Defense Secretary Gates has called for a review of all service branch medical facilities. Yesterday, the President announced the creation of a bipartisan commission to examine all U.S. military and veterans care facilities. The commission will be headed by former Senator Bob Dole and former Health and Human Services Secretary Donna Shalala.

In addition to the Government Reform Committee, I serve on the House Armed Services Committee and on the Veterans' Affairs Committee. Both committees have upcoming hearings on the care and condition of soldiers at Walter Reed Hospital.

We take seriously the health care of those who have provided service to our Nation. There is no excuse for what happened at Walter Reed Hospital. We must live up to our obligations to those who have served our Nation at such personal sacrifice.

HONORING OUR COMMITMENT TO OUR TROOPS

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, honoring our soldiers means honoring our commitment to these soldiers.

Supporting the troops means several things: It meant, first of all, making sure that the mission was essential to the United States before putting them in harm's way. Secondly, it meant making sure, if they were in harm's way, they had the equipment that they needed. And, third, after they had borne the battle, we had an obligation, if we were going to support the troops, by providing medical care for them. This administration has failed on all three levels.

How did this VA medical care disaster happen? This is absolutely shameful. In a House hearing on Monday, the top military brass said there was enough money in the budget to provide care. So what was the problem here? Was it a lack of real support for the troops?

This administration owes these soldiers and their families an apology and a pledge to start really supporting the troops.

THE PRESIDENT'S BUDGET AND HOMELAND SECURITY

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

Mr. YARMUTH. Mr. Speaker, the President's fiscal year 2008 budget perpetuates more of the same wrong priorities that have failed the American people over the past 6 years.

One of the most egregious offenses of his proposed budget this year is that, while he calls for nearly $2 trillion in tax cuts for the wealthy over the next 10 years, he once again refuses to fully fund our homeland security programs. In fact, his budget provides only a 1 percent increase, despite numerous unmet homeland security needs.

The President drastically cuts grants to first responders, State homeland security and firefighter assistance, and eliminates programs like local law enforcement terrorism prevention, staffing for adequate fire and emergency response, and metropolitan medical response. He even freezes funding to secure critical infrastructure needs like our ports, railways, and transit systems.

Mr. Speaker, giving tax breaks to the wealthy at the expense of protecting the homeland is not the priority of most Americans. Democrats will fight for a budget that makes keeping our Nation safe a top priority.

THE DEPLORABLE CONDITIONS AT WALTER REED

(Mr. HALL of New York asked and was given permission to address the House for 1 minute.)

Mr. HALL of New York. Mr. Speaker, the situation at Walter Reed Medical Center is an embarrassment to our country. The deplorable conditions for outpatient care at Walter Reed are not fit for men and women who have sacrificed to serve our country. The delayed and mishandled care of these individuals has harmed their recovery and placed significant strain on their families.

This is not the way our combat veterans deserve to be treated. These conditions demonstrate a catastrophic failure of planning on the part of the administration.

Although the Army has stated its intention to remedy the situation quickly, we must act for those who are currently held at Walter Reed, for it is clear that the Army is not currently equipped to do so. It is unacceptable for those who served us abroad to languish in a no man's land at home.

Mr. Speaker, in the coming days I will introduce a bill to allow Walter Reed outpatients the option of moving to a VA facility closer to their homes and families while still getting their military pay and benefits. We must show that our country supports our troops not only in word but also in action.

THE ISRAELI/PALESTINIAN CRISIS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, just a few minutes ago, Mr. Speaker, the King of Jordan offered a challenge to America and the world to allow Palestinian children and Israeli children to live in peace, as well as children around the world.

I for one, Mr. Speaker, accept the challenge and cite this government and particularly this administration for its slowness and its inattentiveness to the crisis and the solution and resolution of a roadmap for peace between the Israelis and the Palestinians.

The King was right. In 2002, the Arab states did stand up and offer suggestions. Many of them may not have been those that we might have agreed with, but it is important, Mr. Speaker, that we now come to the table for the crisis is spiraling out of control. People are dying. Children are without opportunities. And the Iraq war only fuels the fire of dissent and confusion.

It is time now for our soldiers to come home. It is time now for us to take leadership in the Palestinian and Israeli crisis. And, yes, it is time now for us to treat our soldiers at Walter Reed and elsewhere with dignity. I join my colleagues in that fight for soldiers and for peace.

CALLING FOR FEDERAL ASSISTANCE FOR THOSE IMPACTED BY THE TORNADO IN DESHA COUNTY

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

Mr. ROSS. Mr. Speaker, on February 24, a tornado hit Dumas in Desha County, Arkansas. The Governor called out the National Guard for nearly a week. For 6 days, there was no electricity to this delta county. 650 people remain out of work because their workplace has been severely damaged or destroyed, and 150 homes were either heavily damaged or destroyed. And here we are more than a week later still waiting for the President and the Director of FEMA to declare this forgotten delta county a Federal Disaster Area. In fact, the FEMA spokesman, John Philbin, in the Arkansas News Bureau, Stevens Media, is quoted today in an Aaron Sadler story as saying ''The damages or need for Federal assistance are not readily apparent.''

Mr. Speaker, the people at FEMA certainly did not visit the same Dumas and Desha County that I did. The people of Dumas and Desha County need the help of the Federal Government, and I implore the President and the Director of FEMA to assist this forgotten delta county.

□ 1240

WATER QUALITY INVESTMENT ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 214 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 214

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants. The first reading of the bill

shall be dispensed with. All points of order against consideration of the bill are waived except those arising under clause 9 or 10 of rule XXI. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Transportation and Infrastructure now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from California (Ms. MATSUI) is recognized for 1 hour.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

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

Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida, my good friend, Mr. LINCOLN DIAZ-BALART. All time yielded during consideration of the rule is for debate only.

Mr. Speaker, House Resolution 214 provides for consideration of H.R. 569, the Water Quality Investment Act of 2007, under an open rule with a preprinting requirement. The rule provides for 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on Transportation and Infrastructure. The rule waives all points of order against consideration of the bill except for clauses 9 and 10 of rule XXI.

The rule makes in order the Committee on Transportation and Infrastructure amendment in the nature of a substitute now printed in the bill as an original bill for the purpose of amendment, which shall be considered as read. The rule provides that any amendment to the committee amendment in the nature of a substitute must be printed in the CONGRESSIONAL RECORD prior to consideration of the bill. Finally, the rule provides one motion to recommit, with or without instructions.

Mr. Speaker, as I just stated, House Resolution 214 is an open rule. This is the third open rule recommended by the Rules Committee during the 110th Congress. The committee's fourth open rule will be considered on the floor tomorrow.

The Democratic majority is backing up its commitment to greater openness with real action. The Rules Committee's two prior open rules permitted Members to offer 19 amendments on the floor. The House adopted the overwhelming majority of them. It goes to show the Members often can improve legislation when given the opportunity; and I am sure that we will have a good debate today, also.

The underlying legislation made in order under this rule represents a long-overdue, necessary investment in our Nation's clean water infrastructure. The Water Quality Investment Act provides sorely needed funding for cities and States to upgrade combined sewer systems.

Mr. Speaker, we all take our sewer systems for granted. Most of our country's wastewater infrastructure is out of sight and, for the majority of our constituents, it is out of mind as well. But once these sewers back up and overflow into our streets and rivers, sewers become an urgent issue.

Combined sewers are an older technology. They were built back when it made sense to collect wastewater and storm runoff in the same pipes. They do not have the same capacity of more modern infrastructure. During heavy storms, they often back up and overflow. When this happens, untreated wastewater stagnates in our streets and pollutes our rivers. Raw sewage seeps into basements, public parks and other areas where young children play. Public health is severely impacted.

The long-term investment fallout can be even worse. My hometown of Sacramento struggles with the problems posed by combined sewers. During the heavy winter storms which periodically sweep through California, these sewers in our central city can overflow. When this happens, over 500,000 gallons of wastewater flow into our public waterways and neighborhoods.

My constituents already face dangers of flooding from the two large rivers which ring our city. They should not have to worry about additional flooding from our underground sewers.

This problem is not unique to Sacramento. Over 700 cities across the country have combined sewer systems. These cities need help from the Federal Government to undertake the costly task of upgrading their infrastructure. A vote for this bill before us today is an investment in the health of these cities and towns all throughout our country.

I would like to thank Chairman OBERSTAR for the focus he has shown in shepherding this bill through the Transportation and Infrastructure Committee. This bill became trapped in committee under the previous majority. I think we are all happy to see it finally make it to the floor under the new majority.

We all have a stake in keeping our infrastructure up to date and protecting our constituents' health. Upgrading combined sewers today will do both of these things. I urge all Members to pass this fair and open rule and to support the underlying legislation.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to thank my good friend, the gentlewoman from California, for the time.

Mr. Speaker, American taxpayers have invested billions in sewage treatment infrastructure, resulting in decades of progress in reducing waterborne illness from contaminated drinking water and beach closures and shellfish bed closures.

Unfortunately, whenever there is an accidental breach in sewage treatment facilities, we see the repercussions of polluted water to human health, to our communities, and also to important industries such as tourism. That is why it is sound economic and environmental policy to invest in effective sewage treatment that ensures that the United States has a healthy and vibrant aquatic ecosystem and clean water.

But the costs for these sewer systems is very expensive. In 2003, the Miami-Dade Water and Sewer Department in my community evaluated its wastewater needs through the year 2020 and determined that in order to maintain adequate transmission systems capability, treatment, disposal and the prevention of sanitary sewer overflows that department alone would have to spend over $2 billion.

The cause of many sanitary sewer overflow events is that the infrastructure is failing due to structural deterioration and corrosion. Federal funding, such as is provided in this legislation, could give an additional incentive to proactively identify the infrastructure requiring replacement prior to failure.

In 2000, Congress amended the Clean Water Act to add section 221. Section 221 authorized appropriations of $750 billion for each of fiscal years 2002 and 2003 to the Environmental Protection Agency to make grants to States and municipalities for controlling combined sewer overflows and sanitary sewer overflows. This authorization was conditioned upon the receipt of at least $1.3 billion in appropriations for the Clean Water State Revolving Loan Funds. No funds were appropriated for sewer overflow grants in either fiscal year 2002 or 2003.

This legislation that we bring to the floor today reauthorizes section 221 of the Clean Water Act which provides authority to help municipalities and

States control combined sewer overflows and sanitary sewer overflows. Grants provided by this bill will help keep our water safe and healthy and will also keep our ecosystem clean of wastewater.

I know the majority party likes to pat themselves on the back for bringing another bill under a modified open rule. I wish to point out for the record that, once again, the majority does so only on bills that are clearly noncontroversial.

Let's take a close look at the bills that they previously allowed to be considered under an open rule. Both were clearly bipartisan bills, each of which was originally authorized by the Republican whip, Mr. BLUNT. One passed the House of Representatives unanimously, the other by voice vote.

I would say, Mr. Speaker, that if the majority really wants to live up to its campaign promise of more open process, they should provide open rules on bills that would be a bit more debatable.

Mr. Speaker, nonetheless, I strongly support the underlying legislation.

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

□ 1250

Ms. MATSUI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, wastewater infrastructure may not be the most glamorous of issues. Nonetheless, it is an important one for the health of our environment and our constituents.

No American should have to walk outside after a storm to see sewage in the streets. None of our constituents should have to fear that swimming or boating in rivers will expose them to industrial waste. Unfortunately, the sad truth is that our country's combined sewers are not up to the task of cleaning our waters.

The good news is that the underlying bill made in order under this open rule will help our local municipalities fix this problem. It is an opportunity to invest in our national infrastructure, protect our environment, and secure our public health.

I urge a ''yes'' vote on the previous question and on the rule.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore (Ms. MATSUI). Pursuant to House Resolution 214 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. 569.

□ 1255

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. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants, with Mr. SCHIFF 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.

The gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and the gentleman from Louisiana (Mr. BOUSTANY) each will control 30 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield myself such time as I may consume.

(Ms. EDDIE BERNICE JOHNSON of Texas asked and was given permission to revise and extend her remarks.)

Ms. EDDIE BERNICE JOHNSON of Texas. Today, the House will consider the first of three bills reported from the Committee on Transportation and Infrastructure that seek to improve overall water quality of this Nation.

The first bill is H.R. 569, the Water Quality Investment Act of 2007, sponsored by a former committee colleague, Mr. PASCRELL, as well as Mr. CAMP and Mr. CAPUANO.

This legislation authorizes $1.8 billion in Federal grants over the next 5 years to address combined sewer overflows and sanitary sewer overflows nationwide. CSOs and SSOs are overflows of untreated waste that can occur during wet weather events as a result of poor maintenance, deteriorating infrastructure, or inadequate incapacity. These overflows are significant concerns for public health and safety because they often result in discharges of raw sewage into neighboring rivers, streets, beaches and basements.

In the first year of authorization, H.R. 569 requires the administrator to make grants directly to municipalities on a competitive basis. For fiscal years 2009 and thereafter, the bill directs the administrator to establish a funding formula, after notice and comment, that allocates to each State a proportional share of grant funding based on the total needs of the State to address CSOs and SSOs within its borders.

States would be responsible for awarding grants to municipalities using these allocated funds. I applaud the tireless efforts of Congressmen PASCRELL, CAMP and CAPUANO in advocating for increased funding to address CSOs and SSOs.

The Committee on Transportation and Infrastructure has twice approved legislation to reauthorize appropriations for this important effort. It is my hope that this year Congress will finally approve legislation and forward it to the President for his signature.

I urge my colleagues to support this legislation which is both vital and overdue.

Mr. Chairman, I reserve the balance of my time.

Mr. BOUSTANY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, H.R. 569 reauthorizes grants to help communities address the widespread problem in our country of sewer overflows.

As a result of inadequate or outdated wastewater infrastructure, raw sewage can overflow into rivers or back up into people's basements, and this has been a nationwide problem.

To correct these problems, local communities will have to make infrastructure investments totaling as much as $150 billion. To provide communities some assistance to meet these needs, H.R. 569 authorizes additional resources for EPA to make sewer overflow control grants to States and local communities. This was a program that was authorized before and is now needing reauthorization. I urge all Members to support this bill.

Mr. Chairman, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield to the gentleman from New Jersey (Mr. PASCRELL) such time as he may consume.

Mr. PASCRELL. Mr. Chairman, I thank the gentlewoman from California and the gentleman from Louisiana, and I want to commend Congressman CAMP from Michigan for being a stalwart in this area. It has taken us a long time, a few years. We have had bipartisan support in the past, Mr. Chairman, but we aim to put closure on this at this time.

Mr. Chairman, the EPA estimates that the Nation's wastewater infrastructure will face a funding shortfall of between 300 and $400 billion over the next 20 years. That should give us pause because of all the work and help from both sides of the aisle in protecting our waterways.

□ 1300

I am very proud to rise today in strong support of this bill, the Water Quality Investment Act, H.R. 569. I want to thank Mr. OBERSTAR, chairman of the Transportation Committee, and, of course, Ranking Member MICA and Chairwoman JOHNSON and Ranking Member BAKER for helping to get this bill on the floor.

Congressman CAMP and I have pursued this issue for many years, as I have said, in order to authorize the wastewater infrastructure funding that our cities and towns so badly need; and, Mr. Chairman, I might add, there are 30 mayors in the House. We need a little bit of that mayor persuasion and touch to deal with a lot of problems that we face on this floor, both domestically and internationally. The mayors know every day what they face on 24/7 and in the community, every community, be it large or small. Because you cannot see something, people forget about how significant it is.

I also want to thank Congressman CAPUANO and others in this worthy endeavor.

H.R. 569 has garnered co-sponsorship from both sides and was unanimously

voted out of committee and was even reported out of committee during the past two Congresses for the simple reason that combined sewer overflows and sanitary soil overflows affect millions of people in each and every State in the Union. We are talking about affecting the lives of over 40 million people here in what we are doing to today.

The United States' antiquated wastewater infrastructure is deteriorating. State and local governments are often unable to stop sewage and untreated waste from flowing into the streets, into basements, into rivers and into lakes. So all the work that we have done on making our water clean is being undone if we do not attack these two major problems.

Combined sewer systems found mainly in older cities are one source of these overflows. A total of 772 municipalities throughout America would serve these 40 million which I just spoke of.

My home State of New Jersey has 31 combined sewer systems, water, sanitation coming together at over 200 discharge points throughout the State. Many of those discharges, including several in my own town of Paterson, New Jersey, flow into the Passaic River, a heavily polluted waterway in the heart of my district.

Sanitary sewer systems often overflow as well, releasing untreated waste into our environment, closing our beaches, we have been famous for that, too, New Jersey, and contaminating highways, waterways and drinking water supplies. In 2003, New Jersey closed over 30,000 acres of classified shellfish growing areas due to a large sanitary sewer overflow.

Upgrading these sewer systems is extremely expensive. The Environmental Protection Agency estimates that the total cost of repairing the combined sewer systems in America will be about $51 billion. The price tag for fixing the U.S. sanitary sewer systems hovers around $89 billion. We are talking about $140 billion.

As a former mayor, I know that wet weather issues are one of the most pressing issues facing urban America. Cities are doing their best to increase capacity and upgrade facilities with the resources they have, but they need our help.

Most communities with combined sewer overflow problems have fewer than 10,000 people. They cannot afford to impose more fees and taxes upon struggling residents who have borne the vast majority of costs associated with sewer overflows. If we impose a Federal mandate demanding clean water, we must follow up with the Federal ability to pay.

As the spring rains loom on the horizon, we cannot let small communities throughout this country shoulder this tremendous burden alone.

This bill authorizes $1.8 billion for Federal grants from the EPA over a 5-year period. Although it is only a drop in the bucket compared to what we really need, it should provide some relief to our municipalities; and it sends a signal that we really mean business this year and that we are doing that business on a bipartisan basis and that that is the only business we should be about on the important problems facing Americans.

I want to wholeheartedly thank the Speaker and the majority leader and the rest of the House leadership for addressing legislation this week that will provide immeasurable benefit to communities throughout this country to help have clean, safe water for their residents.

I applaud Chairman OBERSTAR for his leadership and wish to express my constituents' sincere gratitude for his action on this important issue. This truly has been bipartisan legislation. This is what we talk about and so infrequently implement.

So I thank the minority side, the majority side, wherever that line is, who knows, and I say this is a good piece of legislation.

Mr. BOUSTANY. Mr. Chairman, I am pleased to yield such time as he may consume to my friend, the gentleman from Michigan (Mr. CAMP). He is a cosponsor of this legislation and has authored similar legislation in previous Congresses.

Mr. CAMP of Michigan. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today in support of H.R. 569, the Water Quality Investment Act. I want to thank Representative PASCRELL for introducing this bipartisan legislation. I am proud to be an original cosponsor of this bill. I authored similar legislation in the last two Congresses.

Sewer maintenance is a serious problem for Michigan and the Fourth Congressional District. Many of the sewers in this country, including several in my State, were built during the 19th century. The problems associated with old sewer lines are especially rampant in low-lying coastal areas such as Michigan, where water runoff collects.

Sewer overflows discharge untreated or partially treated human and industrial waste, toxic materials, debris and disease-causing organisms into the environment and pose a grave threat to the environment and public health. In 2005, there were over 1,000 reported sewer overflows across the State of Michigan. These events spilled 20 billion, and I repeat 20 billion, gallons of sewage and wastewater onto the ground and into rivers, lakes and streams.

The Environmental Protection Agency estimates that the total cost for repairing every sewer line in the country is $140 billion. Local governments clearly cannot fix this mess alone and meet their obligations under the Clean Water Act.

The Water Quality Investment Act goes a long way toward ending the public health and environmental crisis associated with sewer overflows by authorizing Federal funds to repair and replace outdated systems. I urge my colleagues to approve H.R. 569 today.

I would like to thank those individuals who helped move this legislation forward, including Mr. PASCRELL, the sponsor, and for his long support of this legislation; Mr. OBERSTAR, the chairman of the Transportation and Infrastructure Committee; and Mr. MICA, the ranking member of this committee.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KAGEN).

Mr. KAGEN. Mr. Chairman, I am proud to cosponsor legislation that will stop pollution from sewer overflows and preserve our clean water everywhere.

Today, I rise in support of H.R. 569, the Water Quality Investment Act. This important legislation will authorize grants to municipalities and States to reduce combined sewer overflows and sanitary sewer overflows in our Nation's water supplies.

Everyone should be glad that we are ensuring clean water is a top priority, not just for our families but for our Nation and certainly for every citizen in Wisconsin.

I am pleased that this Congress is addressing this serious problem and this challenge that our Nation's water and sewerage infrastructure poses. This legislation, along with the other water bills offered later this week, will finally begin to update and repair the outdated and aging systems that have been ignored for far too long.

By adding this critical funding to the Clean Water Act, we will ensure the communities like those in my northeastern Wisconsin district, who would otherwise be unable to upgrade their aging sewer systems, will have the necessary funding to do so.

CSO and SSO overflows in the Great Lakes are a particularly serious impact on all the health of everyone living in our region.

□ 1310

Our environmental stability and the economic prosperity of the region depend upon clean water. I am proud to cosponsor this legislation that will aid communities and municipalities. In eliminating overflow pollution, it will create separate sewage and storm water flows.

I also wish to thank Chairman OBERSTAR and Chairwoman JOHNSON for bringing this important legislation to the floor.

Mr. BOUSTANY. Mr. Chairman, I am pleased to yield such time as he may consume to my friend from Tennessee, a senior member of the Transportation and Infrastructure Committee, Mr. DUNCAN.

Mr. DUNCAN chaired the Water Resources and Environment Subcommittee in the previous Congress and has been a leader on this issue.

Mr. DUNCAN. I certainly want to first thank Dr. BOUSTANY for yielding

me this time and for his hard work on this legislation. As he mentioned, I had the privilege of chairing the Water Resources and Environment Subcommittee for 6 years, for the past 6 years, and he served as my vice chairman during part of that time. I appreciate his work.

I also want to salute my really good friend, Congresswoman EDDIE BERNICE JOHNSON of Texas, whom I admire and respect so much, and who was my ranking member of that subcommittee and now serves as the full chairman.

I want to also commend Congressman BILL PASCRELL, the gentleman from New Jersey, who has been interested in this issue for several years, as has my colleague, the gentleman from Michigan, Mr. CAMP, and who are the primary sponsors of this legislation.

Mr. Chairman, I have said many times that there is nothing that the people of this country take for granted as much as they do our clean water and waste water systems in this country that are so very important, first of all, to our environment, our public health, but also to our economy.

We have environmental extremists in this country who don't want us to cut any trees, dig for any coal, drill for any oil or produce any natural gas, and they basically want to shut our whole economy down. I don't go along with their agenda, but I can tell you that this bill is one of the most important bills that we could do for the environment. Those who really care about the environment should be over here in strong support of this bill.

The water infrastructure network has done some real yeoman's work in regard to the needs of this country, in this regard, for the last few years, and they have estimated that we have needs over the next 20 years or so of over $400 billion in our clean water and waste water systems in this country.

This bill and the other two bills we will take up later this week certainly are very important, and they are good starts in alleviating some of this problem. It has been said that we have spent more from a Federal level on the water system in Iraq over the last 4 years than we have spent from the Federal level on the water systems in this country. Certainly more money has been spent in this country on our water systems, but that has been done by the ratepayers and the local and State governments.

There is an important Federal role in this regard because people in California drink the water in Tennessee and vice versa. We have a mobile society, and there is an important role for this Congress to play and for our Federal Government to play in this regard.

I think this bill is a good start in the right direction, and I urge all of my colleagues to support this legislation. There are going to be, I think, two or three amendments offered from our side to make the bill a little more fiscally conservative, and, certainly, I have no objection to that.

But we need to pass this legislation, because, as Mr. CAMP said, there is a lot of this water infrastructure in our country, both waste water and clean water, that dates back to the 19th century. We need a lot of work if we are going to have the water systems and the kind of country that our people want us to have.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. I want to thank my colleague and friend from New Jersey for introducing this important legislation, and I wish to commend Chairman OBERSTAR and Chairwoman JOHNSON for their leadership in moving this bill to the floor.

Mr. Chairman, this bill is extremely important to my district, which is bordered by water on three sides. Each year, many of my constituents and millions of other Americans are sickened by swimming in water contaminated by sewer overflows. This inadequately treated sewage is filled with bacteria and viruses.

Also, the cumulative costs from sewer systems result in thousands of days of closed beaches at a cost of billions of dollars due to swimming-related illnesses. The impact of such contamination to my district, with over 300 miles of coastline, can be devastating to the fishing and tourist economies that depend upon clean water and healthy beaches.

According to the EPA, an estimated 850 billion gallons of raw sewage and industrial waste escape each year much of it into public waters. Unfortunately, despite this obvious need, the President's fiscal 2008 budget cuts infrastructure funding by $400 million or 36.6 percent. It is my hope that our budget resolution and our appropriators will override this cut.

Yet many Americans do not become aware of sewage leaks until they show up on a closed beach or, worse yet, are made ill because many sewer systems do not routinely monitor to detect sewer overflows or report those that do occur to environmental or public health agencies.

This bill authorizes $1.8 billion over the next 5 years for grants to prevent dangerous sewer overflows. More needs to be done, but this is a good first step. Vote for this bill, protect the health of our Nation's beachgoers and protect our environment.

Mr. BOUSTANY. Mr. Chairman, I am pleased to yield 4 minutes to the gentlelady from Michigan (Mrs. MILLER) a member of the Transportation and Infrastructure Committee.

Mrs. MILLER of Michigan. I certainly appreciate the gentleman for yielding some time to me here today.

Mr. Chairman, I rise in very strong, extremely strong support of this particular piece of legislation we are looking at today, the Water Quality Investment Act of 2007. I am actually a brand new member of the Transportation and Infrastructure Committee this term, but I have wanted to get on this committee ever since I came to Congress, and it is particularly because of issues like this that we are talking about today.

My home State of Michigan actually has more shoreline than any other State in the Nation, except Alaska. If you think of the mitten of Michigan and think of the Great Lakes, of course, surrounding, fresh water and clean water and the Great Lakes, I mean, we are the Great Lakes State. It is an economic impetus for us. It really is our very identity.

In fact, the Great Lakes system is actually one-fifth of the fresh water supply of the entire planet. Sometimes people don't recognize that, but they are one-fifth of the fresh water supply of the world. In my area, in the Detroit area, actually, there are over 5 million Americans just right there in southeast Michigan who are drafting their fresh water supply from the Great Lakes, and, of course, the Canadians on the other side, our great neighbors to the north as well. But these waters are absolutely a national treasure, and I think we need to do everything that we possibly can within our power to preserve them and to protect them.

Of course, one of the great problems is that many of the communities along the shoreline have very, very old, very antiquated infrastructure. It is decaying infrastructure; it is not right sized. It has all the problems that are not particularly inherent to a city like Detroit or an area like southeast Michigan.

We see it all around the Nation, particularly in our industrialized areas there, and we have not been capable, or we have not had the political will, I should say, of spending the dollars to keep up with the growth with our underground infrastructure. Of course, people don't see the underground infrastructure a lot of times. We are not thinking about it as we should.

Local communities, of course, are struggling with declining tax dollars. In Michigan, we are having a huge amount of decline in State revenue sharing as well. They have very tight budgets, and even though they have had their best efforts, they just have not, the local communities in the State, have not been able to keep up with the infrastructure needs to keep our water quality clean.

We in this Congress have invested tax dollars in so many things that our constituents have questions. Somebody was just mentioning we maybe spent more money on water systems and infrastructure in the country of Iraq than we have in our own Nation in recent years. Some would say that some of the things we do here are not in the national interest. But that is not the case, not the case with this very, very important piece of legislation.

I believe that this legislation will provide vital assistance to States and local communities throughout our entire Nation to meet the critical need,

to keep our water clean and pure. That is a charter that we all share.

Whatever our constituency is, we are the stewards of this fantastic country and magnificent treasures like the Great Lakes or so many other areas around the country, and we need to make sure that we do keep our water clean and pure for our generation as well as the next.

In fact, and let me just mention, several months ago, actually with a Canadian-based research group, we do a lot of work, as you might imagine, in Michigan with our Canadian counterparts there. They were calculating that the United States and Canadian cities dump a combined 24 billion gallons of municipal sewage directly into the water systems each and every year, which is the equivalent of more than 100 Olympic-size swimming pools full of raw sewage each and every day.

□ 1320

In fact, they characterized the study as we were treating our Great Lakes like a toilet is what they said; and, unfortunately, there is a very choking grain of truth to that.

So I certainly support the legislation. I want to commend Chairman OBERSTAR and Ranking Member MICA for bringing it forward. I urge all of my colleagues to support this very bipartisan piece of legislation that is so important to our Nation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I now recognize Mr. HILL of Indiana for 2 minutes.

(Mr. HILL asked and was given permission to revise and extend his remarks.)

Mr. HILL. Mr. Chairman, I rise in support of this legislation as well. I applaud the authors and the coauthors for introducing it.

Southern Indiana has the same problem that all communities across the country are having with sewer repairs, and it is good to see that this bipartisan piece of legislation is probably going to pass.

You know, the last time I was home, I was talking to a fellow in one town in southern Indiana that actually had to wear boots in order to mow his lawn in the summertime because of the sewage that was bubbling up.

The city of New Albany, which is right along the Ohio River, is probably going to spend half of its budget revenue on fixing their sewers.

The Environmental Protection Agency approximates that each year combined sewer overflows discharge about 850 billion gallons of wastewater and storm water containing untreated wastes, toxic debris and other pollutants.

Not only New Albany, but other towns in southern Indiana, like Huntingburg, Rockport and Milltown in southern Indiana are having trouble paying for their higher sewer rates; and although they depend on sewer maintenance and repair for economic growth, not to mention basic sanitation issues, rural communities like these sometimes have difficulty with funding these types of projects because they are so small.

Mr. Chairman, in 2005, there were nearly 400 documented sewer overthrows throughout Indiana's Ninth District. I think we can do a lot better than that. That is why I am happy that the House is addressing this issue today. It is time to step up and assist communities in need.

The Water Quality Investment Act would greatly assist communities all over America and in my district to improve water quality and control sewer overflow by authorizing $1.5 billion in grants to communities over the next 5 years. These communities can use these funds to construct treatment facilities and update aging sewers to deal with the sewer overflows.

Mr. Chairman, I urge my colleagues to support this bill and rise in bipartisan support. Hopefully, it will pass.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, could you tell us how much time is remaining?

The CHAIRMAN. The gentlewoman from Texas has 15 minutes remaining.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 3½ minutes to Mr. BLUMENAUER from the State of Oregon.

Mr. BLUMENAUER. I appreciate the gentlewoman's courtesy in permitting me to speak on the bill and commend her leadership.

I had the privilege, for 10 years, of serving on this subcommittee. I miss the work that is being done. But I am pleased that in the first days of this Congress we are moving forward with important bipartisan legislation that can make a huge difference for communities around the country.

The city that I call home, Portland, Oregon, is one of over 1,100 communities around the country with a combined sewer overflow problem. The EPA estimates that there is something like 40,000 discharges of raw sewage that occur each year from sanitary sewer systems with a volume into the billions of gallons each year. In my community, this represents an investment well of over $1 billion to try and deal with the problems of an antiquated system, much of which was built before 1960; and, compared to what is happening in other parts of the country, that is a modern system.

This is a situation where we, as a country, have long overlooked making the type of systematic investments that are important. I appreciated my colleague, Mr. DUNCAN from Tennessee, who talked about the potential for a $400 billion shortfall. Well, it is really not clear exactly whether it is $400 billion, $500 billion, you pick a number, being able to meet the needs of America's communities that are being stressed, not just by aging systems but by growth and development. Sprawl across the country is putting more and more strain on these inadequate systems at a time when we are finding out more and more of what needs to be done to protect the public health and infrastructure.

Mr. Chairman, around the world, at any given time half the people are sick needlessly from waterborne disease. In this country, we have had a better record. But we have had problems here, and we are on the edge in many places around the country. I can't say enough about my appreciation for moving forward with this in an expeditious manner.

Unfortunately, other areas of the Federal Government haven't quite caught up to the leadership of the subcommittee bringing this forward. I am sad to note that the administration continues its trend of downplaying this problem with its 2008 budget and its stated opposition to this bill. I am confident that there will be such an overwhelming show of support for it that we will be able to convince others that it is a good investment.

Solving America's water quality issues requires a partnership. Already, State and local jurisdictions are being stressed. We are finding the private sector stepping up and making higher and higher investments. The average rate payer is facing exponential increases.

In my community, in the course of 10 years we are going to double the sewer rates. I met with a group of professionals this last week that said that, at the current rate of expenditure, we could actually have the entire country's GDP devoured by local utility cost for sewer and water. That is not going to happen because of the leadership that we see here now.

I look forward to a strong bipartisan vote in support of it, and I hope that my colleagues will take the time to visit with the hundreds of consulting engineers and local government officials who are on the Hill today to tell them that we have taken a step forward, and we look forward to working with them to finish the job.

Mr. BOUSTANY. Mr. Chairman, I reserve the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 3 minutes to the gentlelady from Florida (Ms. CORRINE BROWN), a member of the committee.

Ms. CORRINE BROWN of Florida. I want to thank Chairman OBERSTAR and Mr. MICA and Mr. DUNCAN and Chairwoman JOHNSON and Mr. PASCRELL for their hard work in bringing this bill to the floor; and I want to congratulate my good friend, EDDIE BERNICE JOHNSONn, for bringing her first bill to the floor this week as chairwoman of the Water Resources Subcommittee.

I am so pleased that our committee, with the guidance of our transportation guru, Mr. OBERSTAR, will be making access to a safe wastewater infrastructure and a clean water supply a top priority.

There are places in my district and in the State of Florida where the sewer and water system are as bad as some

systems that I have seen in Third World countries. Let me repeat. There are places in my district that remind me of being in a Third World country when it comes to water and sewer, and this infrastructure is what separates us from those countries. This is why cleaning up these systems is so important and why this legislation is so necessary.

This bill provides $1.8 billion over 5 years to municipalities and States to improve and prevent sewer overflow by improving the aging and obsolete sewer systems that plague many towns and cities. These improvements will not just protect the environment but will improve overall public health.

One of the greatest things about serving on the Transportation Committee is that our committee actually puts people to work in good-paying jobs that benefit the public. We all talk a lot on this floor about supporting hardworking Americans, but some people don't believe that those workers deserve fair wages for their hard work. This is why it is so important that we support Davis-Bacon and ensure that everyone who works hard can experience the American Dream.

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Mr. BOUSTANY. Mr. Chairman, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I now recognize the distinguished Chair of the entire committee, Mr. OBERSTAR, to close general debate.

The CHAIRMAN. The gentleman from Minnesota is recognized for 9½ minutes.

Mr. OBERSTAR. As far back as the 108th Congress, the committee considered and favorably reported this bill to address the urgent and mounting needs of comprehensive wastewater infrastructure. A visionary on the committee and leading the charge on this legislation was our former committee member, Mr. PASCRELL, the gentleman from New Jersey, who spoke earlier. He and Mr. CAPUANO, the gentleman from Massachusetts, urged upon the committee a vigorous program of reinvestment in the Nation's wastewater infrastructure needs. The committee, in fact, in the 108th Congress considered and favorably reported this bill with total bipartisan support.

Regrettably, it didn't reach the House floor in the 108th Congress. It wasn't reported from the committee in the 109th Congress. The needs have only grown. They have worsened. In those areas of the gulf stricken by the Katrina and Rita and Wilma hurricanes, the needs are crushing as the gentleman from Louisiana can well attest.

So we have moved again expeditiously in the committee to bring this bill to the House floor. I thank all those who have participated: the gentleman from New Jersey; the gentleman from Massachusetts; especially the Chair of our Subcommittee on Water Resources, the gentlewoman from Texas; and the gentleman from Louisiana who is now managing the bill on the Republican side. These are serious, urgent problems, combined sewer overflows.

The administration in their statement of opinion on the bill sort of suggests that this is not a national problem. We settled that issue in 1956, that clean water is a national problem when my predecessor, John Blotnik, authored the very first legislation, the Federal Water Pollution Control Act Amendments 1956, signed into law by President Dwight Eisenhower. Every President since then has acknowledged the need for the Nation to address the problems of clean water in our rivers, the tributaries to those rivers, the lakes, the estuaries and the saltwater regions of coastlines of the United States and the Great Lakes.

The vast majority of cost in cleaning our Nation's wastewater falls on the shoulders of local communities, local ratepayers, with some participation from States varying from one State to the other, and now through the Clean Water Revolving Loan Fund.

We have felt that, as the committee that originated this legislation, that led the charge for the Nation to clean up the Nation's rivers, lakes and receiving waters of all types, to leave a heritage for those who come after us of clean water. This investment we make today, that will, I am very confident, quickly be considered by the other body, and I am quite confident will be signed into law by the President, will move us along the way toward that goal of meeting the Nation's need for clean water.

As is stated in the opening paragraph of the Clean Water Act of 1972, the purpose of the act is to establish and maintain the chemical, biological and physical integrity of the Nation's waters. With this legislation, we make a down payment on meeting that objective.

Mr. WELDON of Florida. Mr. Chairman, I rise to express my concerns about the bill that is before us, H.R. 569. At the beginning of the 110th Congress, the Democrat majority talked about the need for fiscal responsibility and with much fanfare passed the pay-go rules. Yet, for almost every bill that has been considered thus far this year they have waived the pay-go rules. They do so again today.

The bill they have brought to the House floor authorizes $1.8 billion in increased federal spending over the next five years for state and local sewer programs. This $1.8 billion price tag is more than a half-a-billion more than what the Republican majority put forward in the last Congress when it was seeking to reauthorize this program.

The bill under consideration today is anything but music to taxpayers' ears. Essentially, the Democrats are proposing a no-strings-attached taxpayer handout to states for local water sewer projects without responsible cost-sharing arrangements provided in currently existing programs.

Furthermore, Florida communities would receive very little, if any, assistance. The state of Florida has already addressed many of the problems associated with mixed storm water and sewage systems and would thus receive very little benefit. So, this largely creates a new program for which Florida taxpayers will pay on others' behalf.

A more equitable and fiscally responsible approach is to not divert funding from the State Revolving Fund program as is proposed in this bill. The SRF already helps states and local communities fund various water improvement projects. However, it does so in a more equitable and fiscally responsible manner by providing low-cost loans and other cost-sharing arrangements that encourage states and local communities to take ownership of high priority projects.

Today's bill undermines this responsible approach and would incentivize states and local communities to become more dependent on federal subsidies for short- and long-term financing of their water sewer systems, rather than on the existing SRF. This bill simply hands money to the states, who then pass it on to local communities, without requiring them to have a detailed financing plan in place, and without cost sharing.

For these reasons I am not able to support H.R. 569.

Mr. McGOVERN. Mr. Chairman, Congress has long recognized the need to protect our nation's water supply. Over three decades ago, we passed the Clean Water Act (CWA) establishing a federal program to aid wastewater treatment plant construction and upgrades. And, in the years since, over $76.5 billion has been provided to assist cities in building and upgrading sewage infrastructure.

Ask any mayor or council member in your district, and I am certain that they will agree this money has been well-spent helping communities to prevent the discharge of waste into surface waters. Unfortunately, while funding needs have increased over the years (21% between 1996 and 2000), Congress has yet to increase its appropriations to meet this growing demand. In the end, our cities and towns have been left to cover many of these costs alone.

In my district, the city of Fall River has been undertaking significant wastewater upgrades, costing in excess of $100 million. Within the community, there is strong support for complying with the Clean Water Act, and the city itself has devoted a significant amount of public funds to support this effort. But, the reality is that without federal assistance, they would be unable to meet the standards mandated by the CWA.

The towns of Westborough and Shrewsbury share a treatment plant and are facing similar challenges with costly upgrades. And in my hometown, the Upper Blackstone Water Pollution Abatement District servicing the City of Worcester and surrounding communities has found itself in a nearly identical position.

Similarly, the city of Marlborough operates two wastewater treatment plants; one on the easterly side of the City discharges into the Hop Brook River and the second on the westerly side of the City discharges into the Assabet River. Under the conditions of the City's NPDES permits, they are required to make substantial upgrades to both of their treatment plants. The City of Marlborough's engineering consultant estimates these upgrades to cost between $60 and $80 million depending on whether the City is required to

recharge into the groundwater as opposed as directly into the river.

Over the years, I have worked to obtain some modest direct federal financial relief for these projects, but it has been clear that the needs of these two cities have far exceeded the funding available. In fact, under the Republican-led Congress, funding for the Clean Water State Revolving Loan Fund, which addresses critical water infrastructure needs, was slashed by 34 percent. And, though sewer overflow grants were authorized for 2002 and 2003, the Republican leadership refused to appropriate any funds and let the authorization expire.

In the end, this failure to increase federal funding for these programs is what makes the Clean Water Act an unfunded mandate in the eyes of the cities and towns we are all elected to represent.

And that is why this legislation we have before us today, H.R. 569, is so important. It authorizes $1.5 billion in grants to local communities over the next five years to prevent dangerous sewer overflow. Such funding will be invaluable to communities like Fall River and Marlborough, and I urge my colleagues to join me in supporting H.R. 569.

Mrs. GILLIBRAND. Mr. Chairman, I rise today in strong support of H.R. 569, the Water Quality Investment Act.

This bipartisan bill authorizes $1.8 billion dollars over the next five years for grants to prevent dangerous sewer failures—which can create significant public health hazards in communities across Upstate New York.

This bill is critically important in helping districts such as mine—as our rural communities are invariably faced with aging sewer systems.

Upstate New York is on the verge of a great economic revival, but in order to take that next step, we must address our major water concerns. To attract and keep businesses in our towns we need the infrastructure to support them.

This legislation has the potential to help benefit over 10 communities in my Upstate New York District. From Whitehall to Mechanicville, to Hudson—today we are making an important investment in our future.

I am pleased to see this Congress recognizes the need to update our water systems and hope to see a continued emphasis on infrastructure investments that will benefit rural communities like those I represent in New York.

The Water Quality Investment Act doesn't only make sense from an economic standpoint—but it is vitally important from an environmental standpoint as well.

Water systems in my district serve some of the nation's most pristine waters including Lake George in the Adirondack Mountains. Towns like Ticonderoga need this help to preserve our environmental treasures.

I thank you again Mr. Chairman, for the opportunity to speak in support of this crucial bill, and I urge my colleagues to join me in support of this vital funding that will protect lives, preserve the environment, and help cities and states pay for modernizing their sewer infrastructure

Mr. COSTELLO. Mr. Chairman, I rise today in strong support of H.R. 569, the Water Quality Investment Act. This legislation is extremely important to our local communities to improve stormwater and sewer system infrastructure.

In my congressional district alone, I have numerous communities, including the city of Sparta, the village of Coulterville, New Baden, Nameoki, and Ewing Township, that all need storm water and sewer system infrastructure improvements. However, the local communities have no money to make those improvements. We must provide a better standard of environmental health to our communities so that public health and our natural resources are not compromised.

H.R. 569 seeks to help by providing $1.8 billion over a 5-year period for sewer overflow control grants provided by the EPA. These grants would be used by communities to plan, design and construct treatment works to address combined sewer overflows and sanitary sewer overflows.

Mr. Chairman, we must help our State and local governments meet Federal standards and provide them with much needed relief. If it is a priority to build sewer and wastewater infrastructure in Iraq, it should be a priority here at home.

Again I strongly support H.R. 569 and urge my colleagues to do the same.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today in strong support H.R. 569, the ''Water Quality Investment Act,'' which authorizes $1.8 billion in much needed funds for municipalities to control combined sewer overflows, CSOs, and sanitary sewer overflows, SSOs, at the local level, and to better reduce sewer overflows, which will allow them to maximize environmental and health benefits. This necessary increase in funding is a good first step toward addressing the U.S. Environmental Protection Agency's estimated sewer overflow control costs of over $150 billion nationally.

Mr. Chairman, sewer system overflows are a growing problem in the United States today. Most Americans do not know that many of our municipalities utilize sewer systems constructed as far back as the 1860s. This antiquated infrastructure is deteriorating, and as a result, State and local governments are often unable to stop sewage and untreated waste from flowing into streets, basements, rivers, and lakes. It goes without saying, Mr. Chairman, that sewer overflows represent a major public health hazard.

Combined sewer systems, those handling both waste water and storm water, which are found mainly in older cities, are one source of these overflows. Our most recent data indicates that a total of 772 municipalities have combined sewers, serving approximately 40 million people. According to the Environmental Protection Agency, these combined sewer overflows, CSOs, discharge about 850 billion gallons of wastewater and storm water containing untreated waste, toxic debris, and other pollutants.

Sanitary sewer systems often overflow as well, releasing untreated waste into our environment in all 50 States and the District of Columbia. For example, in 2003, New Jersey closed over 30,000 acres of classified shellfish growing areas due to a large sanitary sewer overflow, SSO. Another year saw over 1,000 sewer overflows in Michigan, totaling over 20 billion gallons in spilled sewage.

Upgrading these systems is extremely expensive. The EPA estimates that the total cost of repairing the country's combined sewer systems is nearly $51 billion. The price tag for fixing U.S. sanitary sewer systems hovers around $89 billion. Sewer overflow control grants were authorized for 2002 and 2003, but the Republican-controlled Congress never appropriated any funds and let the authorization expire.

But the new majority in this House understands that ensuring clean water is a top priority for America's working families. A clean and healthy environment begins with clean water. H.R. 569 will help to make the Nation's water supply cleaner and healthier by authorizing $1.8 billion in much needed funding for municipalities to control combined sewer overflows, CSOs, and sanitary sewer overflows. That is why H.R. 569 is strongly endorsed by dozens of water management, environmental, public resource, building trades, and civil engineering associations, including the following:

American Concrete Pipe Association; American Concrete Pressure Pipe Association; American Council of Engineering Companies; AFSME; American Public Works Association; American Society of Civil Engineers; American Sportfishing Association; Associated General Contractors of America; Associated Equipment Distributors; Association of Equipment Manufacturers; and Association of California Water Agencies.

American Supply Association; Construction Management Association of America; California Rebuild America Coalition; Chesapeake Bay Foundation; Clean Water Action; Clean Water Construction Coalition; Design-Build Institute of America; Environmental and Energy Study Institute; Food & Water Watch; Laborers' International Union of North America; and International Union of Bricklayers and Allied Craftworkers.

International Union of Operating Engineers, AFL–CIO; National Association of Counties; National Association of Flood and Stormwater Management Agencies; National Association of Clean Water Agencies; National Association of Regional Councils; National Association of Sewer Service Companies; National Association of Towns and Townships; National Construction Alliance; National League of Cities; National Precast Concrete Association; and National Ready Mixed Concrete Assocation.

National Rural Water Association; National Society of Professional Engineers; National Urban Agriculture Council; Pipe Rehabilitation Council; Portland Cement Association; Rural Community Assistance Partnership; SAVE International; Underground Contractors Association of Illinois; Uni-Bell PVC Pipe Association; United Association of Journeymen and Apprentices in the Plumbing and Pipe Fitting Industry, AFL–CIO; The Vinyl Institute; The Western Coalition of Arid States; and United Brotherhood of Carpenters and Joiners of America.

Mr. Chairman, I strongly support H.R. 569 and urge all my colleagues to join me in supporting this legislation that addresses one of the real and pressing needs of the American people.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical matter and I would like to submit this statement for the record in support of H.R. 569, the Water Quality Investment Act.

The overflow of sewage into streets, basements, rivers and lakes is a serious environmental and health problem. Communities across New England face a higher risk of sewer overflows because of their aged and deteriorating infrastructure. For example, in my home State of Connecticut, the City of Hartford's sewer system was built 150 years ago.

It was designed to support roughly 15,000 people, but today the expanded system, including the district's central Hartford Treatment Plant, serves 400,000 people in 6 towns. As a result, over 1 billion gallons of untreated sewage overflows every year in Greater Hartford. On average, combined sewer overflows occur more than 50 times a year, which impacts 30 miles of the Connecticut River, including area basements and streets.

In Connecticut's First District, which I represent, the Metropolitan District Commission (MDC) is responsible for providing water supply, water treatment and water pollution control to eight cities and towns, including Hartford, West Hartford, East Hartford, Newington, Wethersfield, Rocky Hill, Windsor and Bloomfield. In order to support the rehabilitation and the rebuilding of Hartford's core system, in addition to satisfying State and Federal consent orders to eliminate sanitary sewer overflows, the MDC must expend more than $1 billion. On November 7,2006, the voters in the eight MDC municipalities approved an $800 million bond referendum for addressing the sewer overflow problem. However, without much needed Federal support, the annual cost to homeowners will increase from $119 per year to more than $1,000 per year. In Hartford, the city's residents have an average income less than the region's average and as a result of these regressive wastewater fees, will experience an even greater economic burden.

It is because of outdated wastewater systems, clean water needs and the direct impact it has on communities like those in Connecticut that the legislation before the House today is so important. The Water Quality Investment Act would reauthorize Sewer Overflow Control Grants for $1.8 billion over the next 5 years. These grants were authorized in Fiscal Year 2002 and Fiscal Year 2003, however, no funds were ever appropriated and the authorization of this program was allowed to expire.

Today and later this week when the House considers the Healthy Communities Water Supply Act (H.R. 700) and the Water Quality Financing Act (H.R. 720), the Democratic Majority is sending a clear message to the American people—this Congress is committed to investing in the health and safety of your family and your community. I urge all of my colleagues in supporting the underlying bill.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 569

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Water Quality Investment Act of 2007''.

SEC. 2. SEWER OVERFLOW CONTROL GRANTS.

(a) ADMINISTRATIVE REQUIREMENTS.—Section 221(e) of the Federal Water Pollution Control Act (33 U.S.C. 1301(e)) is amended to read as follows:

''(e) ADMINISTRATIVE REQUIREMENTS.—A project that receives assistance under this section shall be carried out subject to the same requirements as a project that receives assistance from a State water pollution control revolving fund under title VI, except to the extent that the Governor of the State in which the project is located determines that a requirement of title VI is inconsistent with the purposes of this section.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 221(f) of such Act (33 U.S.C. 1301(f)) is amended by striking ''$750,000,000'' and all that follows before the period and inserting ''$250,000,000 for fiscal year 2008, $300,000,000 for fiscal year 2009, $350,000,000 for fiscal year 2010, $400,000,000 for fiscal year 2011, and $500,000,000 for fiscal year 2012''.

(c) ALLOCATION OF FUNDS.—Section 221(g) of such Act (33 U.S.C. 1301(g)) is amended to read as follows:

''(g) ALLOCATION OF FUNDS.—

''(1) FISCAL YEAR 2008.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2008 for making grants to municipalities and municipal entities under subsection (a)(2) in accordance with the criteria set forth in subsection (b).

''(2) FISCAL YEAR 2009 AND THEREAFTER.—Subject to subsection (h), the Administrator shall use the amounts appropriated to carry out this section for fiscal year 2009 and each fiscal year thereafter for making grants to States under subsection (a)(1) in accordance with a formula to be established by the Administrator, after providing notice and an opportunity for public comment, that allocates to each State a proportional share of such amounts based on the total needs of the State for municipal combined sewer overflow controls and sanitary sewer overflow controls identified in the most recent survey conducted pursuant to section 516.''.

(d) REPORTS.—The first sentence of section 221(i) of such Act (33 U.S.C. 1301(i)) is amended by striking ''2003'' and inserting ''2010''.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in the designated place in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

AMENDMENT NO. 3 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I have an amendment that is filed and should be in order at the desk.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. KING of Iowa:

Page 4, line 6, strike ''$250,000,000'' and insert ''$237,500,000''.

Page 4, line 7, strike ''$300,000,000'' and insert ''$285,000,000''.

Page 4, line 7, strike ''$350,000,000'' and insert ''$332,500,000''.

Page 4, line 8, strike ''$400,000,000'' and insert ''$380,000,000''.

Page 4, line 9, strike ''$500,000,000'' and insert ''$475,000,000''.

Mr. KING of Iowa. Mr. Chairman, my amendment is a simple amendment. What it does is it recognizes that this authorization was authorized by Congress in 2002. It was authorized for $1.5 billion. This authorization takes us on up well over that. What I have done with my amendment is I do a 5-percent reduction in the authorization by the individual line items, and they all are on page four, so it amounts to a 5-percent reduction and takes us down to a number just a little bit above the inflation-adjusted 2002 number. So the $1.5 billion that was 2002 after adjusted for inflation comes to $1.69 billion. My amendment takes it up to just about $1.7 billion. This overall is not in the President's budget and we don't have this in any other budget, in Republicans or Democrats here, so this is an extra authorization.

Federal spending in the 110th Congress is out of control. The first five bills of the 110th Congress wasted about $14 billion of taxpayer money. If American taxpayers are going to be forced to foot the bill for projects that cities and States should be paying for, then they should only have to be forced to pay a reasonable amount. And if Members cannot vote for a reasonable reduction as done by this amendment, it proves that the majority in this Congress carries with it a tax-and-spend attitude. The restraint is what is in my amendment.

The funding authorized under this bill is $1.8 billion. My amendment will bring spending in line to about the inflation-adjusted portion, as I mentioned earlier. We need to make sure that our adjustments do so without wasteful government spending. We should not sit back and allow the majority to force their expansive jumbo jets or their poorly masked, earmark-ridden continuing resolutions on the American taxpayers.

Mr. Chairman, we all have to learn to tighten our belts. We have to learn how to do more with less. We have to draw the line somewhere. And we actually should draw it everywhere where we can to squeeze this down. The checks that this Congress have already written in a closed and rigid process are simply too large. In last year's elections, the new majority party promised the American people that they would rein in Federal spending and return fiscal restraint to Washington, DC. So far, that has not been what I have seen here in this Congress. I offer this opportunity to the minority and the majority to bring us back to a level of fiscal restraint.

We can and must do something about the deficit. We must do it right now. We have our opportunity right here. By voting for this amendment, you are stating that American taxpayers should not have to pay higher taxes in the future because we couldn't control our spending today. I think it is clear. This is a carefully drafted and a reasonable spending restraint amendment. It is a 5-percent reduction and it takes us down to an inflation-adjusted number from the 2002 authorization. I haven't heard a lot of discussion here about the expansion in needs. I did hear some significant requests that I think are relatively legitimate.

□ 1340

But it is important for us to be responsible in our request. It is important that we tighten our belt a little bit. If we can take it up one notch here, we can take it up another notch on another authorization and another appropriation, Perhaps we can get through this process. Having met PAYGO, for example, maybe we can get through this process and actually have a budget that is closer to balance than some we have seen in the past. Maybe we can get to the point of the promises that were made that we are going to have a balanced budget this year. I am looking forward to seeing that. I am trying to be helpful in offering this amendment, and I would ask my colleagues to support this fiscal restraint, fiscally responsible, reasonable amendment that preserves the authorization of 2002, makes adjustments for inflation so real dollars will buy the same amount of projects that would have been brought subsequent to the 2002 authorization, which, of course, was not appropriated to.

Mr. Chairman, I urge passage of this amendment.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

The gentleman from Iowa has made a very thoughtful presentation and offers an amendment that is founded on some logic of the previous history of the legislation, and suggests that we proceed at what he considers a Consumer Price Index rate of increase over the previous legislation, 2002 bill. If the gentleman is prepared to accept success, we will accept his amendment.

I yield to the gentleman.

Mr. KING of Iowa. I appreciate the gentleman's remarks, and I am very much in agreement with you that this is a responsible thing for us to do. And I again thank you, and I would be very happy to accept the recommendation and your support, and I would be willing to do the same.

Mr. OBERSTAR. Mr. Chairman, we are prepared to accept the gentleman's amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT NO. 1 OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. PRICE of Georgia:

At the end of the bill, add the following:

SEC. 3. REQUIREMENT OF OFFSETS.

(a) IN GENERAL.—No authorization of appropriations made by this Act or other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of the Federal Government, such that the net effect of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) DEFINITIONS.—In this section, the terms ''deficit'' and ''surplus'' have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).

Mr. PRICE of Georgia. Mr. Chairman, as you know, this bill, the Water Quality Investment Act of 2007, would reauthorize an expired Federal program that provides grants to States for the purpose of providing money to a municipality or municipalities for planning, designing and construction of treatment works for combined sewer overflows and sanitary sewer overflows.

This bill authorizes, at least did prior to the last amendment, $1.8 billion in Federal grants. And while this bill is important, equally important is that my amendment will apply the principle of pay-as-you-go, something that we have heard a lot talked about here by the new majority.

Any new spending authorized in this bill would be required to be offset by a specific amount to make it so that there would be no increase in Federal spending.

Simply, the amendment provides that no authorization of appropriations made by this act that results in costs to the Federal Government shall be effective, except to the extent that the act provides for equal decreases in spending somewhere else in the Federal Government.

An excerpt from the ''New Direction for America,'' which was proposed by the now majority party last year when they were running for the majority, said, ''Our new direction is committed to pay-as-you-go budgeting. No more deficit spending. We are committed to auditing the books and subjecting every facet of Federal spending to tough budget discipline and accountability, forcing the Congress to choose a new direction and the right priorities for all Americans.''

Mr. Chairman, that sounds great, and I agree with that. My concern is what we may have here is another example of Orwellian democracy where just because you say something means it is so. But, Mr. Chairman, rules aren't rules if you only follow them when you want to.

So this is a matter of principle. It is a matter of accountability. My amendment is very simple and would provide that no additional spending would be undertaken unless it were offset elsewhere.

I would urge my colleagues to adopt this sensible PAYGO amendment to this Water Quality Investment Act of 2007.

Mr. OBERSTAR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I read with interest and puzzlement the gentleman's amendment that requires offsetting decreases in spending of the Federal Government, such that the net effect of this act does not either increase the Federal deficit nor reduce Federal surplus, of which we do not have one at this point.

We have inquired of the Congressional Budget Office about the language of the bill. The legislation before us, H.R. 569, does not include direct spending. The Congressional Budget Office estimates in their statement included in the committee report language: CBO estimates that implementing this legislation would cost about $1.45 billion over the next 5 years, which should be less now with the King amendment, and an additional $0.35 billion after 2012, assuming appropriation of the authorized amounts. Enacting the bill, CBO says, would not affect direct spending or receipts.

So I think the gentleman's amendment, while well intentioned, goes beyond the purpose of PAYGO. It would apply if we were taking money out of the highway trust fund. This is direct spending, although the highway trust fund is a different matter because there is already an antideficiency provision, you cannot spend more than the highway trust fund has in its account; and it is managed in a different manner.

So, we do not have direct spending authority in the legislation. And, therefore, the gentleman's amendment is not applicable, is not valid, and I would oppose the amendment.

I yield to the gentleman if he would like to respond.

Mr. PRICE of Georgia. I thank the gentleman for yielding. And given that I may disagree with that, but I would ask then, as a matter of principle, would you then not agree that adopting this amendment simply puts on record that we as a Congress believe that any money that would result as a result of this bill should be offset?

Mr. OBERSTAR. Reclaiming my time, adopting the amendment would create a false impression that we in fact have created a direct spending authority in the legislation. And the gentleman is perfectly within his rights to offer such an amendment on direct spending legislation, for which I would have no objection, but in this legislation, it creates the false impression that we are in fact creating direct spending authority when in fact we are not. And, if adopted, it would create an unacceptable and invalid precedent.

Mr. PRICE of Georgia. Mr. Chairman, will the gentleman yield?

Mr. OBERSTAR. I yield to the gentleman from Georgia.

Mr. PRICE of Georgia. I appreciate that perspective. We worked with legislative counsel on this, as well as the Parliamentarian, and believe this is an appropriately crafted amendment. And I understand and appreciate the gentleman's reservation.

Mr. OBERSTAR. Mr. Chairman, I respectfully oppose the amendment. I would appreciate it if the gentleman would withdraw the amendment and not have a recorded vote on it, but he is certainly within his rights to proceed further on it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment offered by the gentleman from Georgia (Mr. PRICE).

The amendment confuses the issue of authorization of appropriations and actual funding of these programs through the appropriations process. This amendment would require that any authorization of appropriations be considered with the corresponding offset, regardless of whether the program ever receives any funding.

In the example of the sewer overflows grant program, we are considering today a program that I remind my colleagues has never been funded through the appropriations process. This amendment would require the identification of $1.45 billion over the next 5 years in offsets regardless of whether appropriations are ever enacted in this program.

□ 1350

During the first few days of the legislative session, the new Democratic majority renewed PAYGO rules to require the identification of offsets of any changes in mandatory spending by legislative initiatives. This important provision expired under the Republican control of the House with no attempt to restore these protections to the Federal budgetary process.

As the gentleman is well aware, in the first days of the 110th Congress, the Democratic majority reinstituted PAYGO rules that requires the offsets in Federal receipts resulting from legislative proposals.

This bill has no effect on direct spending. In its analysis of the bill, the Congressional Budget Office specifically stated enacting the bill would not affect direct spending or receipts. However, to require offsets for any authorization of appropriations, regardless of its impact on Federal receipts, is beyond the scope of PAYGO and an appropriate limitation of the ability of Congress to address the needs of the Nation.

I oppose this amendment.

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

Mr. PASCRELL. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would ask the gentleman from Georgia (Mr. PRICE), respectfully, to withdraw this amendment. And if I may just take a few moments.

The pay-as-you-go rule, which was adopted by the House of Representatives, presents consideration of bills that affect direct or mandatory spending as we know it, or revenues, unless the measures also contain offsets, as I am sure my friend from Georgia knows.

Direct spending includes funds for entitlement programs, Social Security, Medicare, Medicaid, the Federal Employee Retirement and Unemployment Compensation and other programs that you and I, I think, would consider mandatory. All other spending in the budget is referred to as the discretionary spending, which is provided in and controlled by the annual appropriations process and is not subject to PAYGO. That is why the Congressional Budget Office has stated that this legislation does not trigger the PAYGO rule. CBO says, this is not direct spending, so it is not applicable in this legislation.

Now, I think your point is that maybe we ought to put everything under the same umbrella, but then you are going to have to change every authorizing program in the Congress.

This is a reauthorization. We are authorizing a program that already exists. The original authorization was signed into law in fiscal year 2001 in the omnibus appropriations bill. We are going to offset each and every reauthorization we consider in the House? I don't know if that is the direction you want to go in.

This majority, the Democratic majority, and we are talking about a bipartisan bill here, voted out unanimously in conference, this majority has instituted strong PAYGO rules, pay as you go. We are taking fiscal responsibility very seriously.

Nonetheless, neither this bill nor any other reauthorization bill falls under House PAYGO rules; and I wanted to make that clear.

The fact is that this is too critical a program, and I don't sense the sense of urgency here. This is too sensitive an issue, too urgent an issue to jeopardize with attempts to score a political point, as the gentleman from Georgia is attempting to do, I believe, if he considers to move forward. Failing to prevent sewer overflows will result in more sewage, more toxins, more debris making the way into our waterways and drinking water.

We have worked on both sides of the aisle for so many years to clean this mess up. What legacy do we leave to our children if we don't do this?

It is our duty to prevent beach closures, shellfish bed closures, contamination of drinking water and other environmental and public health concerns that result from sewer overflows before it is too late.

I would ask my friend from Georgia if he would consider not asking for a vote on this amendment.

Mr. OBERSTAR. Mr. Chairman, will the gentleman yield?

Mr. PASCRELL. I yield to the gentleman from Minnesota.

Mr. OBERSTAR. May I make another attempt with my colleague?

If I may make another appeal to the gentleman from Georgia. In the bill that we will consider on Friday to replenish State revolving loan funds, we submitted the legislation to the Office of Management and Budget and to the Congressional Budget Office. Both came back and said there is a possibility, not the possibility, there is the reality that local governments will float municipal bonds to match and to repay the cost of the loan from the State revolving loan fund. Those municipal bonds will result in a reduction in Federal revenues. Therefore, you must create an offset.

We then, taking that direction from CBO, reevaluated the bill in a bipartisan fashion. We reduced its authorization number from $20 billion to $14 billion, the period of time from 5 to 4 years, created the offset for the $14 billion.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. PASCRELL) has expired.

Mr. PASCRELL. Mr. Chairman, I ask unanimous consent for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. PRICE of Georgia. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. Objection is heard.

Mr. PRICE of Georgia. Mr. Chairman, I am pleased to withdraw my reservation should the same courtesy be extended to me to have an opportunity to address the issues that have been raised.

Mr. OBERSTAR. Mr. Chairman, I asked unanimous consent that the gentleman may be given two additional minutes so that I might yield to the gentleman from Georgia for him to respond.

The CHAIRMAN. Is there objection to the request?

Mr. PRICE of Georgia. Mr. Chairman, I withdraw my reservation.

Mr. OBERSTAR. Having made that presentation, if I may yield to the gentleman from Georgia for his response.

Mr. PRICE of Georgia. Well, I appreciate the gentleman yielding, and I appreciate the passion that this has resulted in on the other side.

I want to make it very clear, this is an important bill. There is no doubt about it. I have municipalities, cities that are certainly in need of assistance. But it is also important that we make certain that we prioritize here in Washington how we spend hard-earned taxpayer money. And if we are not going to start on that road now, when are we going to start?

We have heard a lot about fiscal responsibility from your side of the aisle. We heard a lot last year. We have heard a lot of promises. But what, in fact, has happened is that so much of the spending that we do here in Washington doesn't come under this umbrella of PAYGO that has been adopted by the House.

In fact, I would venture to say that the press releases that were released by my good friends when they adopted PAYGO didn't have any fine print in it that said, oh, by the way, it doesn't apply to discretionary spending. So PAYGO isn't PAYGO unless it is PAYGO for everybody; come one, come all.

So I would respectfully suggest that my good friends ought to, in the spirit of true fiscal responsibility, ought to support this amendment, and we can

move forward arm in arm and make certain that we are spending the hard-earned taxpayers' money of America wisely.

The CHAIRMAN. The time of the gentleman from New Jersey (Mr. PASCRELL) has expired.

(On request of Mr. PASCRELL, and by unanimous consent, Mr. OBERSTAR was allowed to proceed for 1 additional minute.)

Mr. OBERSTAR. I explained the situation with H.R. 720, the State Revolving Loan Fund, Mr. Chairman, so that the gentleman from Georgia would have understanding and confidence that the committee has done its homework, has acted responsibly on the matter of offsets where there is direct spending or where there is a reduction in Federal revenues.

□ 1400

We submitted H.R. 720 to review by CBO and the Office of Management and Budget. Both were of the opinion that there would be a reduction in revenues if municipalities issue municipal bonds and that those municipal bonds will be tax exempt and therefore a reduction in revenues.

The distinction between that legislation and this is that there is no direct spending involved. There is no resulting responsibility on governments to take action that would result in a reduction in revenues, nor is this an appropriation. It is not a direct spending. And, therefore, it is not subject to the PAYGO rules.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. ROHRABACHER

Mr. ROHRABACHER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. ROHRABACHER:

Page 5, after line 9, add the following:

(e) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—Section 221 of the Federal Water Pollution Control Act (33 U.S.C. 1300) is amended by adding at the end the following:

''(j) PARTICIPATION IN EMPLOYMENT ELIGIBILITY VERIFICATION PILOT PROGRAM.—The Administrator may make a grant to a State, municipality, or municipal entity under subsection (a) only if the State, municipality, or municipal entity provides assurances satisfactory to the Administrator that the State, municipality, or municipal entity will impose conditions requiring all persons, including contractors and subcontractors, carrying out activities using amounts of the grant—

''(1) to elect to participate in the basic pilot program described in section 403(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note); and

''(2) to comply with the terms and conditions of the election.''.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I reserve a point of order on the amendment.

Mr. ROHRABACHER. Mr. Chairman, my amendment would, very simply, prohibit government contracts in various water projects in terms of the Water Quality Investment Act from being provided to contractors who are hiring illegal immigrants. Among the many infrastructure treasures this Nation must guard, of course, is our water supply. And we want to ensure, if we are going to expend billions of dollars, taxpayer dollars, in improvements, that everyone the Federal Government is responsible for paying to work on these projects has a right to work here.

My amendment simply says that any recipient of a government grant or contract under this bill must use Social Security's basic pilot verification system to ensure that all employees are in this country legally.

The basic pilot program was expanded in 2003 and now covers 50 States. Many private employers who wish to be good corporate citizens already use the program.

This program is offered to every employer at no cost. When it comes to something as critical as our Nation's health and our water supply, this Congress has no excuse not to ensure that taxpayer dollars and government-funded jobs go to those who are in this country legally and who are legally entitled to get those jobs. The American people expect and deserve to have the Federal Government set an example for private industry when dealing with a system so essential to the health and well-being of our people.

Let us note that there is a lot of talk about prevailing wage going on in Congress as if we have to ensure that there is a higher wage given to people who work on government projects. Well, the very easiest way to do that is to ensure that contractors who work on government programs are not hiring illegal immigrants.

What we have here is a situation where a large number of people in this body are unwilling to confront the illegal immigration challenge at the expense of whom? The American working people whose jobs are being bid down in terms of the wages and the American taxpayers, who are, in this case, if we don't confront that problem, are going to basically have to pay higher taxes in order to pay for the same project. So, thus, we have the American working people and the American taxpayer both being hurt by not forcing employers to ensure that they are hiring legal workers for these various programs.

Now, I know the American people would agree with me, and I urge my colleagues to support this amendment, which is pro-working man and pro-taxpayer.

POINT OF ORDER

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I raise a point of order against this amendment. The amendment imposes conditions for receipt of these funds that are unrelated to the underlying bill. Specifically, the amendment requires contractors to participate in the employment eligibility verification pilot program of the Illegal Immigration Reform and Immigrant Responsibility Act. The amendment is not germane to H.R. 569 and violates clause 7 of rule XVI of the Rules of the House.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. ROHRABACHER. Mr. Chairman, I believe my amendment is germane. After all, we do add many such regulations on bills that we pass. They have to meet certain standards. This standard certainly is no different than many of the other standards.

It is just that this body refuses ever to involve themselves in anything that would stem the flow of illegal immigrants into this country and quit giving people an incentive to come here to take the jobs and the benefits that belong to the American people. And certainly this amendment, which is no different than many other types of restrictions that we place on government spending, is certainly germane to this bill. And, therefore, I would argue my case that it is germane.

The CHAIRMAN. Does anyone else wish to be heard on the point of order?

The gentlewoman from Texas makes a point of order that the amendment offered by the gentleman from California is not germane.

H.R. 569 authorizes the Environmental Protection Agency to make grants for sewer overflow control projects.

The amendment would impose a condition on the making of such grants. It would require the recipients of the funds to certify that all entities carrying out the sewer overflow control projects had elected to participate in an employment eligibility verification program under the Illegal Immigration Reform and Immigrant Responsibility Act of 1996.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment.

As recorded in Deschler-Brown Precedents, volume 11, chapter 28, section 30.23, an amendment conditioning the availability to certain recipients of funds in an authorization bill upon their compliance with laws not otherwise applicable to those recipients and within the jurisdiction of other House committees may be ruled out as not germane.

As the Chair understands it, participation in the employment eligibility verification program is voluntary on the part of employers. The amendment would require such participation by recipients of the funds authorized by the

bill. As such, the amendment requires the recipients to comply with a law not otherwise applicable and within the jurisdiction of other House committees.

The amendment is not germane. The point of order is sustained. The amendment is not in order.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. PASCRELL) having assumed the chair, Mr. SCHIFF, Chairman 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. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants, had come to no resolution thereon.

GENERAL LEAVE

Ms. EDDIE BERNICE JOHNSON of Texas. 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 H.R. 569.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Texas?

There was no objection.

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 2 o'clock and 9 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1606

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KIND) at 4 o'clock and 6 minutes p.m.

WATER QUALITY INVESTMENT ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 214 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 569.

□ 1607

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 further consideration of the bill (H.R. 569) to amend the Federal Water Pollution Control Act to authorize appropriations for sewer overflow control grants, with Mr. HASTINGS of Florida (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 2 printed in the CONGRESSIONAL RECORD by the gentleman from California (Mr. ROHRABACHER) had been disposed of.

AMENDMENT NO. 1 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, the pending business is the demand for a recorded vote on amendment No. 1 offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 260, not voting 13, as follows:

[Roll No. 123]

AYES—166

Aderholt
Akin
Bachmann
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Boehner
Bonner
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Campbell (CA)
Cannon
Cantor
Capito
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Drake
Dreier
Duncan
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Kuhl (NY)
LaHood
Lamborn
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Marchant
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris Rodgers
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Terry
Thornberry
Tiberi
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)

NOES—260

Ackerman
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Calvert
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Filner
Frank (MA)
Frelinghuysen
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Knollenberg
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Ortiz
Pallone
Pascrell
Pastor
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Regula
Rehberg
Reyes
Rodriguez
Rogers (KY)
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Simpson
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOT VOTING—13

Abercrombie
Blunt
Bono
Boyda (KS)
Camp (MI)
Christensen
Cubin
Davis, Jo Ann
DeLauro
Faleomavaega
Fattah
Larson (CT)
Payne

□ 1635

Messrs. DINGELL, CALVERT, AL GREEN of Texas, MCNERNEY, SIMPSON, KNOLLENBERG, COSTELLO,