

He passed away in 2002, having lived a life that is an example and an inspiration for all who knew him.

Mr. Speaker, I urge the passage of H.R. 2767 and ask my colleagues to join me in honoring William Trant's service to his country and his community.

Mr. CLAY. Mr. Speaker, I have no further speakers.

I ask that we recognize the long life and heroic service of William T. Trant and pass the underlying bill without reservation.

I yield back the balance of my time.

Mr. ISSA. Mr. Speaker, I join with my colleague and move that we support unanimously the William Trant Post Office naming, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ISSA) that the House suspend the rules and pass the bill, H.R. 2767.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. ISSA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### BRIAN A. TERRY MEMORIAL ACT

Mr. DENHAM. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2668) to designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the "Brian A. Terry Border Patrol Station".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2668

*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 "Brian A. Terry Memorial Act".

#### SEC. 2. FINDINGS.

The Congress finds the following:

(1) A native of Flat Rock, Michigan, Agent Brian A. Terry served his country proudly with the United States Marine Corps and continued his service as a police officer with the cities of Ecorse and Lincoln Park, Michigan, prior to joining the United States Border Patrol.

(2) Agent Terry was a member of the 699th Session of the Border Patrol Academy assigned to the Naco Border Patrol Station within the Tucson Sector.

(3) On December 14, 2010, Border Patrol Agent Brian A. Terry was conducting a Border Patrol Tactical unit (BORTAC) operation in the area of "Peck Wells".

(4) At 11:15 p.m., near Rio Rico, Arizona, and about 15 miles north of Nogales, Arizona, Agent Terry and his team spotted a group of individuals approaching their position.

(5) Shortly thereafter, an encounter ensued and gunfire was exchanged that left Agent Terry mortally wounded.

(6) Agent Terry succumbed to his injuries on December 15, 2010.

(7) Agent Terry is survived by his mother, father, stepmother, stepfather, brother, and two sisters.

#### SEC. 3. DESIGNATION.

The station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, shall be known and designated as the "Brian A. Terry Border Patrol Station".

#### SEC. 4. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the station referred to in section 1 shall be deemed to be a reference to the "Brian A. Terry Border Patrol Station".

The SPEAKER pro tempore (Mr. ROGERS of Alabama). Pursuant to the rule, the gentleman from California (Mr. DENHAM) and the gentleman from Maryland (Mr. CUMMINGS) each will control 20 minutes.

The Chair recognizes the gentleman from California.

#### GENERAL LEAVE

Mr. DENHAM. 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. 2668.

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

There was no objection.

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

H.R. 2668 would designate the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the Brian A. Terry Border Patrol Station. I am pleased to coauthor H.R. 2668, and I want to thank the gentleman from California (Mr. ISSA) for introducing this bipartisan legislation.

The Brian A. Terry Memorial Act would honor Border Patrol Agent Brian A. Terry by designating the station of the United States Border Patrol located at 2136 South Naco Highway in Bisbee, Arizona, as the Brian A. Terry Border Patrol Station.

Born in Flat Rock, Michigan, Agent Terry proudly served his country with the United States Marine Corps and continued his service as a police officer in Michigan prior to joining the United States Border Patrol. Agent Terry became a member of the 699th Session of the Border Patrol Academy, assigned to the Naco Border Patrol Station within the Tucson, Arizona, sector.

On December 14, 2010, Border Patrol Agent Brian A. Terry was conducting a Border Patrol Tactical Unit operation in the area of Peck Well. At 11:15, near Rio Rico, Arizona, and about 15 miles north of Nogales, Arizona, Agent Terry and his team spotted a group of individuals approaching their position.

□ 1700

Investigators later found that the suspects were preying on illegal immigrants with the intent to rob them. Shortly thereafter, an encounter ensued and gunfire was exchanged that left Agent Terry mortally wounded by

a bullet fired by a suspect's AK-47. Agent Terry passed away the following day.

This legislation honors the ultimate sacrifice of Agent Terry while he bravely protected our Nation's borders. I support passage of this legislation and urge my colleagues to do the same.

I reserve the balance of my time.

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

I rise in strong support of H.R. 2668, the Brian A. Terry Memorial Act, which honors the life and sacrifice of U.S. Border Patrol Agent Brian Terry. I'm pleased to be an original cosponsor of this measure, and I applaud Mr. ISSA for his leadership on this.

One year ago this Wednesday, on December 14, 2010, as on so many previous nights, Agent Terry and his team were out patrolling the border areas of Arizona and defending this country. Tragically, that night he died in the line of duty from injuries sustained in a gun fight. He died in the line of duty upholding his oath to defend our country. He was only 40 years old and was days away from taking a trip back home to Michigan for the Christmas holiday.

Even before he joined the United States Customs and Border Protection as a Border Patrol agent, Agent Terry displayed an exemplary record of public service. He joined the United States Marine Corps upon his graduation from high school and served a tour of duty in Iraq. He was honorably discharged in 1994.

Upon completing his military service, he returned home to Michigan and completed a bachelor of science degree in criminal justice. He then served as a police officer in Ecorse and Lincoln Park, Michigan. In 2007, he joined the United States Customs and Border Protection and became a member of its elite Border Patrol Tactical Unit. This unit responds to some of the most dangerous threats against our Nation's homeland, which perfectly suited Agent Terry's courage, patriotism, and dedication to his country. Agent Terry was stationed at the Nogales Border Patrol Station near Tucson, Arizona, which is the largest border patrol station in the entire country.

Agent Terry took great pride in serving and defending his country. He worked tirelessly day after day confronting imminent and immediate danger on the southwest border.

Despite the dangerous nature of his work, those who knew him described him as "a strong, competitive, handsome, courageous, funny, and incredibly patriotic American." He was also proud to serve as a Federal law enforcement agent.

I have met Agent Terry's family, and I support the ongoing efforts to seek answers for them. Others at the FBI and the U.S. Attorney's Office are working to bring his killers to justice.

I join with the chairman of the Oversight Committee, Chairman ISSA, in urging that the House adopt H.R. 2668, the Brian A. Terry Memorial Act,

which recognizes Agent Terry's life and service and names in his honor a Border Patrol station in Bisbee, Arizona.

With that, I reserve the balance of my time.

Mr. DENHAM. Mr. Speaker, I yield 10 minutes to the gentleman from California (Mr. ISSA).

Mr. ISSA. The ranking member said a great deal of what I was going to say and he said it well. Brian Terry was, in fact, a special human being who dedicated his life to public service, first in the United States Marine Corps, then in local law enforcement, then at the Border Patrol. His only ambition was to be a Federal law enforcement servant.

He left behind a family asking a great many questions because just 10 days before Christmas a year ago, he was gunned down. In fact, we still don't have all of the answers. The ranking member, Mr. CUMMINGS, and I continue to look for those answers. We learned only last week that there is an indictment in connection with his killing. We look forward to the Terry family having full and complete resolution of all the details around his death.

But for all the ambiguity that often happens in the heat of a battle that happens in law enforcement, there's no question about who Brian Terry was, what a special human being he was and why for only the second time in Border Patrol history will a facility be named for one of their fallen heroes. It was decades after the last fallen heroes before a facility not even envisioned at the time was named for them.

In this case we believe this is appropriate to do now. This was some one who knew the risk, and he went willingly into the highest risk down on our border. Here in Congress we often have a lively debate about the border and border enforcement. Brian Terry didn't debate border enforcement. He knew his job was to see that no one got past the border that wasn't supposed to.

Whether it was human traffickers, whether it was drug smugglers, whether they had high-powered rifles, or they were simply crossing the border illegally, he knew his job was to see that our borders were respected, and he did so out of a sense of duty and patriotism.

This act is hugely bipartisan at a time in which Congress is not so bipartisan. It is so because we know that the men and women of the Border Patrol, the men and women who support and protect one of the most basic aspects of national sovereignty, do so without looking at politics. They don't make the laws. They don't decide who gets to come to our country or not. They enforce them, and they enforce them in a way that we all can respect.

Our committee has an obligation to look into and to get the details of the unnecessary loss of his life. But I want to thank today Chairman MICA and Mr. DENHAM and certainly Ranking Member RAHALL for moving this historic piece of legislation, one that brings an

honor only once before ever given to a Border Patrol and Customs agent, to this one at the very facility where, if he were still alive, he would have returned after that Christmas back home in Michigan to his friends, his colleagues, the people whose flank he protected. He didn't get that opportunity to go home for Christmas. He didn't get to serve out his years with his friends and colleagues; and for that the family has our undying gratitude for his sacrifice and our apologies and our condolences for the loss.

Today, we're doing one of the few things we can do, and that is to honor on the House floor a fallen hero, a man who didn't fall in Iraq, but did fall on the Arizona border.

With that, I want to thank Mr. DENHAM for bringing this here in a timely fashion. I want to thank the Speaker for ensuring that this becomes law.

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

Mr. Speaker, we have no further speakers.

I will say that it is so important that we pause for a moment to honor people like Officer Terry.

So often our officers, various officers throughout the Federal system, go out expecting to come home to their families and unfortunately do not come home. It is so very, very sad. We spent quite a bit of time, Mr. ISSA and I, talking to the family and trying to console them. But I think the thing they want more than anything else right now is answers. I again join him in a bipartisan way with our entire committee to find those answers because I think it is so very, very important. As I've said many times, I shall not rest until we do find those answers.

With that, Mr. Speaker, I urge all of our Members to vote for this historic piece of legislation, and I yield back the balance of my time.

Mr. DENHAM. 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 California (Mr. DENHAM) that the House suspend the rules and pass the bill, H.R. 2668.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CUMMINGS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

□ 1710

PIPELINE SAFETY, REGULATORY CERTAINTY, AND JOB CREATION ACT OF 2011

Mr. SHUSTER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2845) to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2845

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

**SECTION 1. SHORT TITLE; AMENDMENT OF TITLE 49, UNITED STATES CODE; DEFINITIONS; TABLE OF CONTENTS.**

(a) *SHORT TITLE.*—This Act may be cited as the “Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011”.

(b) *AMENDMENT OF TITLE 49, UNITED STATES CODE.*—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or a repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of title 49, United States Code.

(c) *DEFINITIONS.*—Any term used in this Act that is defined in chapter 601 of title 49, United States Code, shall have the meaning given that term in that chapter.

(d) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; amendment of title 49, United States Code; definitions; table of contents.

Sec. 2. Civil penalties.

Sec. 3. Pipeline damage prevention.

Sec. 4. Automatic and remote-controlled shut-off valves.

Sec. 5. Integrity management.

Sec. 6. Public education and awareness.

Sec. 7. Cast iron gas pipelines.

Sec. 8. Leak detection.

Sec. 9. Accident and incident notification.

Sec. 10. Transportation-related onshore facility response plan compliance.

Sec. 11. Transportation-related oil flow lines.

Sec. 12. Cost recovery for design reviews.

Sec. 13. Biofuel pipelines.

Sec. 14. Carbon dioxide pipelines.

Sec. 15. Study of transportation of diluted bitumen.

Sec. 16. Study of non-petroleum hazardous liquids transported by pipeline.

Sec. 17. Clarifications.

Sec. 18. Maintenance of effort.

Sec. 19. Administrative enforcement process.

Sec. 20. Gas and hazardous liquid gathering lines.

Sec. 21. Authorization of appropriations.

**SEC. 2. CIVIL PENALTIES.**

(a) *GENERAL PENALTIES; PENALTY CONSIDERATIONS.*—Section 60122 is amended—

(1) in subsection (a)(1)—

(A) in the first sentence by striking “\$100,000” and inserting “\$175,000”; and

(B) in the last sentence by striking “\$1,000,000” and inserting “\$1,750,000”; and

(2) in subsection (b)(1)(B) by striking “the ability to pay.”

(b) *OPERATOR ASSISTANCE IN INVESTIGATIONS.*—Section 60118(e) is amended to read as follows:

“(e) *OPERATOR ASSISTANCE IN INVESTIGATIONS.*—

“(1) *ASSISTANCE AND ACCESS.*—If the Secretary or the National Transportation Safety Board investigates an accident involving a pipeline facility, the operator of the facility shall—