

criminal convictions, that property owners can continue to look at that and make sure that that is something that they're not going to be found in violation of a law if they use that mechanism.

This is a simple amendment. I would urge its adoption, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Louisiana (Mr. SCALISE).

The amendment was agreed to.

AMENDMENT OFFERED BY MS. HERRERA  
BEUTLER

Ms. HERRERA BEUTLER. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

At the end of the bill, before the short title, insert the following:

SEC. \_\_\_\_\_. None of the funds made available in this Act may be used to build flood protection walls for Interstate 5 between mile posts 72-82 in Lewis County, Washington.

The Acting CHAIR. The gentlewoman from Washington is recognized for 5 minutes.

Ms. HERRERA BEUTLER. Madam Chairman, the reason I bring this amendment to the desk is because there are families, there are businesses, moms and dads in Lewis County on I-5 that have experienced devastating flooding. In fact, at one of my meetings back there, I met a wonderful older woman who has lived in that county for decades, and she said to me, Honey, when it starts to rain outside, I get terrified. I don't know if I should put all my valuables in the attic and I should leave the house. That's because in 2007, Madam Chairman, this county experienced devastating flooding. And every time it rains, the residents wonder if this is going to be the next catastrophic flood that they lose their businesses, lose their homes, and that devastates families.

Our State legislature and locals in the community in Lewis County have been seeking a basin-wide solution to flood protection. The Army Corps of Engineers has spent decades studying this issue, and the time of the study is over. We also need a solution that isn't going to wall off the twin cities in Lewis County by erecting an 11-mile levee that basically turns those cities into a bathtub.

With this amendment, I was seeking to prohibit that bathtub effect, so to speak, so as to protect the businesses and the families and the commerce that take place. We can come up with a better solution. However, Madam Chairman, because this is such an important issue, and I want to make sure that we do this right, I'm going to withdraw my amendment at this time.

Actually before I do so, Madam Chairman, would it be possible to ask a question of the subcommittee chairman?

Mr. LATHAM. Will the gentlelady yield?

Ms. HERRERA BEUTLER. I would be happy to yield.

Mr. LATHAM. I understand the concerns you have, and I would look forward to working with you as we get towards conference to try and address your concerns on this very important issue, obviously, for your constituents and would be pleased to be of any kind of assistance we possibly could.

Ms. HERRERA BEUTLER. Thank you, Mr. Chair.

With that, I withdraw my amendment, Madam Chairman, and yield back the balance of my time.

The Acting CHAIR. Without objection, the amendment is withdrawn.

There was no objection.

□ 2250

Mr. LATHAM. I move to strike the last word.

The Acting CHAIR. The gentleman from Iowa is recognized for 5 minutes.

Mr. LATHAM. Madam Chairman, I believe we are coming to the end here, and I just want to make a couple of comments.

As far as the gentleman from Massachusetts, once again, this will be his last appropriation bill on the floor as the ranking member and a former chairman of this subcommittee. Mr. OLVER has done an outstanding job over the years. We don't always agree on everything. Do we, JOHN? But we work very, very well together. And I just want to wish you and your wife the best.

You are a great partner and someone who I admire very, very much—your intelligence, your ability to look in detail at programs. And we kid each other—or I kid Mr. OLVER a lot about maybe having debates inside his mind sometimes in committee. But he's always extraordinarily thoughtful and someone, again, that I admire very, very much.

Madam Chairman, we've been through a 2-day process here. We have gone through a lot of amendments. I believe that we are to the point where we can bring this effort to a conclusion.

And I would, again, thank Mr. OLVER, thank the staff, the professional staff on both sides, on the majority and on the minority side, for doing such an outstanding job. Working together is very difficult sometimes on these bills. Also, in my office, Doug Bobbitt does such a fabulous job working on this bill for me. But I just want to say thank you to everyone.

Madam Chairwoman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DENHAM) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 5972) making appropriations for the Departments of Transportation, and Housing and Urban Development,

and related agencies for the fiscal year ending September 30, 2013, and for other purposes, had come to no resolution thereon.

#### REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. LANDRY. Mr. Speaker, I ask unanimous consent that I be removed as a cosponsor of H.R. 1380.

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

There was no objection.

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

Ms. HAHN. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore (Ms. FOXX). The Clerk will report the motion.

The Clerk read as follows:

Ms. Hahn 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 agree to the freight policy provisions in Sec. 1115, Sec. 33002, Sec. 33003, and Sec. 33005 of the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentlewoman from California (Ms. HAHN) and the gentleman from California (Mr. DENHAM) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

Ms. HAHN. Madam Speaker, I yield myself as much time as I may consume.

My motion to instruct the conferees would be in favor of the Senate language as it relates to freight and goods movement. It would authorize a national freight plan, national surface transportation and freight policy, and a port infrastructure development initiative.

We have all heard that the conference report is close to being filed. I have also heard that the Senate freight provisions are not in the final agreement. I want to come to the floor tonight and make one last attempt to ensure that our country has a national freight policy.

Madam Speaker, the Port of Los Angeles is in my backyard; and when I was on the city council in Los Angeles, I focused on transporting the goods that arrive in the port to the rest of the Nation. When I came to Congress almost a year ago, I was surprised that there was not enough attention on our ports, and I was surprised that we didn't even have a ports caucus. So I cofounded the bipartisan Ports Caucus with my good friend, TED POE from Texas, to educate the rest of our Members on the importance of our ports and goods movement to our Nation's economy. So first, for those who don't know what "goods movement" is, I would like to talk about why it's crucial for our Nation.

We are a consumer economy. Whether it is a mom-and-pop store on the corner or a large retailer like Target, we don't think twice when we go to these store to purchase groceries, toys for our children or clothing. When we go to the store, we expect that the milk and the Barbie dolls are on the shelf.

Simply, goods movement is transporting products, whether they are made in America or imported through our Nation's ports to retail stores. The goods that are transported throughout the country are transported by freight rail, trucks and, in some cases, waterways. The efficient transportation of these goods is crucial for our economy. We need to invest in all modes of transportation for freight, including roads, rail, and grade crossings to reduce bottlenecks.

But, Madam Speaker, this Nation does not focus enough resources on freight policy and goods movement. We don't have a national freight plan to guide us. According to Robert Puentes at the Brookings Institute:

The Nation has no comprehensive strategy or plan for the maintenance and development of transportation assets related to international freight movement. The country's freight transportation industry is highly decentralized, with private operators owning almost all of the trucks and rails, and the public sector owning the roads, airports, and waterway rights. And unlike our international peers, such as Germany, Canada, and Australia, the United States doesn't have a unified strategy that aligns disparate owners and interests around national economic objectives.

Madam Speaker, without a national plan, we have bottlenecks transporting our goods. For example, goods that leave the Port of Los Angeles take 48 hours to arrive in Chicago and take another 30 hours to travel across the city. What does this bottleneck and others like it mean? It means higher costs for consumers, more congestion, more pollution, and fewer jobs.

□ 2300

We need to stop this piecemeal system and develop a national plan. It's so crucial that we develop this plan now because the amount of freight will increase drastically in the next 20 years. In southern California, it is expected to triple.

In addition, this administration wants to double the exports by 2014. And I think we need to have an efficient system to export our products overseas. This will provide opportunities for our small businesses. And we need to prepare for that increase. According to the Federal Highway Administration, the U.S. surface transportation network, which includes rail and highway, is reaching or has reached capacity in many areas. The congestion largely stems from the lack of capacity to meet traffic demand and lack of infrastructure.

A U.S. Department of Transportation report, "Freight Transportation Improvements and the Economy," esti-

mates the cost of carrying freight on the highway system at between \$25 and \$200 an hour. Unexpected delays can increase the cost of transporting goods by 50 to 250 percent. Because the supply chain is a "network of retailers, distributors, transporters, storage facilities, and suppliers that participate in the sale, delivery, and production of a particular product," congestion resulting in unreliable trip times and missed deliveries can have major business implications, which adds cost at every link of the supply chain.

If the transportation function is efficient, manufacturing and retail firms can carry less inventory because they can rely on goods being delivered when and where they are needed. If the transportation system is congested and unreliable, a firm must carry more inventory to ensure production processes are uninterrupted and the availability of goods is maintained.

Carrying inventory is not free. Not only is a firm's capital tied up in the inventory, but it must be stored and insured. This model of business carrying more inventories to buffer transportation unreliability costs money to the companies and ultimately to the consumer.

One of the reasons that I like working on ports and freight policy is because it's a bipartisan issue. It's something we can find common middle ground on. For example, Bob Poole of the libertarian Reason Foundation stated:

Goods-movement infrastructure has not gotten enough attention in recent decades, either at the Federal level or in the transportation plans of urban area Metropolitan Planning Organizations. The larger question before us is what the Federal Government's direct role should be.

Mr. Poole continues:

Despite my general decentralist leanings, I agree that facilitating free flow of commerce—with the world and among States—is one of the tasks the Constitution gives to the Federal Government. I'm favorable to the idea of the Federal Government making strategic investments in critical corridors and key nodes in the goods-movement system. And obviously, this needs to involve all the modes that make economic sense for shippers to move cargo.

What organizations support a national freight plan? In addition to many transportation and port organizations, a national freight plan is supported by the United States Chamber of Commerce and the National Retail Federation. The Chamber of Commerce recently sent a letter this month to the conference committee stating:

The reliable and timely movement of goods is critical to U.S. economic health. Unfortunately, the condition and capacity of the transportation system has failed to keep up with the growth in trade volume and freight movement. Congestion caused by bottlenecks threaten to choke future economic growth. The Chamber believes the Senate-passed bill includes strong provisions to establish a freight program that would improve regional and national freight movement by targeting investments and improvements that would demonstrably facilitate

the movement of freight, such as truck-only lanes, railway-highway grade separations, and improvements to freight intermodal connectors.

As part of the Freight Stakeholders Coalition, the retailers stated:

Substantial investment in the Nation's freight transportation system must be given a high priority. Without the ability to quickly and cost-effectively move goods into, out of, and through the United States, America will not be able to maintain our high standard of living and high employment levels.

I also have letters of support from the American Trucking Association and the American Association of Port Authorities in support of this motion, as well as many other supporters.

We all know that congestion—especially truck congestion on our highways—causes air pollution. In my part of the country, South Coast Air Quality Management District said that diesel emissions are responsible for 71 percent of the major pollutants in the region. This means more asthma in our children and more cancer. Eliminating congestion will help improve air quality and our Nation's health.

Also, America's farmers would benefit from a national freight policy. Not only do America's farmers provide food in our grocery stores and on our table, but they feed the world as well. America is the world's bread basket. The U.S. is the world's top wheat exporter. And all that grain needs to be transported from America's heartland to our ports. It is crucial that we have the infrastructure to transport our goods from California or the Midwest to export them.

In conclusion, last week, the PORTS Caucus met with Transportation Secretary LaHood. He said the Department was beginning to plan a national freight policy but that Congress needed to prioritize goods movement. This is our chance. The last transportation bill was passed 7 years ago. We cannot wait another 7 years before we make a national commitment and a priority for a freight policy in this country.

I urge my colleagues to vote for my motion, and I reserve the balance of my time.

AMERICAN TRUCKING ASSOCIATIONS,  
Arlington, VA, June 27, 2012.

Hon. JANICE HAHN,  
House of Representatives,  
Washington, DC.

DEAR CONGRESSWOMAN HAHN: The American Trucking Associations would like to express our strong support for your motion to instruct conferees to support MAP-21's freight provisions. In particular, ATA believes that full funding for the National Freight Program in Sec. 1115 is an essential step toward addressing the nation's most critical freight transportation bottlenecks. Approximately 60% of the U.S. economy moves on the back of trucks, and inefficiencies in major truck routes will negatively affect economic output and job creation. We are pleased that MAP-21 recognizes the critical importance of efficient freight networks by focusing a portion of available funding on highway freight projects, and we join you in urging the conference committee to retain the Sec. 1115 program and other important freight-related elements of MAP-21.

Thank you for your support of these provisions. We hope to be of continuing assistance throughout the reauthorization process.

Sincerely,

Bill Graves.

AMERICAN ASSOCIATION  
OF PORT AUTHORITIES,  
Alexandria, VA, June 27, 2012.

Hon. JANICE HAHN,  
House of Representatives,  
Rayburn House Office Building, Washington,  
DC.

DEAR REPRESENTATIVE HAHN: We write this letter today to voice the American Association of Port Authorities' (AAPA) strong support for your motion to instruct the conferees to agree to the freight policy provisions in MAP 21. AAPA promotes the common interests of the port community and provides leadership on trade, transportation, environmental and other issues related to port development and operations. The creation of a national freight policy is one of AAPA's top policy goals for surface transportation authorization. These provisions are important to seaports' ability to efficiently connect America to the global economy and help our nation plan for future freight growth. A recent Corps of Engineers study noted that over the next 30 years, the U.S. population is expected to increase 32 percent, while imports should increase fourfold and exports (so critical to our economic growth) are projected to see a sevenfold increase. These freight provisions are important to our ability to plan for this increased trade and avoid gridlock.

AAPA urges Congress to support the provisions in MAP 21 which provide for a national freight program and policy in the surface transportation authorization bill. Freight and goods movement often cross state lines and are best planned for in more comprehensive ways. This transportation bill aims to reform our transportation programs and including freight is critical to developing a system focused on the needs of the future.

Now more than ever, the needs of our goods movement network must be addressed as system use continues to grow in lockstep with America's recovering economy. The inclusion of a national freight plan with supporting policies, strategy and funding will help ensure America's international competitiveness, create jobs and bolster the U.S. economic recovery.

Thank you for your consideration of these important issues.

Sincerely,

KURT J. NAGLE.

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

This motion instructs conferees to the surface transportation reauthorization conference to agree to several provisions in the Senate bill relating to freight policy. As I'm sure you're aware, the conferees and their staffs have been working around the clock, and it is our hope to file a bipartisan, bicameral agreement as soon as possible.

This agreement is aimed to tackle serious issues facing the infrastructure of the United States, which is the utmost importance to the stability and future growth of the American economy.

As soon as it's filed, I encourage the gentlewoman from California to review the conference report and take special note of the freight policy language that a majority of the House and majority of the Senate conferees chose to include.

I reserve the balance of my time.

Ms. HAHN. I appreciate my colleague from California saying that. But, again, I have letters of support from major organizations who felt like the freight policy language was not as good as the Senate bill. Just to make clear, the freight policy in the Senate bill does not increase the total cost of the bill. And by leaving the provisions that I talked about out of the final bill, we're not reducing the cost of the bill, and we're not reducing the deficit.

I just think the Senate language really sets forth something that I think we've never done in this country, and that's really to prioritize and to understand the importance of moving forward and being competitive in this global economy and establishing once and for all a comprehensive freight policy that will put goods-movement at a level that I think it should be.

I reserve the balance of my time.

Mr. DENHAM. I am prepared to close if the gentlelady is prepared to yield back.

Ms. HAHN. I am ready to close, too. The hour is late. For those of you watching C-SPAN, it's nearing the final hour of the day. It's past 11 p.m. But I really did feel like one of the reasons I did come to Congress was to raise the level of importance of our ports, of goods movement, of cargo, what it means to this economy, what it means to jobs, and I just wanted to give it one last shot that we might instruct the conferees to include what I think is the better language in the final transportation bill.

I yield back the balance of my time.

□ 2310

Mr. DENHAM. Madam Speaker, I will just close by saying that I can appreciate the gentlewoman from California's passion on this issue. I, too, see the great ports of California and throughout the Nation and the need to have an overall freight policy, and I look forward to working with her in the future on this very important issue.

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.

Ms. HAHN. Madam 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.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. EDDIE BERNICE JOHNSON of Texas (at the request of Ms. PELOSI) for today and the balance of the week.

#### ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 33. An act to amend the Securities Act of 1933 to specify when certain securities issued in connection with church plans are treated as exempted securities for purposes of that Act.

H.R. 2297. An act to promote the development of the Southwest waterfront in the District of Columbia, and for other purposes.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3187. An act to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs and medical devices, to establish user-fee programs for generic drugs and biosimilars, and for other purposes.

#### ADJOURNMENT

Mr. DENHAM. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 12 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, June 28, 2012, at 10 a.m. for morning-hour debate.

#### EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the first and second quarters of 2012 pursuant to Public Law 95-384 are as follows: