

survivors of pancreatic cancer themselves since they are so few. In California alone, nearly 4,000 people will lose their lives to pancreatic cancer this year. An additional 12,000 Californians will die from lung cancer. Their families—and many others—have asked for our support in improving the diagnosis and treatment of pancreatic, lung, and other recalcitrant cancers.

There's no disputing that great progress has been made in our fight against cancer over the past 40 years. Consider for example the improvement we've seen in the overall five-year relative survival rate for all cancers, and the important discoveries that NCI has made through its Cancer Genome Atlas program in understanding what makes one cancer different from another. Nonetheless, there are certain cancers where we haven't seen as many gains. That's precisely why I support the approach taken in H.R. 733.

I'm very proud of the work of Chairman UPTON, Chairman PITTS, Ranking Member PALLONE, Congresswoman ESHOO, and Congressman LANCE—as well as all of our staff—on this issue. I urge my colleagues to support passage of this bill.

Mr. FATTAH. Mr. Speaker, I proudly cast a “yea” vote in support of H.R. 733, the Pancreatic Cancer Research and Education Act, with the memory of Elmer Chenault in mind. This important legislation will address the high mortality rate associated with Pancreatic Cancer. Mr. Chenault, my father-in-law, was a senior management officer and federal compliance official of the Environmental Protection Agency, Army veteran of the Korean War and a devoted family man. Elmer spent his working career in the scientific and environmental fields and was one of the first officials of the EPA, joining it shortly after it was founded in 1970 under President Richard M. Nixon. He grew up in Wyoming, Ohio, a suburb of Cincinnati. Joining the EPA in the early '70s, Elmer became a tireless advocate for environmental justice for communities of color and the economically disadvantaged.

His passing was a trying time for my family, an experience too many know too well when confronting this terrible disease, and his loss continues to be felt by many in Philadelphia. I thank my colleague from California for her stalwart support for this legislation and look forward to a time when no family must face the scourge of Pancreatic Cancer.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and pass the bill, H.R. 733, as amended.

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

The title was amended so as to read: “A bill to provide for scientific frameworks with respect to recalcitrant cancers.”

A motion to reconsider was laid on the table.

MOURNING THE LOSS OF SHERIFF LARRY DEVER

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

Mr. FLAKE. Mr. Speaker, Arizonans were greeted this morning with the unwelcome news that Cochise County Sheriff, Larry Dever, passed away last night in an automobile accident. The great State of Arizona is in a state of mourning.

Respected throughout the State as a leader and a lawman, Sheriff Dever was also recognized nationally as an authority on immigration and border issues. Every Senator, Congressman, Governor, and local official who wanted to know what was really happening in southern Arizona sought Sheriff Dever's counsel. No meetings or briefings, Powerpoint presentations, flip charts, or easels could compare to a couple of hours in the passenger seat of his pickup truck, driving bumpy roads, one-on-one with the sheriff.

To us, Sheriff Dever was the consummate lawman: tough, fair-minded, straight shooting, no nonsense. To his wife, Nancy, he was a devoted husband. To his six sons, he was a caring father. To his 11 grandchildren, he was a proud and doting grandfather.

To those of us who call Arizona home, we are grateful for the past 60 years that Sheriff Dever has called Arizona home as well.

(2150)

STOP THE WAR ON COAL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from West Virginia (Mrs. CAPITO) is recognized until 10 p.m. as the designee of the majority leader.

Mrs. CAPITO. Thank you, Mr. Speaker.

We have 10 minutes here, and I am very proud to be here tonight to talk about a bill that is on the floor on Friday, and that is the Stop the War on Coal Act of 2012. I hail from the great State of West Virginia, one of the largest coal-producing States in this Nation. Quite frankly, I am here for three reasons.

The first reason is that I am extremely concerned about the job loss and the economic devastation that this war on coal is having on our State of West Virginia. We had really sad news just yesterday. Alpha Coal announced that 1,200 coal mining jobs in the region were going to be cut. Now, that sounds like a lot of jobs, but then when you think about it, that's 1,200 families, and that's 1,200 men and women who will come home tonight and who came home last night. So we say we're going to have to do something.

And why is it? We don't have enough time to get into all of the details, but I do think it is part and parcel of the regulatory environment of this administration, that it's the philosophy of this administration that coal is not good for the country, and it's a lack of education, really, on the acknowledgment of the base load energy that coal brings to this Nation.

I am here to stand up for the families and businesses that are going to see a rise in their electric bills. I am also here for the reliability of the electric grid to make sure that we have affordable energy.

I would like to bring my friend from Pennsylvania in. We've been waiting a while. The Stop the War on Coal Act is coming up on Friday, which the President's energy plan is destroying, if you can even call it a plan. I mean, we're from an all-of-the-above plan. We've worked together on this, Mr. MURPHY and I. We've already lost over 2,000 jobs, and 55 units are going to retire across America, in large part, due to EPA rules and regulations. How many jobs is that? These Boiler MACT rules, these Utility MACT rules, coal ash rules are all job killers.

I would like to yield to the gentleman from Pennsylvania, since we're on limited time, and ask him to give his perspectives on what we know is a war on coal.

Mr. MURPHY of Pennsylvania. I thank the gentlelady from West Virginia. Thank you also for your tireless advocacy for coal as we are here fighting the war on coal.

It's interesting. I remember when I was attending college at Wheeling Jesuit University. Oftentimes, for charitable activities, we'd go into the mountains of Appalachia and help families where coal mines had shut down because they were played out, and we'd seen the incredible poverty there. We also know that, over the last century, miners toiled for years in those coal patch towns and tried to make things safer, and they accomplished that. They worked for better wages, and they accomplished that. Now they're fighting for their very existence and their jobs and livelihoods.

To add to what you're saying about the jobs here, this is not just coal miners. It's the manufacturers who make the longwall equipment—the continuous miners, the rails, the wire, the ventilators, the elevators, the safety equipment. They are fighting for their jobs. It's the railroads, the trucks, the barges, the workers who make the rails, the hopper cars, the barges, the trucks who are there, fighting for their jobs.

Where will they go? Really, this is not just an attack on some of the power plants. We may lose 175 or so initially. The goal is to shut down 400 power plants altogether. What will happen then?

Now, this keeps the President's pledge that, if you want to use coal, it will bankrupt you, but it's also going to bankrupt these families when they can't pay their bills when their electric rates go up. They're already paying \$3,000 more per year for their gasoline for their cars. Interior Secretary Ken Salazar told the Democratic National Convention:

Under President Obama's leadership, the U.S. moved forward with an all-of-the-above energy strategy—oil, gas, nuclear, hydro,

biofuels, wind, geothermal, solar. All of it, he said. What's missing is coal.

If we're not going to build a new power plant, that's also jobs not just for the miners. It means no jobs for the boilermakers, the electrical workers, the ironworkers, the steamfitters, the plumbers, the insulators, the carpenters, the laborers, the operating engineers, the cement masons, and the steelworkers. That means, down in southwestern Pennsylvania, in Greene County, where 43 percent of their income is coal, they won't have that income. Washington County will also suffer, and so many Americans will suffer.

We need to be investing in new technologies to clean up coal and to clean up these power plants and rebuild them, not to shut them down.

Mrs. CAPITO. I agree. I think carbon capture and sequestration holds great promise, but we've got to make sure that we've got the technology available so that we can elongate the life of coal.

Contained within the bill we're going to vote on on Friday is something that I've been concerned about now for years, which is of this administration's inability or reluctance or that it will not even consider the job and economic impact of the decisions they're making. We've passed bill after bill here, saying to the EPA and to the President, Mr. President, you've got to weave a balance between the economy and the environment. You've got to look at what the job and economic impact of these small towns and counties will be.

Let's talk about what's happening to the county school systems. When these four coal mines shut down in West Virginia, we have a severance tax. That severance tax goes to pay the counties, and a lot of that money goes to the education of those children. What's going to happen? Who is going to fill that gap? Who considered that when they made the decisions to make it impossible to get a permit? to make it impossible to mine the coal? to make it impossible to burn the coal?

I mean, we're cutting off our nose to spite our face. That's an old and tired term, but if we don't have a base load, cheap energy and an abundant energy source—and you and I are both from States that have a lot of natural gas. We're all for natural gas. We want the abundance of natural gas, and we realize the low price of natural gas is part of what's feeding into this. We need an all-of-the-above plan that must contain clean coal and efficient coal.

Mr. MURPHY of Pennsylvania. I'll add a story here.

I remember back in the 1970s, in Buffalo Creek, West Virginia, where a dam broke and wiped out the town. I remember going there to work with the Red Cross. In the late evening at Van High School, I was talking to a gentleman who had lost his home. He had said that, before the dam broke, the police had come down the street, and they'd said, Leave your homes. The dam has broken. He said he grabbed his

kids, and they ran up the hill as fast as they could. As fast as he could run, the water was at his feet, and when he turned around, his home was gone; the town was gone; there was nothing left.

In the darkness of that classroom late at night, I could hear him beginning to cry, and I said, But you have your family.

He said, I know, and there is someone else in this town who has lost everything. He even lost his family.

I said, Well, prayers and good luck helped you.

He said, No. It was also the fact that we heard the same warnings. The difference was I listened, and he did not.

We are at that same point, too. We are hearing about the existence of towns all throughout Appalachia and all throughout this Nation. We need to be mining American coal and using our ingenuity to clean it up, not shut it down, to help all these towns, to help the schools, and to help those families.

Mrs. CAPITO. I want to thank you for joining me tonight at this late hour. I have just a few more minutes left, and I'd like to spend a little bit of time on what I think is a large overreach on the part of EPA into making law where Congress should be making the law.

We should be deciding how to legislate on the Clean Water Act. We should be deciding how to legislate on the Clean Air Act. We should be deciding how to move forward on permitting in our Nation because we consider jobs and the economy across party lines, and those are important considerations for a lot of the bills we put forward.

But this administration has decided to do an end around. They're making regulation after regulation. And what has happened? The Federal courts have said on at least two or three different occasions—and maybe more—that this administration is in an area where they don't belong. It's a legislative area. It's not a regulatory area. It's an area that needs to be addressed through legislation by the Congress because that's the proper place for these decisions to be made.

So I hope that the President is listening, and I hope his administration is listening because, with thousands of jobs lost, higher electric bills, less reliable energy, fewer manufacturing jobs, this all feeds into an over 8 percent unemployment—folks who have quit looking and others who have given up.

If we don't have a full-out energy plan that includes everything and our most basic and our longest living energy resource—coal—and use the properties there and enhance them through research and development, we are going to find ourselves with over 8 percent unemployment, and we are going to find communities wiped out. States like mine—that are 95 percent reliant on coal production for our electricity—are going to be severely disadvantaged. I don't want to live in a country where the regulatory environment and the President are picking winners and losers

across this country, and that's what has happened.

So I look forward to joining my colleague in voting for this bill on Friday. I thank you very much, and I thank the staff for staying so late, too.

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

ADJOURNMENT

Mrs. CAPITO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 p.m.), under its previous order, the House adjourned until tomorrow, Thursday, September 20, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7847. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Beef Promotion and Research; Amendment to the Order [Doc. No.: AMS-LS-11-0086] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7848. A letter from the Acting Administrator, Department of Agriculture, transmitting the Department's final rule — Cranberries Grown in States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York; Changing Reporting Requirements [Doc. No.: AMS-FV-12-0002; FV12-929-1 IR] received September 7, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7849. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clothianidin; Pesticide Tolerances [EPA-HQ-OPP-2010-0217; FRL-9360-4] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7850. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fludioxonil; Pesticide Tolerances [EPA-HQ-OPP-2011-0395; FRL-9357-5] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7851. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flutriafol; Pesticide Tolerances for Emergency Exemptions [EPA-HQ-OPP-2012-0324; FRL-9349-6] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7852. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — S-Metolachlor; Pesticide Tolerances [EPA-HQ-OPP-2011-0657; FRL-9356-9] received August 24, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

7853. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 11-05; to the Committee on Appropriations.

7854. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act,