

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. SCHAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 4387.

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

There was no objection.

Mr. SCHAUER. Mr. Speaker I yield myself such time as I may consume.

I would urge the adoption of this resolution, and I reserve the balance of my time.

Mr. MARIO DIAZ-BALART of Florida. I yield myself such time as I may consume.

Mr. Speaker, I would like to take this opportunity to thank Congressman MILLER of Florida for his leadership and hard work on this bill to correct the designation of this building, which was named after Judge Arnow.

Now, we could say so much about the judge, but Mr. Speaker, I would just like to highlight one part of his career, which is something I try to do whenever possible whenever anybody serves in the Armed Forces of the United States of America. I think, as much as his record is meritorious, it is something I always like to highlight.

Judge Arnow was in the private practice of law, but he also served as a U.S. Army major in the JAG Corps during World War II and served as a municipal judge in Gainesville, Florida. Again, I could go on and on, but I always try to highlight when someone has a military career in order to make sure that it is something we will never forget.

Mr. OBERSTAR. Madam Speaker, I rise in support of H.R. 4387, a bill to designate the Federal building located at 100 North Palafox Street in Pensacola, Florida, as the "Winston E. Arnow Federal Building".

Winston Eugene Arnow was an American lawyer and judge of the United States District Court for the Northern District of Florida. He practiced civil rights law in Gainesville before he was appointed to the Federal bench by President Johnson. His name is now synonymous with the momentous civil rights period from 1969 to 1978 in Northwest Florida when he followed the U.S. Supreme Court mandates to ensure the election of African Americans, public school desegregation, and improved prison conditions in the Escambia County jail.

Judge Arnow served as the chief judge of the Northern District of Florida, stretching from Pensacola to Gainesville, from 1969 until 1981. In 1969, Arnow ordered the Escambia County School District desegregated. In 1972, he presided over the trial of the Gainesville Eight, a group of anti-Vietnam War activists who were indicted on charges of conspiracy to disrupt the 1972 Republican National Convention in Miami Beach, Florida. All eight were acquitted.

Judicial authorities and officials viewed Judge Arnow as "all integrity," ignoring criticism by doing what he thought was the right and proper thing to do to protect civil liberties. He believed firmly in the U.S. Constitution and followed the statutes and higher court deci-

sions to the letter. Judge Arnow was a man of strong moral character, and conducted his court proceedings based on fairness and courtesy. He was a courageous trial judge and dedicated public servant. It is both fitting and proper that we honor his public service with this designation.

I urge my colleagues to join me in supporting H.R. 4387.

Mr. MARIO DIAZ-BALART of Florida. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SCHAUER) that the House suspend the rules and pass the bill, H.R. 4387.

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

A motion to reconsider was laid on the table.

RAY DAVES AIR TRAFFIC CONTROL TOWER

Mr. SCHAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5591) to designate the facility of the Federal Aviation Administration located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Air Traffic Control Tower," as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5591

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

**SECTION 1. DESIGNATION.**

*The airport traffic control tower located at Spokane International Airport in Spokane, Washington, and any successor airport traffic control tower at that location, shall be known and designated as the "Ray Daves Airport Traffic Control Tower".*

**SEC. 2. REFERENCES.**

*Any reference in a law, map, regulation, document, paper, or other record of the United States to the airport traffic control tower referred to in section 1 shall be deemed to be a reference to the "Ray Daves Airport Traffic Control Tower".*

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. SCHAUER) and the gentleman from Florida (Mr. MARIO DIAZ-BALART) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. SCHAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 5591.

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

There was no objection.

Mr. SCHAUER. I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 5591, and I urge support of this bill.

I reserve the balance of my time.

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Mr. MARIO DIAZ-BALART of Florida. I yield myself such time as I may consume.

Mr. Speaker, I also rise in support of H.R. 5591, introduced by my colleague from Washington, Representative MCMORRIS RODGERS, which, as the gentleman has just said, designates the airport traffic control tower located at Spokane International Airport as the Ray Daves Air Traffic Control Tower.

Again, I urge all our colleagues to also support it.

Mr. OBERSTAR. Mr. Speaker, I rise in support of H.R. 5591, as amended, introduced by the gentleman from Washington (Mrs. MCMORRIS RODGERS), which designates the airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the "Ray Daves Air Traffic Control Tower".

The air traffic controllers in Spokane, Washington, were so inspired by the biography of Ray Daves, a World War II radioman and civilian air traffic controller, that they began urging to have the airport traffic control tower where he had worked named after him.

Ray Daves was a radioman for the U.S. Navy during World War II. He survived the bombing of Pearl Harbor. During the attack, he carried ammunition to a machine gun on the second-story roof of the U.S. Pacific Fleet Headquarters on Oahu, Hawaii. Later, Daves volunteered for service aboard the USS *Yorktown* aircraft carrier, where he was assigned to the emergency radio room. He was present during the Battle of the Coral Sea and the sinking of *Yorktown* during the Battle of Midway in 1942.

During the rest of World War II, Daves served his country in Alaska as a radioman at Cold Bay, Alaska, for the U.S. Navy's air fields in the Aleutian Islands and flew "second seat" as gunner for aerial search-and-destroy missions against Japanese submarines in Alaskan waters. He also served as a liaison for the Soviet Air Force pilots who acquired U.S. bombers and fighter planes for the war in Europe. Daves taught at the Navy's school for radiomen in Gulfport, Mississippi, from 1945 until the end of the war.

When the war was over, Daves became a civilian air traffic controller at Geiger Field, later known as the Spokane International Airport in Spokane, Washington. He worked as an air traffic controller there for almost 30 years (from 1946 to 1974). Currently, Daves volunteers by educating other veterans about the Honor Flight program, which helps World War II veterans visit the memorial in their honor located in Washington, DC.

I urge my colleagues to join me in supporting H.R. 5591.

Mrs. MCMORRIS RODGERS. Mr. Speaker, I rise today in strong support of H.R. 5591, to designate the Federal Aviation Administration facility at the Spokane International Airport in Spokane, Washington, as the "Ray Daves Air Traffic Control Tower." I thank Chairman OBERSTAR and Ranking Member MICA for bringing the bill to the floor today.

As the sponsor of this bill, it is with great pride I stand here today. Ray Daves is a Purple Heart recipient and Pearl Harbor survivor who served our nation aboard the USS *Yorktown* throughout the Pacific during World War II.

While Ray's military service alone warrants this dedication, his commitment to his country and community since leaving the military justifies it as well. For the last 65 years, Ray has made Spokane his home—first working as an air traffic controller and still to this day volunteering his time to educate others about the Honor Flight Program for World War II veterans.

This recognition not only commemorates Ray's sacrifices and accomplishments, but also those made by the greatest generation, whose sacrifices to our country will never be forgotten.

I urge all of my colleagues to support H.R. 5591 and join me in thanking Ray Daves and those like him for his life of service.

Mr. MARIO DIAZ-BALART of Florida. I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. SCHAUER) that the House suspend the rules and pass the bill, H.R. 5591, as amended.

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

The title was amended so as to read: "A bill to designate airport traffic control tower located at Spokane International Airport in Spokane, Washington, as the 'Ray Daves Air Traffic Control Tower'."

A motion to reconsider was laid on the table.

#### CORPORATE LIABILITY AND EMERGENCY ACCIDENT NOTIFICATION ACT

Mr. SCHAUER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6008) to amend title 49, United States Code, to ensure telephonic notice of certain incidents, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6008

*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 "Corporate Liability and Emergency Accident Notification Act" or "CLEAN Act".

#### SEC. 2. NOTIFICATION OF INCIDENTS.

(a) TELEPHONIC NOTICE OF CERTAIN INCIDENTS.—

(1) IN GENERAL.—Chapter 601 of title 49, United States Code, is amended by adding at the end the following:

#### "§ 60138. Telephonic notice of certain incidents

"(a) IN GENERAL.—An owner or operator of a pipeline facility shall provide immediate telephonic notice of—

"(1) a release of hazardous liquid or another substance regulated under part 195 of title 49, Code of Federal Regulations, resulting in an event for which notice is required under section 195.50 of such title; and

"(2) a release of gas resulting in an incident, as defined in section 191.3 of such title.

"(b) IMMEDIATE TELEPHONIC NOTICE DEFINED.—In subsection (a), the term 'immediate telephonic notice' means telephonic notice, as described in section 191.5 of such title, to the Secretary and the National Response Center at the earliest practicable moment following discovery of a release of gas or hazardous liquid and not later than one hour following the time of such discovery.

"(c) REFERENCES.—Any reference to a regulation in this section means the regulation as in effect on the date of enactment of this section."

(2) CLERICAL AMENDMENT.—The analysis for such chapter is amended by adding at the end the following:

"60138. Telephonic notice of certain incidents."

(b) GUIDANCE.—Not later than 60 days after the date of enactment of this Act, the Secretary shall issue guidance to clarify the meaning of the term "discovery" as used in section 60138(b) of title 49, United States Code, as added by subsection (a) of this section.

#### SEC. 3. TRANSPARENCY OF ACCIDENTS AND INCIDENTS.

Not later than December 31, 2010, the Secretary of Transportation shall maintain on the Department of Transportation's Internet Web site a database of all reportable incidents involving gas or hazardous liquid pipelines and allow the public to search the database for incidents by owner or operator of a pipeline facility.

#### SEC. 4. CIVIL PENALTIES.

Section 60122(a)(1) of title 49, United States Code, is amended—

(1) in the first sentence—

(A) by inserting "or has obstructed or prevented the Secretary from carrying out an inspection or investigation under this chapter," after "under this chapter"; and

(B) by striking "\$100,000" and inserting "\$250,000"; and

(2) in the last sentence by striking "\$1,000,000" and inserting "\$2,500,000".

#### SEC. 5. COMPLIANCE WITH STATUTORY PAY-AS-YOU-GO ACT OF 2010.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the House Budget Committee, provided that such statement has been submitted prior to the vote on passage.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. SCHAUER) and the gentleman from New Jersey (Mr. LOBIONDO) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. SCHAUER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous materials on H.R. 6008.

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

There was no objection.

Mr. SCHAUER. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, after the BP Deepwater Horizon oil spill, I never could have

imagined that my community too could have been impacted by such an oil spill, but it happened.

On July 26, 2010, Enbridge Energy Partners reported a ruptured pipeline that spilled an estimated 1 million gallons of heavy Canadian crude oil into Talmadge Creek south of Marshall, Michigan, in my district. Oil-covered wildlife, a river and creek flowing black with oil for miles, and citizens were evacuated from their homes—these were all images from this oil spill that my constituents will not soon forget.

According to the National Transportation Safety Board, on Sunday, July 25, 2010, at 5:58 p.m., alarms began sounding in Enbridge Energy Partner's control room in Edmonton, Alberta, Canada, on Line 6B of Enbridge's Lakehead Pipeline. For more than 13 hours, alarms continued in Enbridge's control room. Enbridge did not know what was wrong with their 6B pipeline until 11:18 a.m. the following day when another company's technician reported to Enbridge that there was oil in Talmadge Creek. The leak was confirmed by Enbridge personnel at 11:45 a.m. on July 26, and they began laying boom immediately but did not report the spill until 1:29 p.m., nearly 2 hours later, to the National Response Center.

Another recent incident in San Bruno, California, the tragic PG&E rupture, took the lives of four people—three more are still missing—injured numerous others, destroyed 37 homes and damaged 11 others. This occurred at 6:11 p.m. on September 9, 2010. It wasn't reported to the National Response Center until 11:35 p.m., over 5 hours later.

When public's safety and health are at risk, every second counts. In the time Enbridge and PG&E waited to report these spills, Federal agencies and government emergency responders could have been en route or at the sites to help.

Congress directed that "a pipeline facility shall provide immediate telephonic notice of a release of hazardous liquid." In 2002, the Pipeline and Hazardous Materials Safety Administration's predecessor determined "immediately" to be defined as between 1 and 2 hours after discovery. Congress said a reportable spill incident needs to be reported immediately. Five hours is not immediately. Two hours is not even immediately.

My bipartisan bill, H.R. 6008, the Corporate Liability and Emergency Accident Notification Act, the CLEAN Act, clarifies the congressional intent of the term "immediately" in reporting a spill incident to the National Response Center and defines "immediately" to be no more than 1 hour after the discovery of an incident. My bill also increases penalties for any violation of a Federal pipeline safety regulation, including failure to report a spill incident in a timely manner. Additionally, the CLEAN Act seeks to increase transparency by directing the U.S. Department of Transportation to create a