

on the tough challenges of increasing revenue, that take on the challenges that no Congress in my lifetime has ever taken on, Mr. Speaker. We did it not once but we did it twice. And the silence from the Senate and the White House has been deafening.

We can do it, Mr. Speaker. We must do it. This House has done it. And as we did in May, as we did in August, and as we did in September, I reach out my hand again, Mr. Speaker, to the Senate and to the White House to join us in tackling these tough solutions, tackling these challenges, providing these solutions not for Republicans, not for Democrats, not for politics whatsoever, but for America. Because it's the right thing to do. And without it we all know where this country is headed.

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

RELIEF FOR THE MISSISSIPPI RIVER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the Chair recognizes the gentleman from Kentucky (Mr. WHITFIELD) for 30 minutes.

Mr. WHITFIELD. We all recognize that in this country we recently had a national election. We have a lot of new Members of the House of Representatives. We have new United States Senators. President Obama and Vice President BIDEN are back in their offices. We've had new officeholders elected in many State and local communities as well. And while we have a lot of change in the elected offices, we all know that a big part of government relates to what we would refer to as the executive branch. And that means various departments of government and agencies within those departments of government. And those people work very hard. They're committed to the American people. They're not elected. And many times we do not even know who they are.

Now today, I want to raise an issue that is vitally important to all of the American people because on or about December 10 the levels of water on the Mississippi River are going to be so shallow between St. Louis, Missouri, and Cairo, Illinois, and then, on top of that, because of rock pinnacles near Grand Tower and Thebes, Illinois, that river traffic may come to a halt on the Mississippi River. And that means there's going to be millions of tons of commodities that are not going to be able to be transported north and south on that river. Of course, that affects not only the recipients of those commodities and the shippers of those commodities but indirectly people who mine, make, manufacture, supply those commodities. And so this potentially can have a dramatic impact in a negative way on the economy of our country at a time when we are trying to stimulate the economy, create more jobs, and make sure that we do not throw ourselves back into a recession.

In early November, and even toward the end of October, over 15 United States Senators, around 65 Members of the House of Representatives, and 5 or 6 Governors of various States wrote letters to President Barack Obama; Major Phillip May, Regional Administrator for Region IV of the Federal Emergency Management Agency; Mr. George "Tony" Robinson, Region VI, Federal Emergency Management Agency; the Honorable Jo-Ellen Darcy, Assistant Secretary of the Army for the Corps of Engineers; Mr. William Craig Fugate, Administrator of the Federal Emergency Management Agency; Mr. Andrew Velasquez, Regional Administrator, Region V of the Federal Emergency Management Agency; and Ms. Beth Freeman, Regional Administrator, Region VII of the Federal Emergency Management Agency, in which we point out this impending problem.

Now I'm not the only one talking about this. Every Member of Congress along that corridor is receiving phone calls, letters, and emails. We have all sorts of groups out there very much worried about this problem needing to be solved. And it can be solved. But it appears that the Corps of Engineers has an annual operating plan. This annual operating plan determines how much water they're able to release from the Missouri River into the Mississippi River in the wintertime. And I understand that they have to have a plan. But most people in America know that when you have exceptional circumstances, you have some emergency, you have some unintended consequence, that you have to make alternative plans.

And so those Senators that I talked about, those Members of the House that I have talked about, the Governors that I have talked about, the 15 or 20 associations that I have talked about all have gone to the Corps of Engineers and asked them to change their annual plan and release some water from the upper Missouri to the Mississippi River so that we do not have to stop barge traffic on the Mississippi River. And so far, we've heard no response.

I know that there are groups that are opposed to this. There are some environmental groups that are opposed to this—and for valid reasons. And we're not asking this to be done permanently. But this is an emergency that will have dire consequences on the economy of this country, and we cannot stand for even a brief period of time to stop commerce on the Mississippi River.

Of course, there's another issue that I mentioned earlier, and that is that we have these rock pinnacles that are contributing to the problem of this shallow waterbed between Grand Tower and Thebes, Illinois. And the Corps has indicated that they're going to take some action to remove those pinnacles. And that's vitally necessary as well.

So I'm here today partly out of pure frustration. Although some people

think that individual Members of Congress have a lot of power and authority—and sometimes we think that—but the truth of the matter is these decisions are being made by people at the Corps of Engineers, maybe the Secretary of the Department of Transportation, and some of these other agencies. They have the legal authority to take action here. But so far, they're unwilling to do so.

I'm here today simply to raise this issue because I don't know what else to do. We've written letters. We've called. These associations and agencies of other governments, State and local, have written letters, have called. We've done everything we can do. We've asked the President to take action. We've asked the Corps of Engineers to take action. And we understand that it's not anyone's personal fault.

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This is caused by a drought of unusual proportion. When you think about traffic—all traffic on the Mississippi River in that region between St. Louis and Cairo—coming to a halt, it's going to have a dramatic, negative impact on everyone in our country.

So I simply am here today to focus attention on the issue and to once again ask the President, the Assistant Secretary of Defense, and the Corps of Engineers to take some action to work with us to resolve this problem.

With that, I yield back the balance of my time.

CONGRESS OF THE UNITED STATES,

Washington, DC, November 19, 2012.

Hon. JO-ELLEN DARCY,
Assistant Secretary of the Army, Civil Works,
Washington, DC.

DEAR ASSISTANT SECRETARY DARCY, It has come to our attention that commerce along the Mississippi River may soon be in jeopardy. According to industry groups, barge traffic could be severely impaired or altogether grind to a halt along the middle Mississippi River between St. Louis, MO and Cairo, IL. This has the potential to occur as soon as December 10th of this year.

The problem has arisen because of the drought and the U.S. Army Corps of Engineers' current plan to halt releases of water from the Upper Missouri River reservoirs on approximately November 22nd. We understand that the Army Corps typically reduces and eventually shuts off water flows during this time of the year in accordance with its Annual Operating Plan (AOP) for the Missouri River, but doing so now could result in such low water levels on the Mississippi River that normal barge transportation would be impossible. On November 13, flows from the Missouri river made up 61.1 percent of the Mississippi River, according to the U.S. Geological Service gage.

Ensuring that the Mississippi River is open to traffic is vital to the manufacturing and agriculture communities, and ultimately American jobs. The river system is the global gateway for American products and commodities, and its continued traffic flow is of the utmost importance.

We ask that the Corps speed up the process of removal of rock pinnacles at Grand Tower, IL and Thebes, IL. Removal of rock in this area is essential for normal barge traffic to continue within low water levels. We also ask that water flows be maintained from the Missouri River until the rock removal is finished.

An industry review of the statute, regulations and legislative and operating history demonstrates that Congress specifically intended the Missouri River reservoir system be operated to benefit downstream areas on the Mississippi River as well as the Missouri. Corps management of the Missouri reservoirs has deviated from the AOP during exceptional circumstances. The navigation community recognizes the legitimate needs of the other users of Missouri River waters, and believes this problem can be solved without significant impact on other water claimants.

We trust that you recognize the importance of this issue to U.S. jobs and industries, and are hopeful that you will work with all parties involved in these impacted areas. Thank you for your consideration of our request.

Respectfully,

Rep. Aaron Schock (IL-18); Rep. Ed Whitfield (KY-1); Rep. Jeff Landry (LA-3); Rep. Spencer Bachus (AL-6); Rep. Erik Paulsen (MN-3); Rep. Dave Loebsack (IA-2); Rep. Elijah Cummings (MD-7); Rep. Wm Lacy Clay (MO-1); Rep. Gene Green (TX-29); Rep. Steve Cohen (TN-9); Rep. Adam Kinzinger (IL-11); Rep. Sam Graves (MO-6); Rep. Peter Roskam (IL-6); Rep. Glenn "GT" Thompson (PA-5); Rep. Gregg Harper (MS-3); Rep. Bobby Schilling (IL-17); Rep. Leonard Boswell (IA-3); Rep. Cedric Richmond (LA-2); Rep. Bennie G. Thompson (MS-2); Rep. Emanuel Cleaver, II (MO-5); Rep. Terri A. Sewell (AL-7); Rep. Jerry Costello (IL-12); Rep. Mo Brooks (AL-5); Rep. John Shimkus (IL-19); Rep. Tim Murphy (PA-18); Rep. Timothy V. Johnson (IL-15); Rep. Steve Scalise (LA-1); Rep. Tim Griffin (AR-2); Rep. Danny K. Davis (IL-7); Rep. Bruce Braley (IA-1); Rep. Dan Lipinski (IL-3); Rep. Jim Cooper (TN-5); Rep. Mark Critz (PA-12); Rep. Bobby L. Rush (IL-1); Rep. Tim Walberg (MI-7); Rep. Robert J. Dold (IL-10); Rep. Rodney Alexander (LA-5); Rep. Rick Crawford (AR-1); Rep. Steven M. Palazzo (MS-4); Rep. Billy Long (MO-7); Rep. Blaine Luetkemeyer (MO-9); Rep. Jo Ann Emerson (MO-8); Rep. Randy Hultgren (IL-14); Rep. Tom Latham (IA-4); Rep. Alan Nunnelee (MS-1); Rep. Todd Akin (MO-2); Rep. Mike Ross (AR-4); Rep. Charles W. Boustany, Jr., MD (LA-7); Rep. Vicky Hartzler (MO-4); Rep. Brett Guthrie (KY-2); Rep. Steve Stivers (OH-15); Rep. Marsha Blackburn (TN-7); Rep. Bill Cassidy, MD (LA-6); Rep. Stephen Fincher (TN-8); Rep. Collin Peterson (MN-7); Rep. Dan Burton (IN-5); Rep. John Kline (MN-2); Rep. Don Manzullo (IL-16); Rep. Judy Biggert (IL-13); Rep. Diane Black (TN-6); Rep. Jason Altmire (PA-4); Rep. Russ Carnahan (MO-3).

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

Ms. EDWARDS (at the request of Ms. PELOSI) for today on account of a family funeral.

Mr. FATTAH (at the request of Ms. PELOSI) for today on account of attending an event with the President in Pennsylvania.

Mr. HASTINGS of Florida (at the request of Ms. PELOSI) for today on account of a funeral in the district.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 915. An act to establish a Border Enforcement Security Task Force program to enhance border security by fostering coordinated efforts among Federal, State, and local border and law enforcement officials to protect United States border cities and communities from trans-national crime, including violence associated with drug trafficking, arms smuggling, illegal alien trafficking and smuggling, violence, and kidnapping along and across the international borders of the United States, and for other purposes.

ADJOURNMENT

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

The motion was agreed to; accordingly (at 2 o'clock and 21 minutes p.m.), under its previous order, the House adjourned until Monday, December 3, 2012, at noon 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:

8514. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to Australia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

8515. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revised Policy on Managing the Duration of Remedial Design/Remedial Action Negotiations received November 8, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8516. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Inservice Inspection of Prestressed Concrete Containment Structures with Grouted Tendons; Regulatory Guide 1.90, Revision 2 received November 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8517. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the 2012 Annual Report on the Benjamin A. Gilman International Scholarship Program; to the Committee on Foreign Affairs.

8518. A letter from the President, African Development Foundation, transmitting a letter fulfilling the annual requirements contained in the Inspector General Act of 1978, as amended, covering the period October 1, 2011 to September 30, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act), section 5(b); to the Committee on Oversight and Government Reform.

8519. A letter from the Director of Congressional Affairs, Central Intelligence Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

8520. A letter from the Chairman, Consumer Product Safety Commission, trans-

mitting Fiscal Year 2012 Annual Performance and Accountability Report; to the Committee on Oversight and Government Reform.

8521. A letter from the President, Federal Financing Bank, transmitting the Annual Report of the Federal Financing Bank for Fiscal Year 2012, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

8522. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's fourth annual report on activities regarding civil rights era homicides, as required by the Emmett Till Unsolved Civil Rights Crimes Act of 2007; to the Committee on the Judiciary.

8523. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the third quarter of fiscal year 2012 April 1, 2012 — June 30, 2012; to the Committee on the Judiciary.

8524. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting the Department's quarterly report from the Office of Privacy and Civil Liberties for the third quarter of fiscal year 2012 April 1, 2012 — June 30, 2012; to the Committee on the Judiciary.

8525. A letter from the Chairman, Surface Transportation Board, Department of Transportation, transmitting the Department's final rule — Civil Monetary Penalty Inflation Adjustment Rule [Docket No.: EP 716] received November 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8526. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Bostock 50th Anniversary Fireworks, Long Island Sound; Manursing Island, NY [Docket Number: USCG-2012-0385] (RIN: 1625-AA00) received November 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8527. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — IFR Altitudes; Miscellaneous Amendments [Docket No.: 30859; Amdt. No. 502] received November 16, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

8528. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Program; Part A Premiums for CY 2013 for the Uninsured Aged and for Certain Disabled Individuals Who Have Exhausted Other Entitlement [CMS-8047-N] (RIN: 0938-AR15) received November 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8529. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Inpatient Hospital Deductible and Hospital and Extended Care Services Coinsurance Amounts for CY 2013 [CMS-8064-N] (RIN: 0938-AR14) received November 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8530. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Treatment of Certain Amounts Paid to Section 170(c) Organizations under Certain Employer Leave-Based Donation Programs to Aid Victims of Hurricane Sandy [Notice 2012-69] received November 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

8531. A letter from the Chief, Publications and Regulations Branch, Internal Revenue