which provides scholarships and loans for students aspiring to go to college, the SOS Children's Village which is an orphanage project in Cambodia and the Living Legacy project which plants trees and enhances the environment of neighborhoods. The organization's philosophy is that friendship, love and truth, can create peace and harmony in the world.

Vickie has been active in the Rebekahs for more than 30 years, continuing a family legacy of service that goes back four generations. Within Rebekahs, Vickie is known for her commitment to the community and hard work in support of the Rebekah initiatives. It is this dedication that led to her election to various leadership positions in the organization over the years, and, finally, as president. During her tenure as the guiding spirit of the Educational Foundation, she worked closely with the Lebanon School District as well as with nationally recognized organizations such as the Boys and Girls Club. Through its grants, the foundation provides deserving young men and women the opportunity to attend college, something they otherwise would not be

able to do because of financial limitations. Since its creation in 1927 with the goal of educating future generations, the foundation has provided loans and grants to over 3,500 college-bound students. The Rebekahs believe that education is the foundation of a more enlightened community, and has made it their mission to offer that gift to deserving young men and women around the country.

Vickie's genuine concern for the well being of the young adults in her community certainly strengthened the Educational Foundation's outreach to the students. I am sure Vickie will bring the same dedication to her new position as president of the Rebekah Assemblies.

I would like to once again congratulate Ms. Vickie Beaver, an inspiring leader from the town of Lebanon in my State of Oregon. Vickie's work clearly embodies the Rebekah Assemblies' and Odd Fellows efforts to make the community a better place for America's youth to live, grow and prosper. I know that she will take her new role in the Rebekah Assemblies very seriously, and I have no doubt in my mind that she will do an exceptional job.

#### FWS FUNDING

Mr. BOOZMAN. Mr. President, like many Arkansans, I am very concerned about the administration's proposal to cut \$6,288,000 from the U.S. Fish and Wildlife Service, FWS, National Fish Hatchery Operations, where the production of fish is for the purpose of mitigating the effects of Federal water development projects. Under this proposal, several National Fish Hatcheries, including the Greers Ferry and Norfolk National Fish Hatcheries in Arkansas, are scheduled to lose their FWS funding. The reliability of alternative mechanisms to provide Federal funding for the operation of FWS mitigation hatcheries is currently uncertain.

I am working with the Arkansas delegation and the administration to preserve the ongoing responsibility of FWS to fund and operate the National Fish Hatcheries at Norfolk and Greers Ferry Dams, and to make sure we "allow the investment in these hatcheries to continue to contribute to the economic vitality" of Arkansas communities and our country.

Accordingly, I ask unanimous consent to have the Arkansas House Resolution No. 1014 of 2011, which was adopted in its entirety on February 24, 2011, by the Arkansas House of Representatives, printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### HOUSE RESOLUTION No. 1014

Whereas, the United States Fish & Wildlife Service plans to cut the budgets for the trout hatcheries below Norfolk and Greers Ferry dams; and

Whereas, these fish hatcheries provide the foundation for Arkansas's world-renowned

trout fishery waters that produce a total economic impact of well over one hundred fifty million dollars (\$150,000,000) annually but only 9 cost taxpayers approximately one million five hundred thousand dollars (\$1,500,000) annually to operate. The hatcheries at Norfolk and Greers Ferry dams alone generate five million five hundred thousand dollars (\$5,500,000) in federal tax revenues, roughly three dollars and sixty-five cents (\$3.65) for every one dollar (\$1.00) invested; and

Whereas, seventy-five (75) years ago, north Arkansas's White River was arguably the best smallmouth bass stream in America. Fisherman came from all over the country to experience once-in-a-lifetime float trips down the beautiful bluff-lined river; and

Whereas, upon a series of dams being built in the White River basin in the 1940s, the federal government assured the state's citizens that mitigation efforts would be included to offset the loss of the river's incredibly productive native fishery. The key component of this commitment was the construction of Norfolk National Fish Hatchery in 1955 near Norfolk Dam and the establishment of world-class trout waters below both Norfolk and Bull Shoals lakes; and

Whereas, a decade later, the trout hatchery at the base of Greers Ferry Dam provided the means for a similarly successful fishery to be established at the Little Red River in Greers Ferry; and

Whereas, these modest projects rank among the all-time success stories of our federal government because of the overall economic impact and return on investment they produce; and

Whereas, fish production at the Norfolk hatchery employs nine hundred ninety-four (994) individuals, and the Greers Ferry hatchery employs an additional seven hundred fifty-two (752) people; and

Whereas, dozens of resorts employing hundreds of individuals have been established in these world-class fishing areas because of the increase in tourism. The town of Cotter, Arkansas, for example, bills itself as "Trout Capital USA"; and

Whereas, trout fishing in the White River basin is worth about three times the annual flood losses prevented by Beaver, Table Rock, Bull Shoals, Norfolk, Greers Ferry, and Clearwater reservoirs, and these structures averted fifty-one million four hundred thousand dollars (\$51,400,000) in damages in the last fiscal year; and

Whereas, the electricity generated from Bull Shoals Lake and Norfolk Lake averages approximately one hundred million dollars (\$100,000,000) of electricity each year, but the trout fishery is worth an additional fifty percent (50%) more than that on an annual basis; and

Whereas, investment in the Norfolk and Greers Ferry Fish hatcheries has consistently demonstrated positive returns for more than half a century. The federal government's goal to reduce the federal deficit and increase economic growth would be damaged, not enhanced, if funding for trout programs is reduced or eliminated to the detriment of its promise to Arkansas and to these small towns whose livelihood depends on the fish hatcheries. Now therefore, be it

*Resolved by the House of Representatives of the Eighty-Eighth General Assembly of the State of Arkansas, That the President and Congress of the United States work together to continue the immediate and future funding of the national fish hatcheries at Norfolk and Greers Ferry dams and allow the investment in these hatcheries to continue to contribute to the economic vitality of these towns, the State of Arkansas, and the entire country; be it further*

*Resolved, That the Chief Clerk of the House of Representatives forward official copies of this resolution to the President*