

State of Indiana, to our congressional offices. My staff and I, in particular, are eager to connect our constituents to whatever federal services, and funds, might help them get their lives back on track.

But make no mistake: it will be the people of Indiana—the people of tight-knit communities like Henryville, Marysville, Chelsea, and New Pekin—who will rebuild broken lives.

During these tough times, Hoosiers are reminding us what it means to be a community of citizens—One Nation, Under God, indivisible, come what may. That sense of community has always bound Americans in tough times, and it will get us through this tragedy as well.

This thought especially struck home with me as I visited Henryville High School. The roof of the gymnasium was torn off, some of the walls had collapsed, and the bleachers were demolished. But hanging in the rafters, waving in the breeze, still hung the American flag unscathed.

May God be with those Americans who are putting their lives back together. We are praying for you, and here for you.

#### HONORING THE LIFE AND SERVICE OF SGT. JUSTIN AVERY EVERETT

#### HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 2012

Mr. COSTA. Mr. Speaker, it is with a heavy heart that I rise today with my colleagues, Mr. NUNES and Mr. DENHAM, to honor the life of United States Marine Sgt. Justin Avery Everett. Sergeant Everett passed away Wednesday, February 22, 2012 in a tragic helicopter accident during a night training exercise near Marine Corps Air Station in Yuma, Arizona. He was 33 years old. Sergeant Everett's patriotism, bravery, and selfless service to his country will ensure that his legacy lives on for years to come.

A proud son of California's San Joaquin Valley, Sergeant Everett was born in Chowchilla, California to James and Patsy Everett. Sergeant Everett grew up in Fresno, California with his siblings: James, Jason and Jeremy. He graduated from Reedley High School in 1996 where he won numerous wrestling medals. After high school Sergeant Everett served as a youth group leader at the Church of God Prophecy in Fresno. His commitment to service was evident as a young man. He exemplified a selfless, noble nature and a commitment to a cause greater than his own.

Following the terrorist attacks of September 11th, Sergeant Everett joined the United States Marine Corps in 2002. During his 10 year service, he was deployed on two tours of duty in Iraq. He served as a Pilot and a Crew Chief with the 3rd Marine Aircraft Wing aboard a UH-1Y Huey. At the time of his death, Sergeant Everett was preparing for a deployment to Afghanistan in July 2012.

In addition to his legacy as a U.S. Marine, Sergeant Everett will be remembered as a loving son, brother, husband, father, and friend. He is survived by his parents and his brothers, who are also helicopter pilots. Shortly before his death, Sergeant Everett and his wife, Holly, celebrated their 11th wedding anniversary.

The couple have two children, a 5-year-old daughter and a 2-year-old son.

Mr. Speaker, we offer our most heartfelt sympathy and sincere condolences to Sergeant Everett's loved ones. I ask my colleagues to join Mr. NUNES, Mr. DENHAM, and me in honoring his courageous and heroic service in the United States Marine Corps. His dedication to preserving freedom and democracy will be remembered for generations to come.

TESTIMONY FROM BRIAN AHO,  
PASSENGER ABOARD THE  
"COSTA CONCORDIA" CRUISE  
LINER

#### HON. TIM HOLDEN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 7, 2012

Mr. HOLDEN. Mr. Speaker, I rise today to enter sworn testimony into the record from Brian Aho, whose family was among the thousands who experienced the panic and confusion during the evacuation of the *Costa Concordia* class cruise ship on January 13, 2012. Mr. Aho and his family have taken multiple cruise vacations and are familiar with many of the safety procedures that are necessary aboard these large ships. Mr. Aho details the failure of safety measures aboard the *Costa Concordia*, the lack of guidance from the ship's crew, and the absence of accountability demonstrated by the ship's captain. This testimony will hopefully lead to new rules and safety guidelines that can help prevent future catastrophes.

DEAR MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE: Thank you for inviting me to testify today. My name is Brian Aho. My wife, Joan Fleser, my daughter, Alana, and I set sail from the Port of Rome (Civitavecchia) on January 13, 2012, aboard the *Concordia* cruise liner operated by Costa Crociere and its parent company, Carnival Corporation.

Though we have been on many cruise vacations with several cruise lines, this was our first European cruise and our first time sailing with Costa. We chose this particular ship and itinerary for our 20th anniversary cruise because of the opportunity to visit many ports in several countries.

As experienced cruise passengers, we have fallen into a particular embarkation pattern. Once aboard we locate our stateroom, unpack our luggage (if available) and take a walking tour of the ship. We investigate the theater, the pools, the dining-room to which we have been assigned and the safety features. We made note that our stateroom was on Deck #2 forward, our dining room was on Deck #3 aft, and lifeboat access was on Deck #4.

After our investigation, we went back to our stateroom to prepare for a late-seating (9 p.m.) dinner. Once seated—while our appetizers were being served—the ship began to shudder. The rhythmic vibration quickly became worse and, after a tremendous groan and crash, the ship began to list severely. People were falling, glasses and plates were sliding off the tables and smashing, and people were screaming. The panic got worse when the lights failed.

My family formed a three-link chain and we worked our way through the fallen debris toward an outboard gangway leading up to

Deck #4 and the lifeboats. The central (Main) entrance to the dining room was blocked with panicking passengers and crew. The only crew member offering guidance was a woman in a showgirl-style gown near the gangway who was showing the passengers the way to the lifeboats.

Once on Deck #4, people were panicking and fighting over lifejackets. Once I found and delivered one to my wife, another woman damaged it while tearing it out of her arms. The announcements indicated that it was an electrical problem with the generators and everything was under control. Evidence indicates that some passengers were instructed by crew to return to their cabins. As these announcements were made, the ship was listing more and sinking deeper. Immediately after a similar announcement, we heard the abandon ship signal (six short signals and one long signal). Few people knew what it meant as there was no verbal abandon ship announcement.

When a crewmember finally appeared, the panicking passengers pushed their way toward the boat. My wife had to grab my daughter and pull her into the boat as a cowardly man tried to push her out of the way. Once the boat was filled, the crewman had trouble readying and releasing the boat. After much hammering noise, the boat swung away from the *Concordia*. We were showered with white paint chips as if this boat had not been released since the gear had been painted over. After being lowered, the crew had difficulty disconnecting the boat from the davits. Once disconnected, it was clear that the crew did not know how to pilot the lifeboat effectively. It kept colliding with other boats and, eventually, the pier.

There were NO Costa representatives—neither officers nor crew—on the pier to provide guidance to the passengers. The only help we received was from the residents of the island.

As experienced cruise vacation passengers, we have recognized significant problems that, in our opinion, made a terrible situation even worse:

There were no safety drills or instructions distributed to passengers before sailing out into the open Mediterranean Sea.

The public address announcements provided false information.

The manning and deployment of the lifeboats was delayed though the ship was in imminent danger.

The crew was unable to instruct passengers during an emergency.

The crew was unable to launch and operate the lifeboats effectively.

According to reports, the captain and senior staff abandoned the ship with passengers still aboard the capsizing vessel. There was no one aboard to coordinate the evacuation.

This accident was not caused solely by the actions of a single individual. It has been alleged that Costa and its parent corporation, Carnival, allowed Captain Schettino to divert from the assigned course on previous voyages. Clearly, this course deviation was not due to climatic or safety concerns. It is our opinion that—with today's technology—central management of the cruise line must have been able to locate the position of—and track the progress of—a massive liner like the *Concordia*. Either they were aware of its deviation from the pre-determined course and sanctioned it, or they were ill-equipped to manage the operation of this and perhaps other vessels.

The courts will determine who or what organization is to blame for the tragic loss of life in January of 2012 off the coast of Tuscany.

INTRODUCTION OF THE CHESAPEAKE BAY PROGRAM REAUTHORIZATION AND IMPROVEMENT ACT

**HON. BOB GOODLATTE**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 7, 2012*

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the Chesapeake Bay Program Reauthorization and Improvement Act with my colleague TIM HOLDEN from Pennsylvania.

The Chesapeake Bay, the largest estuary in the U.S., is an incredibly complex ecosystem that includes important habitats and is a cherished part of our American heritage. The Bay Watershed includes all types of land uses, from intensely urban areas, spread out suburban development and diverse agricultural practices.

I have worked hard during past negotiations on the Farm Bill to ensure that critical resources are in place to help restore the Bay. While the goal from all involved is the same, restoring the health and vitality of the Bay, the path to that health and vitality is being strongly debated. It is a clear choice, overregulation and intrusion into the lives and livelihoods of those who choose to make the Bay watershed their home, or commonsense incentive-based efforts that help restore and protect our natural resources.

Unfortunately, proposals like the Presidential Executive Order and the Environmental Protection Agency's Total Maximum Daily Load, TMDL, forces more mandates and overzealous regulations on all of those who live, work, and farm in the Chesapeake Bay Watershed. The EPA's TMDL is a power grab that sets strict limits on the amount of nutrients discharged into the Chesapeake Bay and each of its tributaries by different types of sources. These limits will dramatically restrict land usages for everyone who lives and works in the Watershed. Although the Clean Water Act requires the EPA to establish a TMDL, the power is currently reserved to the states to determine how to improve water quality, including determining nutrient reduction allocations among different types of point and non-point sources. In the proposed TMDL, the EPA has exceeded its authority in the Clean Water Act by setting specific nutrient reduction allocations by sector, a power currently reserved to the states.

Beyond the fact that the EPA lacks the authority in the Clean Water Act to take the majority of the actions that it is taking, I have serious concerns about this approach to Bay restoration. EPA has increased its federal actions in the Watershed while relying on modeling data that does not adequately include nutrient reductions that have been made in the Watershed to guide its decisions. This raises serious concerns about the ability of the agency to measure and assess restoration efforts. Further, it is clear by reports of the communities and industries affected, that these new regulations will be devastating during our current economic downturn. This will result in many billions of dollars in economic losses to states, cities and towns, farms and other businesses large and small.

This strategy limits economic growth and unfairly over regulates our local economies. Mr. HOLDEN and I recognized that we must

form a proposal that does not pit the health of the bay against the strength and vitality of our local communities and that is why we rise today to introduce the Chesapeake Bay Program Reauthorization and Improvement Act

Instead of overregulation and intrusion into the lives and livelihoods of those who choose to make the Bay Watershed their home, our legislation allows states and communities more flexibility in meeting water quality goals so that we can help restore and protect our natural resources. Our bill sets up new programs to give farmers, homebuilders, and localities new ways to meet their water quality goals. This includes preserving current intrastate nutrient trading programs that many Bay states already have in place, while also creating a voluntary interstate nutrient trading program. Additionally, this bill creates a voluntary assurance framework for farmers. The program will deem farmers to be fully in compliance with their water quality requirements as long as they have undertaken appropriate conservation activities to comply with state and federal water quality standards.

Our bill makes sure that the agencies are using common sense when regulating water quality goals for localities. Our legislation requires the regulators to take into account the availability, cost, effectiveness, and appropriateness of practices, techniques, or methods in meeting water quality goals. This will ensure that localities are not being mandated to achieve a reduction in nutrient levels by a prescribed date, when no technology exists to achieve that reduction within that timeline.

Additionally, the bill contains language that reaffirms and preserves the rights of the states to write their own water quality plans. This role has been traditionally reserved to the states but that is being threatened by the Obama Administration's policies. The Obama Administration is seeking to expand their regulatory authority by seizing authority granted to the states and converting the Bay Cleanup efforts to a process that is a top down approach with mandatory regulations. I believe that each state knows best how to manage their water quality goals; not the bureaucrats at the EPA. This legislation would restore the original intent of the Clean Water Act and reaffirm the role of the States to write their own water quality plans.

While our bill does a lot to improve water quality, we also call for more oversight over the Chesapeake Bay Program. For over 3 decades Congress has been working to preserve and protect the Chesapeake Bay. Despite the efforts of the federal, state, and local governments the health of the bay is still in peril. The participants in restoring the Bay include 10 federal agencies, six states and the District of Columbia, over one thousand localities and multiple nongovernmental organizations. This legislation would fully implement two cutting-edge management techniques, crosscut budgeting and adaptive management, to enhance coordination, flexibility and efficiency of restoration efforts. Neither technique is currently required or fully utilized in the Bay restoration efforts, where results have lagged far behind the billions of dollars spent. Further, this bill calls for a review of the EPA's Bay model. We often hear complaints from those who make good faith efforts to restore the Bay that their efforts are not being recognized by EPA's Bay model. EPA's model does not account for any voluntary measures being under-

taken on farms to control nitrogen and phosphorous nor does it even account for some of the nitrogen and phosphorous reductions that are being achieved through government programs like USDA's Environmental Quality Incentives Program. Effectively, EPA is ignoring nutrient reductions that have already been achieved. Our legislation requires that an independent evaluator assess and make recommendations to alter EPA's Bay model, so that we can develop a model that will capture all of the nutrient reductions that are happening in the Bay.

Mr. Speaker, the people who call the Bay Watershed home are the ones who are the most concerned about protecting and restoring the Chesapeake Bay. Unfortunately, too often these hardworking individuals are cast as villains and placed in a position where restoring the Bay is pitted against the economic livelihoods of their communities. We can restore the Bay while also maintaining the economic livelihood of these communities. The Chesapeake Bay Program Reauthorization and Improvement Act is the way we can do both. I look forward to working with my colleagues in the Congress, so that we can pass this important legislation and work to restore the Chesapeake Bay.

TRIBUTE TO LT. CMDR. DALE T. TAYLOR, USCG

**HON. JO BONNER**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, March 7, 2012*

Mr. BONNER. Mr. Speaker, I rise to pay tribute to U.S. Coast Guard Lt. Cmdr. Dale T. Taylor, age 36, and to honor his heroic and tireless service to our country.

Lt. Cmdr. Taylor was one of four U.S. Coast Guard crewmen aboard a MH-65C Dolphin helicopter when it crashed into Mobile Bay on February 28, 2012, during an evening training mission. The accident claimed the lives of each of the crew.

Lt. Cmdr. Taylor, a rescue pilot and father of two young sons, was stationed at the Aviation Training Center in Mobile, Alabama. He and his family are active members of Cottage Hill Baptist Church, where he served as a deacon.

An accomplished pilot who was devoted to saving lives, Lt. Cmdr. Taylor received the Coast Guard Medal in 2003 for heroism while heading a rescue mission near Key West, Florida. According to the award citation quoted by the Mobile Press-Register, Lt. Cmdr. Taylor braved rough seas to rescue a victim. "Despite jeopardizing his own safety, Lieutenant Taylor grabbed the victim and with all his remaining strength swam to the basket and lifted the exhausted survivor to safety shortly before the survivor would have surely succumbed to the seas."

Lt. Cmdr. Taylor and his fellow crewmen of CG-6535 each shared a love of service and a dedication to saving lives. The Coast Guard is a vital protector for our nation's coastal communities. We can never thank them enough for their commitment to our country.

Mobile is a Coast Guard city and we suffer the loss of Lt. Cmdr. Taylor as one of our own. We grieve with his family and we stand with them and the entire United States Coast Guard family.