

south of Philadelphia, spilling 265,000 gallons of heavy crude oil.

In January of this year, our Subcommittee on Coast Guard and Maritime Transportation held a field hearing on this marine casualty in Philadelphia. The Coast Guard estimated that the costs of cleanup and natural resources damages resulting from the grounding of the *Athos I* could be in the range of \$200 million. Under current law, the owners of the vessel would be liable for costs of only up to \$45 million.

At that hearing, the Chairman, the gentleman from New Jersey (Mr. LOBIONDO), and our newly elected Member, the gentlewoman from Pennsylvania (Ms. SCHWARTZ), raised the concern that the limits of the vessel owner's liability for response, cleanup, and restoration to the damages caused by this spill were relatively modest, set when the Oil Pollution Act of 1990 was enacted over 15 years ago. The Chairman and I both remember, when we served on the Merchant Marine and Fisheries Committee, we were part of setting that oil pollution liability limit. We have not increased those limits since that time even though inflation has actually overtaken.

With the leadership of the chairman of the subcommittee and the gentlewoman from Philadelphia and to ensure that the limits do not again become out of date, Section 603 directs the President to adjust limits of liability. First, Section 603 adjusts the liability limits to account for the inflation of the past 15 years, since the Oil Pollution Act was enacted. Secondly, the provision requires that the President adjust these liability limits not less than every 3 years to reflect changes in the Consumer Price Index since the last adjustment.

I thank the chairman of the Subcommittee on Coast Guard and Maritime Transportation, the gentlewoman from Philadelphia (Ms. SCHWARTZ), and especially our chairman who has concurred, and we worked together in crafting this language to ensure that the Coast Guard reauthorization bill includes this provision and the other provisions of H.R. 1412, the Delaware River Protection Act of 2005. I think it is an important step forward for the environment, for the taxpayers, and for safety of the future.

Mr. OBERSTAR. Mr. Speaker, I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Speaker, I yield myself such time as I may consume.

(Mr. YOUNG of Alaska asked and was given permission to revise and extend his remarks.)

Mr. YOUNG of Alaska. Mr. Speaker, I rise in strong support of the gentleman's motion to instruct.

H.R. 889, which was passed unanimously by this House, includes a provision that would increase liability limits by approximately 50 percent for double-hull tank vessels and would, for the first time, establish higher liability limits for single-hull tank vessels.

This legislation was developed through the regular committee process on a completely bipartisan basis.

Further, this bill is supported by the oil and shipping industries as a commonsense measure that both increases the industries' responsibilities and maintains the protections of the Oil Spill Liability Trust Fund to deal with any other major oil spills in the future.

Mr. Speaker, this motion to instruct is one I agree with and, therefore, I urge that we accept it.

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

Mr. OBERSTAR. Mr. Speaker, there is no comparable provision that I am aware of, and that is why I think it is important for the House to insist on this language, a position that I know the Chairman will stoutly defend, and we will have unanimous support on our side. We will have a bipartisan position.

Mr. LOBIONDO. Mr. Speaker, I rise in strong support of the gentleman from Minnesota's motion to instruct.

As the gentleman knows, this provision was originally included in H.R. 1412, the Delaware River Protection Act, which I introduced and which passed with unanimous support in the House. I thank Chairman YOUNG, and Ranking Member OBERSTAR for including the provisions of that bill as part of H.R. 889, the Coast Guard and Maritime Transportation Act of 2005.

I thank the co-sponsors of the original legislation for their assistance in crafting this provision: Mr. SAXTON, Mr. CASTLE, Mr. ANDREWS and Ms. SCHWARTZ, and I urge my colleagues to support the motion to instruct and the underlying bill as we move to conference with the Senate.

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

The SPEAKER pro tempore. 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 offered by the gentleman from Minnesota (Mr. OBERSTAR).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. The Chair will appoint conferees at a later time.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DOOLITTLE) at 2 p.m.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO FILE SUPPLEMENTAL REPORT ON H.R. 4128, PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary be allowed to file a supplemental report to accompany H.R. 4128, the Private Property Rights Protection Act of 2005, prior to its passage today.

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

There was no objection.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 2744) "An Act making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes."

#### GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 4128.

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

There was no objection.

#### PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 527 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 4128.

□ 1402

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4128) to protect private property rights, with Mr. KLINE in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

General debate shall not exceed 90 minutes, with 60 minutes equally divided and controlled by the chairman and the ranking minority member of the Committee on the Judiciary, and 30 minutes equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentleman