

some of the pressing problems, including dealing with middle class tax cuts to make sure that working people in this country who are having a hard time making ends meet don't get an increase in their taxes on January 1.

Will the gentleman tell me what he expects the schedule to be in the month of July.

Mr. CANTOR. Mr. Speaker, I will respond to the gentleman and say to the gentleman that, again, if he looks at the schedule, we are scheduled and have been in accord with that schedule and in session more days this year than we were in a similar year last session. So I would say to the gentleman the schedule is right on track. The predictability, the certainty of this schedule, has allowed for the work to continue.

We will be here throughout July. Our intention is to continue to focus on job creation. We will be looking, obviously, towards the Supreme Court and what its actions may bring next week on the issue of ObamaCare. If we have to act in response to that to assure all Americans that we want and care about their health care, we will do so. If the Court does not strike down the bill in its entirety, the gentleman knows our conference is fully committed to the total repeal of the ObamaCare bill.

In July, we will continue to focus on that bill and its impact on employers. We also are very concerned about the overreach of the regulatory agencies in this town and intend to bring forward a bill with a series of provisions which will address the red tape that has begun to strangle the innovation and growth in this economy.

We will also be very focused on a measure to stop the tax hike that is facing the American people this year. If you look at the enormity of the tax hike, it is something that is hanging over this economy, that is hanging over the mindset of small business people and working families. I don't think anybody would advocate raising taxes, especially in this economy.

That will be the outline of our work with, obviously, some other measures that may be brought up in July.

Mr. HOYER. I thank the gentleman for his comment.

Let me just add, Mr. Speaker, that, clearly, when you look at the Congress to which he referred in terms of its productivity in the 2007 and 2008 years, we think the productivity was very much higher. I won't go through the litany of those figures; but I think, if the majority leader reviews them, he will see in terms of the productivity of the Congress that we moved America much further forward.

Having said that, I want to say that we hope that we will continue to focus on jobs. I know I share the gentleman's view—and I think all of us share the view—that we want to have reasonable regulations that help grow the economy, not impede its growth. We're for that. We may have a difference of opinion on what that does when we think of deregulating the protection of our en-

vironment, when we think of deregulating the safety of our financial markets. When we took the referee off the field, it had an extraordinarily negative impact on this country and on every taxpayer in this country and on every business in this country. It was not useful. It was not helpful.

I think we have a difference of opinion on whether or not we want to make sure there is a level playing field, a fair playing field, for all the participants in our economy—both businesses and consumers. Clearly, there was an effort that was being made to undermine the ability of the CFTC to fully oversee what was a market that went out of control. As a result, there were dire consequences to our country and its fiscal status.

So I am hopeful that we don't pursue a regulatory agenda, which is an agenda with the net result of taking the referee off the field. I don't think the American public wants that, and I don't really think that that's reasonable. Further, I think they think we really need to be focused on things that will immediately grow this economy. The highway bill would have done that. Unfortunately, that highway bill has stayed in limbo for too long a time. I am hopeful that we can move it.

Unless the gentleman has something further to say, Mr. Speaker, I yield back the balance of my time.

ADJOURNMENT TO MONDAY, JUNE 25, 2012

Mr. CANTOR. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 2 p.m. on Monday next.

The SPEAKER pro tempore (Mr. WOODALL). Is there objection to the request of the gentleman from Virginia?

There was no objection.

MOTIONS TO INSTRUCT CONFEREES ON H.R. 4348, SURFACE TRANSPORTATION EXTENSION ACT OF 2012, PART II

Mr. HOYER. Mr. Speaker, I offer a motion to instruct conferees on H.R. 4348.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Hoyer moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to recede from disagreement to the amendment of the Senate:

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Maryland (Mr. HOYER) and the gentleman from Pennsylvania (Mr. SHUSTER) each will control 30 minutes.

The Chair recognizes the gentleman from Maryland.

GENERAL LEAVE

Mr. HOYER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and in-

clude extraneous materials on my motion to instruct.

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

There was no objection.

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

Tomorrow will mark, as I said a little earlier, 100 days since the United States Senate approved its bipartisan compromise highway bill in the United States Senate. There were 74 Senators who voted for that. Essentially half of the Republican Conference in the United States Senate voted for that bill.

There has been a bill in the House committee. That bill has languished in the House committee for many, many months—in fact, for about 4 months after the Speaker said he wanted to bring it to the floor. It has not come to the floor, apparently, because the Republican Party is divided on that bill, and they don't have the votes for that bill.

□ 1340

That measure passed the Senate 74–22, and it would have been, by the way, 75–22 had FRANK LAUTENBERG been there. He made that statement on the floor. That's three-quarters of the Senate, with the support of 22 Senate Republicans.

Americans are wishing that we would come together, reason together, and act together to give certainty to them, to the economy, and to their country. Unfortunately, the House bill that was passed was effectively a bill simply to go to conference. I know my friend—and he is my friend—Mr. SHUSTER from Pennsylvania will say that in the article that was written, that it was simply “that House bill” to which he was referring. I take him at his word that he was referring to that. But very frankly, others have said that there were items in the bill in committee that were critically important to them that ought to be in the conference committee report, and obviously the Senate would not agree to those.

This bill, to which I refer and which this motion to instruct refers, is supported by chambers of commerce in cities and counties across this Nation.

This is truly a bipartisan piece of legislation in the great tradition of transportation bills passed since the Eisenhower era. The gentleman who is managing the time on the Republican side, his father was a great proponent of infrastructure investment, a great leader in this Congress on infrastructure, and, in fact, participated—every time that I think he brought a bill out as ranking member, it was passed in a bipartisan fashion. Unfortunately, we haven't gotten to that point at this point of time.

Instead of taking up that bill, the Senate bill, and allowing us to have a vote on it here in the House—in my opinion, if the Republican leadership let its Members vote free of influence by the leadership, that bill would have

the majority of votes on this House floor. Speaker BOEHNER has said he wants this House to work its will. In my point of view, in my estimation, that bill has a majority support on the floor of this House. It would have, I think, every Democratic vote, just as the Export-Import Bank had every vote on our side of the aisle. That's why it passed overwhelmingly, not withstanding Republican opposition.

The caucus on the other side of the aisle, in my opinion, remains divided over how to proceed. House Republicans have, once again, turned an opportunity to invest in job creation into a partisan exercise in saying "no" to any legislation that might strengthen our recovery and lower our unemployment rate.

I'm not unmindful, and I believe the gentleman from Pennsylvania will observe, that apparently there has been some progress made. The progress that has been made is unknown to the Democratic side of this aisle. Neither the ranking member knows what progress has been made, nor the ranking member of the subcommittee knows what progress has been made. But we're going to be told, apparently, there is some progress that has been made. I hope that's the case. But, very frankly, if that progress is not made, we ought to pass the Senate bill.

When presented with a real chance to lead, frankly, Republicans in my view too often have walked away. Whether it was keeping government going on continuing resolutions, whether it was on making sure that the most reliable and creditworthy Nation in the world did not default on its debt, whether it was on passing an Export-Import Bank to make sure that we created jobs and were competitive in this country, too often our Republican friends have decided not to go there.

Republicans are unwilling to act on must-pass bills, and in several cases played a dangerous game by holding bills hostage. As I said, this includes the debt limit crisis last summer and the debate over extending the middle class payroll tax last December. Over and over again, our Republican colleagues have proven themselves to be the "Walk-Away Caucus."

This Congress has been in session for only 60 days so far this year. Between now and the election, we're scheduled to be in session for 38 days, but only 30 of those are full work days. Between now and the election—that's 4 months from now. Thirty days between today—June 21—and the election in November.

With one wasted opportunity after another, they've earned the 112th a place in history as truly another "Do-Nothing Congress," a phrase made famous by Harry Truman.

Mr. Speaker, my motion is simple. It instructs the House conferees to agree to the Senate's version that is based on bipartisanship and doing what's right for our economy. What does that bill mean?

The Senate bill leverages Federal funding to protect 1.9 million jobs. Why

is that important? Because we lost 28,000 construction jobs last month alone. Why? Because we failed to pass this bill. In addition to the 1.9 million jobs that this bill would provide, it would provide another 1 million jobs as we expand transportation opportunities.

In my home State of Maryland, nearly 29,000 jobs are supported by Federal transportation investments. Those are jobs of families who are paying taxes, sending their kids to school, buying groceries, buying goods and services, and supporting our economy.

In Speaker BOEHNER's home State of Ohio, over 55,000 jobs are supported by this bill. And in Virginia, Republican leader CANTOR's home State, almost 40,000 jobs are on the line. That highway funding expires July 1, just a few days from now.

For the sake of all these workers, for the sake of all these families who rely on these jobs, and for the sake of all those workers and families who would be advantaged by the passage of this bill and the jobs that it will create—not only save, but create—in Maryland and Ohio, in Virginia—my colleague Mr. MORAN is here—and across our country, let's pass this bill.

Ladies and gentlemen of this House, let's pass a transportation bill that isn't simply another short-term extension. Such extensions provide no certainty to the businesses that rely on sound infrastructure to move goods to market. Let's pass the long-term reauthorization we need that will help put our economy back in drive—not in neutral and not in reverse.

Don't take my word for it why this is so important and so urgent. Listen to President Ronald Reagan, who said in 1982—and I'm sure, frankly, the gentleman's dad would have supported these statements:

The time has come to preserve what past Americans spent so much time and effort to create, and that means a nationwide conservation effort in the best sense of the word. America can't afford throwaway roads or disposable transit systems.

Ladies and gentlemen, it's not too late for this Do-Nothing Congress to make a U-turn and get back to work. It's not too late to heed President Reagan's wise words. It's not too late to provide our businesses with the certainty they're asking for.

I urge my Republican friends to start working with Democrats to make the investments we need to grow jobs and strengthen our competitiveness before it's too late. Frankly, that's what the American people expect. Let's for once not disappoint them. Let's pass this motion, and work together to move this country forward.

With that, I reserve the balance of my time.

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

A lot of what Mr. HOYER said I agree with when it comes to moving a transportation bill. I think it is important

to America, and our infrastructure is the backbone of our economy. We all know, I think, that in many places in the country it's crumbling, and we here in Congress need to do our job. But this motion to instruct the conferees to accept the Senate bill in its entirety is contrary to the purpose of having a House and a Senate conference.

I know my friend from Maryland has been one of the great defenders of this institution. To suggest that we should just up and take the Senate bill is a bit surprising to me that the gentleman would do that. As I said, he's been a real champion to make sure that the House maintains its position and he has always been a strong defender.

□ 1350

Also, I would just like to remind my Democrat colleagues, because we've been debating this bill for the past several months—my colleagues sometimes need to be reminded that when they controlled both the House and the Senate, they weren't able to get a bill out of full committee on any basis, partisan or bipartisan. So it has been a difficult road. And again, they saw the difficulties back when they were in the majority.

But it's our responsibility to sit down with our Senate colleagues and address areas where we have differences of opinion. And I might add too that there's a statement that just went out from Chairman BOXER and Chairman MICA, a joint statement, that reads:

The conferees have moved forward toward a bipartisan, bicameral agreement on a highway reauthorization bill. Both House and Senate conferees will continue to work with a goal of completing a package by next week.

So there's been movement.

I would urge the gentleman to retract his motion, not offer it, because I think there is a point when the chair of the conference and the vice chair of the conference are saying, there has been movement, that it is very positive. The Senate bill, though, if you will want to continue, the Senate bill includes provisions that I have serious concerns with; and I believe many on the other side of the aisle would have serious concerns about it.

When they get to study the Senate bill, you will find that it requires that all new passenger vehicles, all new passenger vehicles beginning in 2015, be equipped with event data recorders. These recorders are similar to the black boxes that are required in aircraft. While the intent of this provision is to collect safety information, I believe many of us would see it as a slippery slope toward Big Government and Big Brother knowing what we're doing and where we are.

So, again, I think if my colleagues on the other side—and we've talked about different ways to collect data—and those on the other side of the aisle have great concerns about allowing information to be collected by Big Brother. And privacy is a big concern for many across America.

There are also areas where the Senate bill does not go far enough. While the Senate bill includes a few provisions to streamline the project delivery process, it does not go far enough. And I believe we are at a time in our history—and the gentleman and many people around here mentioned my father and the good work that he did, and he did great work. But the times have changed in the sense that the last two highway bills that were passed, the economy was in good shape, the highway trust was flush with cash, and we had the ability, as Members of Congress, to direct money back to our States and our districts. So it's been a very difficult process, minus those three things.

Again, these streamlining projects, the Senate bill does not set hard deadlines for Federal agencies to approve projects. So they can just go on and on and on—and have. And that's why it takes 14 to 15 years to build a major highway project in this country.

I was just out in Oklahoma City a month or so ago. They just opened up the Oklahoma City Crosstown Express. It cost \$680 million and took 15 years to build. If we're able to do some of these streamlining projects, we believe we can cut that time in half. So if you just look at that project in Oklahoma City, \$680 million, on inflation alone we could have saved \$60 million to \$80 million on that project alone; \$60 million to \$80 million would go a long way in fixing infrastructure in Maryland and Pennsylvania and Virginia and New Jersey. So these are the kinds of revisions. That's just one, setting the hard deadlines.

It does not allow State environmental laws to be used in place of Federal environmental laws. When a State has a more rigorous environmental process, like California, like other States, why do they need the Federal Government's approval when theirs goes far beyond what we do here in Washington? Or if it's equal to the Federal Government, instead of going through a second environmental regulatory process, let's let the States use theirs—if it's equal to or exceeds the EPA standards.

It does not expand the list of projects that qualify for categorical exclusions. What are categorical exclusions? If you are going to replace a bridge with another bridge in the same footprint, if you are going to expand a roadbed in the current right-of-way, it would allow there to be an abbreviated, a faster review process so that we can get those bridges built faster, we can get those lanes added more quickly.

Again, what it comes down to is saving money. Time is money. I think we all know that. And it also does not expedite projects that are being rebuilt due to disasters. Again, we've seen it in Minnesota. When the bridge collapsed, in 436 days we were able to construct a major bridge crossing over that river in Minnesota.

Also, program consolidation is another important reform that the House

has been pushing. The Senate has been pushing to add two new programs at a dollar cost of \$3 billion a year. At a time when the highway trust fund is going broke, we should be focusing our limited transportation dollars on consolidating programs and eliminating wasteful programs, not creating new ones.

Funding flexibility for the States, another critical point that allows the States to fund the most economically significant highway and bridge projects in their State. The Federal Government should not mandate the States to plant flowers and beautification.

Even bike paths—and I have been a big supporter of bike paths in the past; but today when we have bridges crumbling, when there is safety in question, in good conscience we can't tell States to spend that type of money. But if they want to, they can. They can opt out. They can spend that money if they so desire. But again, I think this is not a time when the Federal Government should be telling States to spend money on projects that aren't going to be the most beneficial to their constituencies. We need to focus those resources.

These are issues that are not addressed in the Senate bill and should be addressed in this conference. And from the statement that I read earlier, I believe we are moving in a direction to adopt some of what I just talked about.

So I urge my colleagues to oppose this motion. I would urge the gentleman, my friend from Maryland, to step back again at a time when we're getting so close. As the gentleman fully knows—he's been in this institution long enough and has negotiated many, many significant pieces of legislation—this is not a time for us to be out here talking about it, but to hunker down, make sure the conferees, the two chairmen are able to move forward to get a bill that's going to benefit America.

And with that, I reserve the balance of my time.

Mr. HOYER. Mr. Speaker, I yield myself 30 seconds.

I want to say to the gentleman, the items that he mentioned—some of which we may agree on, some of which we may not agree on—frankly, could have been included in the bill that the House could have reported out of committee and brought to the floor. That didn't happen. What we did was, with the inability to pass a bill that came out of your committee on the floor of the House, we then repaired to what was essentially a shell of a bill to go to conference.

The problem that I have with the gentleman's statement is I hope that the statement that "we may be getting there" is correct.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOYER. I yield myself an additional 30 seconds.

But if we "may be" getting there, we're getting there because we've con-

stantly done motions like this to get us to the issue. We are talking about some 2-plus million jobs. That's why the Chamber of Commerce is involved. That's why counties, States, and local municipalities are involved, saying, Come to an agreement.

Very frankly, the bill that we passed here had some things that didn't relate to transportation. What the gentleman has mentioned are items that dealt with transportation. Your bill, as you well know, had items in it which were clearly not acceptable to the President of the United States because they were unrelated to transportation.

The SPEAKER pro tempore. The time of the gentleman has again expired.

Mr. HOYER. I yield myself an additional 30 seconds.

The gentleman hasn't mentioned any of those. I am pleased that he hasn't mentioned those.

I hope that the House Republicans have now decided that's not going to be the litmus test for whether or not we create jobs and save jobs in the transportation field and give certainty to contractors and to public entities.

At this point in time, I yield 2 minutes to my good friend from New Jersey (Mr. SIRES).

Mr. SIRES. Mr. Speaker, I rise to speak in support of Congressman HOYER's motion to instruct conferees on H.R. 4348, the surface transportation bill.

This motion to instruct conferees would ask the conference committee to end their differences and support the Senate-passed measure. Senate 1813, or MAP-21, was passed by an overwhelming bipartisan majority with a final vote of 74-22.

Tomorrow marks 100 days since the Senate passed their bipartisan bill. We have just over 1 week before the extension expires. We cannot afford to pass yet another short-term extension. We need to create jobs here in America.

National unemployment is 8.2 percent, and construction unemployment is nearly double, at 14.2 percent. Summer has officially started, and the construction season is short. We have 1.2 million unemployed construction workers who are waiting for work.

□ 1400

MAP-21 is estimated to save 1.9 million jobs and create another 1 million jobs. We have the legislative solution to create jobs. It is the Senate bill.

Mr. Speaker, I urge my colleagues to put their differences aside and pass a comprehensive reauthorization. MAP-21 was passed on a bipartisan majority in the Senate. Let us do the same here in the House and put America back to work.

Mr. SHUSTER. I yield myself 30 seconds.

Just in response to my good friend from Maryland, I'm glad he brought up some of those other provisions, and they are job-creating provisions.

The RAMP Act will unlock the Harbor Trust Fund so we can invest in our

ports, which I know the gentleman has a major port in Maryland. But those dollars are going to rebuilding and dredging and doing the things we need to do to be competitive around the world. So that's a jobs act that's in the transportation bill. And I might add, ports are certainly transportation.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SHUSTER. I yield myself an additional 30 seconds.

We have also a reform in there on the coal ash, which is an element that goes into making cement. Of course, building roads and bridges, it's about cement and concrete. So there's another provision in it we believe will help our industries to be able to continue to make and produce cement to build our roads.

Finally, the Keystone pipeline. I think all of America—or most of America knows that's been paying attention, which is about 80 percent—believe it is a positive thing to bring oil and energy to America to help power this economy while creating 20,000 jobs and maybe as much as a hundred thousand jobs in indirect labor and jobs to this country.

I reserve the balance of my time.

Mr. HOYER. I yield 2 minutes to the distinguished ranking member of the Science and Technology Committee, Ms. JOHNSON from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. I rise in support of Democratic Whip HOYER's motion to instruct the conferees, which directs the conferees to agree to the Senate-passed transportation bill, MAP-21.

MAP-21 passed the Senate by a strong bipartisan vote of 74-22, and it is critical that the House pass this legislation. We have been waiting a very, very long time. I'm from the State of Texas. There's no State in the Union that this bill is more important for. Our season is now to get highways started. And we have massive infrastructure needs, just like the rest of the country.

Tomorrow does mark the 100th day since the Senate passed the bill, and the current reauthorization will expire next week. And while I'm encouraged by the progress being made in the conference negotiations, we simply cannot afford to delay any longer for individual pleas, for individual needs. We all have needs.

This bill is not perfect. No bill we pass is perfect. But this bill is certainly needed to plan and to develop. We have to have time for the States to look at what they have available and plan for it. We cannot do this like any other bill. This is a transportation bill, infrastructure planning bill, and we simply must do something now.

In addition to it saving 1.9 million jobs, it creates a million jobs. It's a jobs bill. We've been talking about passing a jobs bill for the last almost 2 years, and nothing has passed yet. I am pleading that we all support this motion to instruct, and I encourage my

colleagues to support it and let's get this bill done.

Mr. SHUSTER. I continue to reserve the balance of my time.

Mr. HOYER. I yield 2 minutes to the gentlelady from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

To not support Congressman HOYER's motion to the Senate transportation bill for which, many times it's been said, 74 Senators, including 22 Republicans, voted for, I would suggest, is to engage in nothing less than economic sabotage.

Well into the construction season, the unemployment rate in the construction industry is at least twice the national average, and another short-term extension will not bring enough certainty to an industry that is hurting as badly as this one is.

MAP-21 is the single largest jobs bill passed by either body in this Congress. In my home State of Illinois alone, MAP-21 will save or create nearly 70,000 jobs. Nationwide, the bill will save or create nearly 2 million jobs and spur 1 million additional jobs through the leveraging of transportation funds.

It is hard to understand, as we are ending the month of June and construction needs to be done all over this country, that we are still delaying the passage of a bill that would mean so much to the workers across the country and to strengthening our economy. I think that we need to support this motion right now, to support MAP-21, and to send it to the President's desk immediately.

Mr. SHUSTER. I continue to reserve the balance of my time.

Mr. HOYER. I yield 2 minutes to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN. I would say to our good friend from Pennsylvania that it is hard to believe that Chairman Bud Shuster would not be as troubled as we are by the state of the transportation bill. And he would be saying as we are: Just do it.

You have suggested any number of things where we would reach agreement, I would say to my friend from Pennsylvania, but this has been going on for almost 3 years. It was back in October of 2009 that we got a 1-month extension. Then, we extended it for 48 days; then 72 days; then 16 days; then 9½ months; then 2 months and 4 days; then 6 months and 25 days; then 6 months, and 91 days, and now we're talking about another 3-month extension.

Let's just do it. That's why there's instruction to accept the Senate bill. If we know what we need, then let's reach compromise and get it done. Because meanwhile, people are unemployed. The American people are hurting, and the American public is disgusted with the Congress.

When we had a 13 percent approval rating, I was wondering how we had so many family and friends. Well, sure

enough, now it's dipped down to single digits. Why? Because they don't see us doing anything. They don't see us compromising.

In the Senate, we have a Senate transportation bill where people as conservative as Republican JIM INHOFE, the ranking member of Surface Transportation, has approved this. It passed. Three-quarters of the Senate approved this. Why can't we just accept this and get it done?

We're talking about almost 3 million jobs that would be saved or created. We are in desperate need of jobs. There are jobs in this country, and they're going to have a lasting dividend once we improve our roads and our bridges and our public transit systems.

We need to get this done. The American people have been waiting 2½ years for this surface transportation bill. That's why the motion to instruct is so important and why I support Mr. HOYER, because this is what the American people want. And the fact is that, while it maintains current funding levels for highway and public transportation, it consolidates highway programs, establishes a national freight program, and any number of things.

We can agree it's not perfect, but it's the best we can do. And the American people deserve it.

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

I appreciate the passion from the gentleman from Virginia, and I believe he is a supporter of infrastructure, as am I. I think you were referring to the former chairman. I was just emailing back and forth to him. He sees much agreement with what we're trying to do in the House. He sees the need for reform. And as I've been going through this process, I certainly talked to him about some of the things he wishes he would have been able to accomplish. And what we're doing in this bill are things he's applauding. If any of you don't realize, the chairman is still alive and well and still consults with his Member of Congress—when I ask and when I don't ask, I might add.

Again, I have to remind my colleagues, and be respectful when I do this, when you had the majority, six times you extended without passing a bill. And you had a majority in the House and Senate and White House. And I might add that, if you would have focused the stimulus bill on an infrastructure bill instead of spending it in all different ways that didn't have the kind of impact that you thought and, in fact, didn't have much of an impact at all, I think we would see a much different economy today if we would have focused on this because I know there are jobs out there, millions of jobs, in construction and construction-related businesses where we could help by passing a bill.

□ 1410

Again, just to remind my colleagues, the House and the Senate, chairman and vice chairman, have issued a statement. We are moving in the right direction towards a bipartisan, bicameral

solution, not just a Senate solution. Again, I know that the two gentlemen, the whip and of course Mr. MORAN from Virginia, have been great defenders of the House. For us to just give in to the Senate, I don't think I've ever seen them when they were in the majority just handing it off to the Senate. So I feel positive.

Again, I supported Mr. WALZ's motion to instruct a few days ago because he said get in there, hammer this thing out; come up with a bipartisan, bicameral bill. That's why I supported that. Again, on this, I just can't support this. I have got to vote against it, and I urge my colleagues to vote "no" also.

And with that, I yield back the balance of my time.

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

Mr. Speaker, I am a supporter of this institution. I am a supporter, as Mr. SHUSTER pointed out, of regular order. I do believe that the House has a right and a duty and a responsibility to maintain its positions—when it can get to a position.

Let me reiterate so the American people understand. Speaker BOEHNER said that the highway bill was very important to him. He wanted to see it reported out. The committee acted on a bill and never brought it to the floor.

I pause so the American people can understand, the House has been unable to take a position. Now my friend will say, oh, no, we did pass a bill, and that's correct. Admittedly, however, from everybody's perspective, it was not a full bill; it was a shell bill. It was a shell bill to go to conference. Did it have some provisions in there? Yes, it did. It had Keystone in there, which was clearly unacceptable to the President in the form that it was offered and unacceptable to the Senate in the form that it was offered.

Very frankly, my friend from Pennsylvania talks about his dad, who I know is very much alive and was a very good Member of this body. I will say that we did pass some extensions, all on a bipartisan fashion, as you well know. All on a bipartisan fashion. This was not done in a bipartisan fashion.

We could have forged a bill that would have had overwhelming support in this House, in my opinion. The Republican side of the aisle chose not to do that. And I've got a hunch that my friend sitting in the chair, Mr. SHUSTER, regrets that. He doesn't have to say anything about that, but I just have a hunch he regrets that. I regret it. I regret that we are not able to come together and reason together, but we take hard-line positions that if you don't agree with me, it's my way or no highway. That's regrettable. The American people know it's regrettable.

And I want to tell my friend from Pennsylvania, if it weren't 100 days ago, as of tomorrow, that a bipartisan—overwhelmingly bipartisan—bill was passed, and if this House had been able to pass a real highway bill, but we

didn't have that opportunity. That bill was not brought to the floor. The gentleman knows that bill was not brought to the floor. It still languishes in his committee. Or perhaps it's been reported out and may be sitting someplace else.

The fact of the matter is that this motion is designed to say to 1.9 million people who may lose their job if we don't pass a bill next Friday, in a Congress that has been mired in confrontation and unwilling to compromise, and another million people who will have job opportunities if that bill passes, it is to say, let us act. And we have a vehicle on which to act, a vehicle that enjoyed the support of all Democrats and half of the Republican Conference in the United States Senate, a bill that had agreement between Senator BOXER from California, correctly I think described as a liberal Democrat from the State of California, and JIM INHOFE, correctly described I believe as a conservative Republican from Oklahoma. They came together. They reached agreement.

I think the gentleman from Pennsylvania is probably absolutely correct; it's not a perfect bill. I don't know that I've ever voted for a perfect bill on the floor of this House, at least one that I thought was perfect. That's the nature of this body, that we come together and we compromise and everybody doesn't get what they want because maybe their region or their people or their businesses or their consumers don't see it the same way mine do. We compromise.

But the Senate bill, while it may not be perfect, enjoyed broad bipartisan compromise and support. Therefore, I think it is our best opportunity, because we've shown in this House that we have, for the last 6 months, been unable to come to agreement, and the Republican majority in this House has been unable to agree among itself to bring a full bill to the floor.

So, Mr. Speaker, that does not give much confidence not only to my side of the aisle but to those contractors, those construction workers, those States, those counties, those municipalities who know that they have to address the transportation challenges of their areas. It doesn't give them much confidence, and I've heard a lot about building confidence.

I believe that if we passed the Senate bill, we would create those jobs, retain the 1.9 million jobs, and give confidence to our economy and grow jobs. I hope that's what the other side wants to do. They talk a lot about it. And if the economy improved, of course, the administration might be advantaged as well. I hope that's not a consideration of anybody who considers these pieces of legislation. America expects us to come together and reach agreement. The Senate has done that. On this side of the Capitol, we have not. We ought to do it.

I yield back the balance of my time. Mr. CONNOLLY of Virginia. Mr. Speaker, I rise in support of my good friend from Mary-

land's Motion to Instruct House conferees to bring up the bipartisan Senate transportation bill. In the 10 most congested cities in America—including the Washington DC region which both Mr. HOYER and I represent—drivers spend more than 40 hours a year stuck in traffic. That's an entire work week lost to congestion, yet all the Republican majority has offered in response is more partisan gridlock.

Americans are waiting for road improvements, bridge repairs, and more transit options. The American economy is waiting for more robust job growth. The nation lost 28,000 construction jobs last month and more than 2 million construction jobs since the Great Recession began.

Republican President Dwight D. Eisenhower knew investing in infrastructure would create jobs and spur the economy so he created the American interstate highway system. This March, the Senate passed a bipartisan transportation bill—with 22 Republicans on board—to alleviate gridlock on our streets and in the halls of Congress. But so far, House Republicans have refused to even bring it up for a vote, for fear that it might actually pass!

A robust transportation program such as the bipartisan Senate bill helps both American commuters, and the American economy, get moving again. If we are going to create jobs and ease commutes, the Republican majority must stop idling. I urge my colleagues to support Mr. HOYER'S Motion to Instruct.

The SPEAKER pro tempore (Mr. NUNNELEE). All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

Mr. HOYER. 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, further proceedings on this question will be postponed.

GENERAL LEAVE

Mrs. BLACK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the topic of my motion to instruct.

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

There was no objection.

Mrs. BLACK. Mr. Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mrs. Black moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4348 be instructed to reject section 31108 of the Senate amendment (relating to distracted driving grants), other than the matter proposed to be inserted as section 411(g) of title 23, United States Code (relating to a distracted driving study).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Tennessee (Mrs. BLACK)

and the gentleman from Pennsylvania (Mr. ALTMIRE) each will control 30 minutes.

The Chair recognizes the gentlewoman from Tennessee.

□ 1420

Mrs. BLACK. Mr. Speaker, I yield myself such time as I may consume.

We began the 112th Congress by reading the U.S. Constitution as a body, and we require that every bill cite the section of the Constitution that allows Congress to consider the legislation.

My motion to instruct simply maintains this desire of the House by protecting States' rights under the 10th Amendment. The 10th Amendment reads:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

I believe that the issue of laws related to distracted driving are best left to the States. That's why as a State senator in my home State of Tennessee I voted three times for a distracted driving law on the books today.

As a mother and a grandmother and a nurse, I strongly support absolute safety on our roadways. I also believe that there's no one in this Chamber who doesn't support safe driving laws. But this motion to instruct is not about safety; it's about the States' rights under the Constitution and stopping Federal manipulation of State law through taxpayer-funded distracted driving grants.

Now, the Senate passed a highway bill, Senate Bill 1813, that contains a provision that would grant the U.S. Department of Transportation Secretary Ray LaHood \$79 million to entice the States to enact and enforce Federal distracted driving laws, something that 39 States already have on their books—39 States have already enacted these laws.

I believe the States are great laboratories for determining what works and what does not work. That is why my motion to instruct keeps intact a study—wants a study to be conducted on all forms of distracted driving. This helps government and also the public better understand and identify the most effective methods to educate drivers and enhance States' understanding of these issues so that they can enact and tailor laws best suited to the individual needs of their States.

I'm offering a motion to instruct that simply strikes the distracted driving grant funding language contained in the Senate-passed bill, while calling for a study to be conducted on all forms of distracted driving. This helps government and the public better understand and identify the most effective methods to educate the drivers and enhance the States' understanding of these issues so they can enact and tailor laws best suited to the individual needs of their State. What is best for the State of Massachusetts may not be best for the State of Montana. And as

the 10th Amendment to our Constitution was written, these laws are reserved for individual States.

Now, just as we must provide certainty to job creators, we must provide certainty to States on the highway bill. The only way to accomplish this task is to allow for focused use of taxpayer dollars that is produced in a multiyear transportation bill that restricts the highway fund to its intended use, that is, building and maintaining America's roads and bridges. Taxpayer dollars are so precious, they should not be used on anything other than the intended purpose.

I urge my colleagues to protect states' rights and support my motion to instruct.

I reserve the balance of my time.

Mr. ALTMIRE. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to the motion.

The motion offered by the gentlewoman from Tennessee (Mrs. BLACK) seeks to eliminate a distracted driving grant program included in the Senate surface transportation authorization bill. I oppose this motion because it ignores the significant safety hazard that distracted driving poses to drivers, commuters, passengers, and pedestrians.

Distracted driving is any activity behind the wheel that takes a driver's attention away from the road. The rapid development and ubiquitous use of technology such as cell phones, smart phones, and in-vehicle touch screens has made routine distraction an almost commonplace occurrence in every vehicle across America.

According to the National Highway Traffic Safety Administration, in 2010 more than 3,000 Americans were killed in crashes involving a distracted driver and approximately 416,000 additional Americans were injured.

Distractions from technology can include texting, talking on a phone, or using a navigation system or other audio or visual equipment while in a vehicle. But because text messaging requires visual, manual, and cognitive attention from the driver all at the same time, it is by far the most dangerous distraction.

The Wireless Association reported that in June 2011 more than 196 billion text messages were sent or received in the United States, which is up nearly 50 percent from just 2 years ago over the same period. The National Highway Traffic Safety Administration also reported that more than 100,000 drivers are texting and more than 600,000 drivers are using cell phones at any given moment in time. Sending or receiving a text takes a driver's attention from the road for an average of 4.6 seconds, which, while it may not seem like a long time, it's the equivalent of driving the length of an entire football field, taking the driver's eyes off the road. It's not surprising that, according to research done by Virginia Tech, a texting driver is 23 times more likely to be involved in a crash than a non-distracted driver.

The proposed grant program in the Senate bill is an opportunity to address the rapidly growing problem of distracted driving and to educate the driving public about the real and immediate dangers of distraction behind the wheel.

Mr. Speaker, thousands of American lives are at stake. And these are not statistics. These are people—like 21-year-old Casey Feldman, who was struck and killed by a distracted driver as she crossed the street in Ocean City, New Jersey in 2009. It's people like 56-year-old John Sligting, who was killed on his motorcycle when a teen driver talking on her cell phone missed a stop sign in June 2007. It's people like 13-year-old Margay Schee, who was killed on her school bus when a distracted driver rear-ended that bus in September 2008.

Although some on the other side of the aisle are skeptical of seemingly every Federal program, we must avoid the temptation to eliminate programs without considering the real impacts they have on the lives of our constituents and on communities all across America.

To the point the gentlewoman, my friend from Tennessee (Mrs. BLACK), raised in her opening remarks, the distracted driving grant program contained in the Senate bill is merely an incentive program, not mandatory. It's an incentive for States that have already passed laws and have them on the books. Therefore, there are no sanctions if States do not pass laws or participate. There are no penalties to not participate.

So, Mr. Speaker, to put it simply, this motion represents a giant step backwards in highway safety for all of America.

I urge my colleagues to reject this motion to instruct, and I reserve the balance of my time.

Mrs. BLACK. Mr. Speaker, I'd like to yield 5 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. I thank the gentlewoman from Tennessee.

I guess I, as well as others, are here today to plead the 10th Amendment. You see, texting while driving is dangerous, and it should be stopped. Careless driving of any form is dangerous, and it should be stopped. We should be grateful for every effort to educate our drivers as to the significance of this particular effort, but the question has to be: Are the efforts only to be done in this particular body?

A driver's license is a State certificate. Driving is a State privilege. And even though Congress has, in the past, overstepped our responsibility in involving ourselves in these areas—and that was wrong—that is certainly not justification for continuing that practice ever forward. The Commerce Clause does not necessarily expand to this area. The Senators, in their wisdom, have included a provision in there dealing with this issue. It's a noble concept. It's a worthy goal.

The approval or disapproval of texting while driving is not the issue. The issue is not should it happen; the issue is who, at which level, should decide if it happens and what the consequences should be.

□ 1430

The issue is, are we the only ones who have the opportunity of breathing the air of the Potomac River, the only ones smart enough to be involved in this issue, the only ones compassionate enough to be involved in this issue. I would contend to you that those who are in our States are equally competent to handle this issue.

It's been mentioned, 39 States already outlaw texting. Ten outlaw any kind of a handheld communication while driving. Thirty-two States ban all sorts of these efforts with novice drivers. My State of Utah has moved forward in this particular area. And yet the Senate has now put in \$79 million to incentivize States to do what they're already doing.

We tried to pass a balanced budget amendment on this floor. It failed and I felt sad about that; but I realized also we can accomplish the exact same goals if we respect federalism, which, of course, was reinforced in the 10th Amendment. Federalism simply would require the Federal Government to concentrate on the core constitutional responsibilities given to us in that document and allow the States the flexibility to solve the other problems.

States do not have the kind of restrictions established in the Constitution that we have. States can be far more creative than a one-size-fits-all program from Washington. States can be much more effective in the way they run their programs. States can actually apply justice to unique circumstances within their State borders. That can never be accomplished by Washington. Our only ability is to make sure that everything is uniform. We can accomplish the same goal if we respect the authority of States.

\$79 million is a high price to pay for the arrogance that only we here in Washington can do things well. The States are doing it. Not everything has to be ordained, funded, and controlled by those who sit on this floor. The States have every competence, every ability. We should support the 10th Amendment and recognize the States should do this. They will do a better job than we.

Mr. ALTMIRE. We have no further speakers. I yield myself as much time as I may consume.

The previous speaker talks about States being the innovators. I certainly agree on that.

This motion that we are talking about right now involves a State incentive program where States can qualify for Federal money for an optional grant that they may choose to participate in or not. If they do not choose to participate, they are free to pass any distracted-driver laws they wish or not.

There is nothing in what is contained in the Senate bill that in any way inhibits or prohibits or disincentivizes States from passing their own distracted-driving laws. They are still free to do whatever they want to do and go as far or not as they want to go.

All the Senate language says is that if States choose to meet the higher Federal standards, they may qualify for potential limited grant money that will be made available. No State is sanctioned for not participating.

With that, I continue to reserve the balance of my time.

Mrs. BLACK. Mr. Speaker, I yield 5 minutes to my good friend and colleague from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Speaker, I want to thank the gentlelady from Tennessee for yielding time and also for bringing this amendment forward to instruct the conferees on the transportation bill.

If you look at what the amendment, what the motion to instruct, is saying, first of all, we recognize that 39 States have already put laws on the books to address problems with distracted drivers. It's a national problem. But every State, just as they have the right and the responsibility to create their own laws on issuing driver's licenses, each State has their own age requirements, their own speed limit requirements. Each State has to look at the unique problems that are posed by distracted drivers within that State.

In fact, in our State of Louisiana, we have a ban on texting while driving. And the legislature has gone back and forth on other forms of whether or not you can use a cell phone with a Bluetooth or with a speaker in your car if it's enabled to do that. And so technology changes, and the local States have the ability to be flexible enough to change their laws according to how it best suits their State.

Ultimately, by having a \$79 million pot of money that would be up to the Secretary of Transportation to enforce as Federal distracted-driving laws, I think it gets away from the whole concept of the fact that States are the ones that are in charge of doing this, and the States know best what needs to happen in their States.

Driving laws in Louisiana are a lot different than they are in California or New York or somewhere else. That's what the 10th Amendment is all about. That's why you have elected officials at the State and local levels to handle the problems that are unique to each area. And the fact that you've got a \$79 million pot of money that would only be put at the discretion of the Secretary of Transportation, just for this purpose, instead of using the \$79 million to build roads throughout the country, or to allow the States to do what they think is best to improve safety in other ways, there are many things that need to be done in each of our States to improve safety on the roads.

And if a State's done a good job of addressing their texting problems and

the distracted-driving problems as it relates to cell phones and other things, somebody eating and sitting in their car, ultimately the States know best what to do. And if they've got more flexibility with the money—this isn't Washington money, by the way. They're paying into it. Every citizen back home, when they buy gasoline, is paying taxes. This is their money. It's not the Federal Government's money to say \$79 million is only available for the things that we think are most likely to increase safety, when the States know what's better. Local people on the ground, people paying those taxes know what's better to increase safety. And you're not allowing them to use that money for the things that actually would improve safety even more.

So by limiting this \$79 million to a fund that the Secretary himself in Washington would give out, let's let the States have that money back, money that they've paid in already, and let them do what they know is best to increase safety, whether they think it's putting guardrails on roads where the guardrails have broken off and they don't have the money to put that back in place, or whether it's to put railroad crossings. We have so many deaths by people who cross railroads where there's no crossing, and yet it's very expensive to build those.

States would like the ability to use the money to increase safety and stop the deaths that occur by spending it there. Yet this \$79 million isn't allowed for that.

Let the States do what they know best because it's their money. It's the people's money. It's not Washington's money. And some Washington bureaucrat who thinks he knows best how to handle a problem at a Federal level that applies to all States when it works differently in every State, the challenges, the safety challenges that face our citizens are very different in each State, especially as it relates to driving on the road.

So, again, I want to thank the gentlelady for bringing this motion to instruct. I surely support the motion and also encourage everybody else in this Chamber to support it because, ultimately, if you've got \$79 million that can be much better used to increase safety in other ways, why would you want to cordon it off and only allow it to be used for one way, when maybe 39 different States have 39 different ideas of how to do it better?

Well, we can learn from them for once instead of trying to have this top-down approach where Washington knows best. I think it could be handled much differently, much better at the local level. At the end it's their money anyway.

So I urge approval of this motion to instruct.

Mr. ALTMIRE. Yielding myself as much time as I would consume, I would, again, make the point that the program in question in no way sanctions, penalizes, disincentivizes, discourages or prohibits States from, in

any way, addressing driver safety. It in no way prohibits States from being innovative, from creating new technologies, new programs, doing things that are not recommended in the bill or this program. States are free to do whatever they want to do on this issue.

So to continually pound away at the point that we're somehow taking away the ability of States to be flexible is simply incorrect. It's not consistent with the program in question. It's not consistent with the language of the bill we are discussing.

With that, I would inquire of my friend—I have no more speakers on our side—is she prepared to close?

Mrs. BLACK. I am.

Mr. ALTMIRE. Mr. Speaker, I urge my colleagues to oppose the motion.

I yield back the balance of my time.

Mrs. BLACK. Mr. Speaker, I yield myself as much time as I may consume.

This is a worthy goal. As I've already said, I'm a nurse. I'm a grandmother. I'm a mother. I want safety on our roads.

I have served in the State legislative body where I have voted three times on distracted driving. We did our studies, we found what the problems were in the State of Tennessee. We were able to pass laws to make the roads safer.

□ 1440

Careless driving of any form must be stopped, and I applaud the piece in the bill that will create more study so that States can have more information about just what they need to craft in their State that will be identified as distracted driving.

Obviously, distracted driving does not just mean cell phones, and it does not just mean texting. There are other forms of distracted driving—a mother turning around to correct her small child who is sitting in the back seat. I personally have seen those kinds of accidents. Someone reaching for a CD to put in one's disk, I personally have seen the devastation from that action. There are many forms of distracted driving, and this study will help us and the States and the public to understand what those forms of distracted driving are. In my motion, that is left in place.

Again, we have to be very cautious about our dollars and how it is that we hand our dollars out. I talk about this almost like legislative candy, this \$79 million, to incentivize or to entice States to do something, and 39 of them are already doing something related to distracted driving.

As a matter of fact, if we take a look at this whole discussion on the transportation bill, we know how precious every dollar is. We're talking about infrastructure and about creating jobs. This \$79 million can be best used by its intended programs, which are to build roads and bridges and to make our roads safer by making sure that our roads and our infrastructure are in the best shape. States are already doing

this job. We don't need to take \$79 million and hand it out to States—using candy to get them to do what we want them to do.

Absolutely, safety is the major issue, but States can make that decision. States have enough knowledge to know what's best for their States.

So, Mr. Speaker, I urge my colleagues to protect States' rights and to support my motion to instruct.

I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

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

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

Mr. ALTMIRE. 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, further proceedings on this question will be postponed.

CONCERN OVER RE-LICENSING THE DAVIS-BESSE NUCLEAR POWER PLANT

(Mr. KUCINICH asked and was given permission to address the House for 1 minute.)

Mr. KUCINICH. Mr. Speaker, FirstEnergy, which operates the Davis-Besse nuclear power plant, has consistently misrepresented to the public structural defects in the building that shields its reactor.

Their latest fable is that cracks in the circumference of the shield building were caused by a snowstorm that occurred in 1978.

In 2002, FirstEnergy covered up information about a hole in the head of a reactor that jeopardized the safety of millions of people, for which they were fined \$28 million. FirstEnergy caused the blackout in August 2003, which put 50 million people in the dark, because they were too cheap to hire people to trim trees.

Can they be believed when they claim a snowstorm 34 years ago created cracks that appear today? Are buildings all over northern Ohio falling apart today because of the blizzard of '78, or is this just another in a series of desperate lies used to keep a plant going that should be either shut down or massively repaired?

How long before FirstEnergy's 34-year snow job is fully exposed?

THE PROGRESSIVE MESSAGE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Ohio (Mr. KUCINICH) is recognized for 60 minutes as the designee of the minority leader.

CONCERN OVER RE-LICENSING THE DAVIS-BESSE NUCLEAR POWER PLANT

Mr. KUCINICH. I thank the Speaker.

I spoke here a minute ago on the floor of the House concerning my deep and abiding concern about a nuclear power plant in the State of Ohio called the Davis-Besse nuclear power plant.

This power plant, from the time it was first licensed, has experienced a series of shutdowns, so much so that there was a period when the companies that originally owned it had massive losses because the plant was not up and running. They had so many difficulties that it became an embarrassment to the nuclear industry, itself.

We are now at a point when this plant is trying to get a new license for its nuclear facility. There are over 104 nuclear power plants in America. Some of them have achieved re-licensing. Others are in the process of applying.

One of the things that we have to be concerned about, because we are talking about nuclear power plants, is the structural stability of the plants, which includes the shield building and reactor, and that the structural stability of these plants is going to be assured.

□ 1450

In the case of FirstEnergy, they have a shield building, and there have been questions raised about its structural stability. Unfortunately, FirstEnergy went out of its way to tell one story to the Nuclear Regulatory Commission and another story to the public. They told the public that the cracks that were seen in the shield building were not really substantive, but they told the Nuclear Regulatory Commission another story.

Understanding that we have a lack of candor on the part of a nuclear reactor permit holder here, we have to be very concerned about their public statements, about their private disclosures, and about the implications for re-licensing.

These cracks in the shield building, which are in the circumference of the building, they're telling the Nuclear Regulatory Commission the reason these cracks occurred is because there was this blizzard in 1978, where the wind direction was—if I'm correct—primarily out of the southwest, that this is responsible for the cracks. But the cracks are around the whole building. They're not able to explain that.

Nor do we know whether or not their sister reactors on the other side of Lake Erie at the Perry nuclear power plant have, in fact, been adequately inspected to see if the same winter storm adversely affected them. If the winter storm did not adversely affect them at the Perry plant, then how is it that you had cracks only at Davis-Besse? And why were the cracks around the circumference of the building, instead of just in one area where the wind was driving the snow?

In 2002, FirstEnergy covered up information about a hole in the head of the reactor.

I want to ask my friend from Minnesota if he needs any of this time right now, because I can conclude.